

MINUTES OF REGULAR MEETING OF MARCH 22, 2023

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, March 22, 2023 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 Keith Ramos, Deputy Mayor Chris Stracco, Committeeman Boynton, Committeeman McPeek, Committeeman Stock, Attorney Rich Beilin CFO Ashley Kannaley, and Municipal Clerk Donna Zilberfarb.

MINUTES:

- Minutes of February 15, 2023, regular meeting were approved on a motion by Mr. McPeek, seconded by Mr. Stock. All were in favor. Mr. Boynton abstained.
- Minutes of February 15, 2023, executive session meeting were approved on a motion by Mr. McPeek, seconded by Mr. Stock. All were in favor. Mr. Boynton abstained.
- Minutes of February 27, 2023, special meeting were approved on a motion by Mr. Boynton, seconded by Mr. Stock. All were in favor. Mr. McPeek abstained.

BUDGET:

RESOLUTION-#2023-33 WHEREAS, the Township of Frelinghuysen is holding a meeting on March 22, 2023, for the purpose of introducing the 2023 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 2023 Local Municipal Budget be introduced and approved on March 22, 2023.

2023 FRELINGHUYSEN TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 501,000.00
Total Miscellaneous revenue	301,410.00
Receipts from Delinquent Taxes	130,000.00
Local Property Taxes	<u>936,717.00</u>
Total General Revenues	<u>\$1,869,127.00</u>

Salaries and Wages	\$ 384,391.00
Other Expenses	643,710.00
Capital Improvements	40,000.00
Debt Service	300,571.00
Statutory Expenses	35,000.00
Reserve for Delinquent Taxes	<u>465,455.00</u>
Total 2023 Municipal Budget	<u>\$1,869,127.00</u>
2023 Municipal Tax Rate	\$0.323

Motion: Mr. McPeek
Second: Mr. Boynton

Committee Polled: Mr. Boynton-yes; Mr. McPeek-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 22, 2023. Witness my hand and the SEAL of the Township of Frelinghuysen. Donna Zilberfarb, Municipal Clerk

RESOLUTIONS:

#2023-29 RESOLUTION TO EXTEND TEMPORARY BUDGET WHEREAS, the 2023 Temporary Budget of the Township Committee of Frelinghuysen Township, as adopted January 1st, 2023, appropriated sufficient funds to cover the Town’s financial obligations for the first three months of the calendar year, and **WHEREAS**, due to a revision in the State budget calendar the 2022 budget will not be adopted by March 31st, **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Frelinghuysen Township, that the temporary budget be extended and that the appropriations be increased by one twelfth of appropriations made for all purposes in the budget for the year 2023 excluding appropriations made for debt service, capital improvement fund and public assistance in the amount of \$123,847. **CERTIFICATION:** I, Donna Zilberfarb, RMC, hereby certify that the above is a true and correct copy of a resolution adopted by the governing body of the Township of Frelinghuysen at a meeting held on March 22, 2023.

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

#2023-30 was not discussed

#2023-31 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF MARCH, 2023 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; 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. Boynton		x	x			
Mr. McPeek	x		x			
Mr. Ramos			x			
Mr. Stock			x			
Mr. Stracco			x			

#2023-32 RESOLUTION RESCINDING RESOLUTION #2022-23 CONCERNING SUPPORT OF PROGRESSIVE OPPORTUNITIES, LLC APPLICATION FOR CANNABIS LICENSE WHEREAS, on January 19, 2022, the Frelinghuysen Township Committee adopted Resolution #2022-23, expressing its support for the application of Progressive Opportunities, LLC to open a cannabis cultivation and/or manufacturing facility at 1090 Dark Moon Road in the Township of Frelinghuysen; and WHEREAS, Progressive Opportunities, LLC has advised that it does not intend to complete the application process with the New Jersey Cannabis Regulatory Commission, and WHEREAS, as such it is necessary and proper for Resolution #2022-23 to be rescinded. NOW THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that Resolution #2022-23 be and the same is hereby rescinded. BE IT FURTHER RESOLVED that the support for the application of Progressive Opportunities, LLC referred to in Resolution #2022-23 be and the same is hereby revoked. This Resolution shall take effect according to law. I, Donna Zilberfarb, Municipal Clerk of the Township/Borough of The Township of Frelinghuysen, do hereby certify that the foregoing resolution was duly adopted by the Municipal Township Committee of the Township of Frelinghuysen at a public meeting held on March 22, 2023. (seal) Donna Zilberfarb, Municipal Clerk

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

#2023-34 WHEREAS, the 2023 Local Municipal Budget was introduced on the 22nd day of March, 2023; and, WHEREAS, during the fiscal year 2023 the Township of Frelinghuysen has been allocated a state grant for various programs in the amount of \$136,700.00. NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2023 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:**"

Recycling Tonnage Grant	\$ 1,065.00
Alcohol Education PY Unapprop.	2,954.00
ARP PY Unapprop.	<u>27,211.00</u>
Total	\$ <u>31,230.00</u>

Motion: Mr. Boynton

Second: Mr. McPeek

Committee Polled: Mr. Boynton-yes; Mr. McPeek-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 22, 2023. Witness my hand and the SEAL of the Township of Frelinghuysen. (SEAL) Donna Zilberfarb, Municipal Clerk

#2023-35 WHEREAS, the 2023 Local Municipal Budget was introduced on the 22nd day of March, 2023; and, WHEREAS, during the fiscal year 2023 the Township of Frelinghuysen will receive revenue for various other special items in the amount of \$19,000.00 NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2023 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:**"

General Capital Fund Balance	\$ 19,000.00
	<u>\$ 19,000.00</u>

Motion: Mr. McPeek

Second: Mr. Boynton

Committee Polled: Mr. Boynton-yes; Mr. McPeek-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 22, 2023. Witness my hand and the SEAL of the Township of Frelinghuysen. (SEAL) Donna Zilberfarb, Municipal Clerk

ORDINANCES:

#2023-05 ORDINANCE REVISING SECTION 8-1.7 OF THE FRELINGHUYSEN TOWNSHIP CODE, "CONSTRUCTION FEE SCHEDULE" WHEREAS, it is necessary and appropriate at this time to revise the Construction Fee Schedule for the Township of Frelinghuysen. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows:

Section I 1. Section 8-1.7 of the Frelinghuysen Township Code is amended to read as set forth at Schedule A attached hereto, including the Plumbing Fee Inspection Schedule and Electrical Fee Inspection Schedule.

Section II 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any

Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 15, 2023 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 19, 2023 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. Boynton. Roll call vote: Mr. Boynton-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 19, 2023. **SCHEDULE A REVISED CONSTRUCTION FEE SCHEDULE (Deletions are Stricken Through, Additions Appear in Boldface)**

§ 8-1.7 Construction Fee Schedule.

The following schedule of fees is hereby established for various activities within the Township of Frelinghuysen: The fee for plan review shall be 20% of the construction permit fee and shall be paid before the plans are reviewed. The fee shall be credited toward the fee for the construction permit, but shall not be refundable in the event a permit is not issued.

Fee Schedule

a. New structure fees:

1. Use Groups B, H, I-1, I-2, I-3, M, E, R-1, R02, R-3, R-4, U, A-1, A-2 A03, A04, F-1, F-2, S-1, S-2 Volume of bldg. _____ cu. ft. x \$ _____
~~030~~ **\$0.38** = (volume fee)
2. Commercial farm buildings Volume of bldg. _____ cu. ft. x \$ _____
~~030~~ **\$0.38** = (volume fee)
3. Fee for tents in excess of 900 sq. feet, or more than 30 feet in any dimension \$150

b. Renovations, alterations, repair and minor work fees: (The applicant shall submit cost data by architect or engineer of record, a recognized estimating firm, or by contractor bid. The Construction Department will review the construction cost for acceptability).

1. Estimated cost: ~~\$24~~ **\$34** per \$1,000.
2. For combination of renovation and addition, the sum of the fees are computed separately as renovations and additions.

c. Plumbing fees: as per agent designated by Township of Frelinghuysen.¹

d. Electrical fees: as per agent designated by Township of Frelinghuysen.²

e. Asbestos abatement fee: \$150 plus CO fee on asbestos \$65.

f. Elevator fee: current fees pursuant to N.J.A.C. 5:23-4.2c6 and 7 and N.J.A.C. 5L23-12.6(A), (B) and (C).

g. Fire protection and hazardous equipment fee:

Standard fee: number of standpipes _____ x \$229.00 = \$ _____

Fire protection and other hazardous equipment; sprinklers, standpipes, detectors (smoke & heat), pre-engineered suppression systems, gas- and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums:

1. Sprinkler heads or detectors:

1-20 heads or detectors	=	\$75
21-100 heads or detectors	=	\$150
101-200 heads or detectors	=	\$250
201-400 heads or detectors	=	\$650
401-1,000 heads or detectors	=	\$950
Over 1,000 heads or detectors	=	\$1,300

Independent pre-engineered systems: Number of systems x \$150 = \$ _____

3. Solid, gaseous or liquid fuel appliance including: furnaces and boilers

Number of appliances x \$65 = \$ _____

4. Kitchen exhaust system:

Number of systems x \$65 = \$ _____

5. Incinerators:

Number of incinerators x \$365 = _____

6. Crematoriums:

¹ Editor's Note: The Plumbing Fee Schedule is included as an attachment to this chapter.

² Editor's Note: The Electrical Inspection Fee Schedule is included as an attachment to this chapter.

Number of crematoriums x \$365 = _____

- h. Certificate of smoke/carbon monoxide detector: \$90 five or more days before closing date; \$150 one to four days before closing date.
- i. Demolitions or removal permit:
 For structure less than 5,000 square feet in area and less than 30 feet in height, for one- or two-family Residences (R-3), and for structures on farms, including commercial farm buildings: \$150.
 All other structures: \$250.
- j. Signs \$1.50 per square foot.
 (Note: Fee to be based on one side of double-sided signs)
 Minimum Fee: ~~\$65~~ **\$75**.
- k. Certificate of occupancy fees:
 1. Fee shall be in the amount of 10% of the new construction permit fee. Minimum Fee: \$75.00.
 2. The fee for a Certificate of Occupancy granted pursuant to a change of use group \$150.00.
 3. The fee for a Certificate of Continued Occupancy issued under N.J.A.C. 5:23-2.23c - \$150.00.
- l. The fee for Plan Review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy subcode shall be \$274.00 for one- and two-family homes (Use Group R-3 of the building subcode), and for light commercial structures having the indoor temperature controlled from a single point, and \$1,369.00 for all other structures.
- m. The fee for an application for a Variation in accordance with N.J.A.C. 5:23-2.10 shall be \$594.00 for Class I structures and \$250.00 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$350.00 for Class I structures and \$150.00 for Class II and Class III structures.
- n. The fee for a permit for Lead Hazard Abatement work shall be \$140.00. The fee for a Lead Abatement Clearance Certificate shall be \$65.00.
- o. For cross connections and backflow preventers that are subject to testing, requiring re-inspection annually, the fee shall be \$46.00 for each device when they are tested.
- p. State Training and Certification Fees:
 Current fees pursuant to N.J.A.C. 5:23-4.19
 New Structure: volume of structure x 0.0016
 Alterations (including asbestos abatement): 0.0008 per \$1000.00
 No State or CO Fee or Tank removal or Demolition
- q. Grand Total of All Fees: Minimum fee for construction permit, in part or in total, shall be \$46.00 pursuant to N.J.A.C. 5:23-2.27. In the case of a discontinuance of a building project, the plan review fees are not refundable.
- r. Flat Fees for Pools, Hot Tubs, and Spas: Above-ground pools, in-ground pools, hot tubs and spas fees shall be calculated at the rate of ~~\$24.00 per thousand dollars of estimated construction cost.~~ **as follows:**
Above-ground pool: \$140.00
In-ground pool: \$210.00
Pool Barrier: \$75.00
Hot Tubs and Spas: \$24.00 per thousand dollars of estimated construction cost.
- s. Special Inspections: Inspections requested for days on which the Township inspectors are not regularly scheduled shall be \$150.00 each.
- t. Minimum Fee: There shall be a minimum fee of ~~\$65.00~~ **\$75.00** on all permits, which does not include State Fees.
- u. **Mechanical Inspections: \$75.00 for first device, and \$15.00 for each additional device.**

REVISED PLUMBING FEE SCHEDULE

(Deletions are Stricken Through, Additions Appear in Boldface)

Plumbing Fee Schedule (Subsection 8-1.7c)									
Ln #	Fee Description	Basis	From	To	Amount	Incr.	Amt. Per.	Min Fee	Max Fee
1	Water Closet	Per Item	0	0	43.00 15.00	0.00	0	\$0.00	\$0.00
2	Urinal/Bidet	Per Item	0	0	43.00 15.00	0.00	0	\$0.00	\$0.00

3	Bath Tub	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
4	Lavatory	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
5	Shower	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
6	Floor Drain	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
7	Sink	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
8	Dishwasher	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
9	Drinking Fountain	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
10	Washing Machine	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
11	Hose Bibb	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
12	Water Heater	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
13	Fuel Oil Piping and Tank	Per Item	0	0	82.00 91.00	0.00	0	\$0.00	\$0.00
14	Gas Piping	Per Item	0	0	13.00 15.00	0.00	0	\$0.00	\$0.00
15	LP Gas Tank	Per Item	0	0	82.00 91.00	0.00	0	\$0.00	\$0.00
16	Steam Boiler	Per Item	0	0	82.00 91.00	0.00	0	\$0.00	\$0.00
17	Hot Water Boiler	Per Item	0	0	82.00 91.00	0.00	0	\$0.00	\$0.00
18	Sewer Pump	Per Item	0	0	82.00 91.00	0.00	0	\$0.00	\$0.00
19	Interceptor/ Separator	Per Item	0	0	82.00 91.00	0.00	0	\$0.00	\$0.00
20	Backflow Preventer	Size Range						\$0.00	\$0.00
	with Test Ports		0	0	82.00 91.00	0.00	0		
	without Test Ports		0	0	13.00 15.00	0.00	0		
21	Grease Trap	Per Item	0	0	82.00 91.00	0.00	0	\$0.00	\$0.00

Maximum		Dte	State		Admin	Minimum			
Dte Effective	Superseded	Fee %	Surcharge%		Fee	Fee	Active?		
03/02/09		0	0		0	0	Yes		
Ln #	Fee Description	Basis	From	To	Amount	Incr.	Amt. Per.	Min Fee	Max Fee
22	Sewer Connection	Per Item	0	0	82.00	0.00	0	\$0.00	\$0.00
23	Water Service Connection	Per Item	0	0	82.00	0.00	0	\$0.00	\$0.00
24	Stacks	Per Item	0	0	13.00	0.00	0	\$0.00	\$0.00
25	Water-cooled Air Conditioning	Per Item	0	0	82.00	0.00	0	\$0.00	\$0.00
26	Refrigeration Units	Per Item	0	0	82.00	0.00	0	\$0.00	\$0.00
27	Active Solar Systems	Per Item	0	0	82.00	0.00	0	\$0.00	\$0.00
28	Other Fixtures	Per Item	0	0	13.00	0.00	0	\$0.00	\$0.00
29	Other Special Devices	Per Item	0	0	82.00	0.00	0	\$0.00	\$0.00

**REVISED ELECTRICAL FEE SCHEDULE (Deletions are Stricken Through, Additions Appear in Boldface)
ELECTRICAL INSPECTION FEE SCHEDULE (Subsection 8-1.7d)**

1. ELECTRICAL FIXTURES AND DEVICES:

From 1 to 50 receptacles, fixtures or devices	\$50.00
Increments of 25 additional items	10.00

For the purpose of computing this fee, the term receptacles, fixtures or devices shall include the following:

Lighting outlets	Wall switches	Convenience receptacles
Smoke detectors	Heat detectors	Alarm devices
Motors 1 hp or less	Thermostats	Light standards

1. MOTORS:

GREATER than 1 hp, or LESS than or EQUAL to 10 hp	\$ 20.00
GREATER than 10 hp, or LESS than or EQUAL to 50 hp	60.00
GREATER than 50 hp, or LESS than or EQUAL to 100 hp	92.00
GREATER than 100 hp	457.00

2. ELECTRICAL DEVICES (including Transformers and Generators)

GREATER than 1 kw, or LESS than or EQUAL to 10 kw	\$ 20.00
GREATER than 10 kw, or LESS than or EQUAL to 45 kw	60.00

65.00

GREATER than 45 kw, or LESS than or EQUAL to 112.5 kw	92.00
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129.00

GREATER than 112.5 kw	457.00
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640.00

For the purpose of computing this fee, typical electric device sizes are listed below: Electric dryer.....5.0 kw Hot water heater.....4.5 kw

Electric range.....10.0 kw	Central Air (Per ton) 1.4 kw
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Surface units5.0 kw	Dishwasher 0.25 kw
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NOTE: Actual nameplate kw rating must be noted on application to ensure no delay in permit issuance**

SERVICE EQUIPMENT

(Term includes services, motor control centers, disconnects)

GREATER than 0 amp LESS than or EQUAL to 225 amp	\$ 60.00
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65.00

GREATER than 225 amp LESS than or EQUAL to 1000 amp	92.00
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129.00

GREATER than 1000 amp	457.00
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640.00

5. PERMANENTLY INSTALLED PRIVATE SWIMMING POOL

(Not including panelboards & lighting fixtures) Flat

Fee	\$60.00
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77.00

6. PRIVATE SECURITY OR FIRE ALARM

Flat Fee

35.00

7. THE MINIMUM FEE FOR ANY INSPECTION ON THIS SCHEDULE SHALL BE \$75.00

#2023-06 ORDINANCE REVISING SECTION LDO 1003 OF THE FRELINGHUYSEN TOWNSHIP LAND DEVELOPMENT ORDINANCE, CONCERNING THE ZONING PERMIT FEE WHEREAS, it is necessary and appropriate at this time to revise the fee assessed for the issuance of a zoning permit. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: **Section I** 1. Section 1003B(3) of the Frelinghuysen Township Land Development Ordinance is amended to read as follows (deletions are stricken through, additions appear in boldface): 3. The Zoning Officer shall charge a fee in the amount of ~~\$30~~ **\$100** for the issuance of any zoning permit pursuant to this chapter, which fee shall be due and payable prior to the review by the Zoning Officer, of any application for a zoning permit and shall not be refundable if the permit is not issued. This permit is valid for two years after the approval date. **Section II** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 15, 2023

and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 19, 2023 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. Boynton. Roll call vote: Mr. Boynton-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 19, 2023.

#2023-07 ORDINANCE REVISING SECTION 6-3.4 OF THE FRELINGHUYSEN TOWNSHIP CODE, CONCERNING ALCOHOLIC BEVERAGE LICENSE FEES WHEREAS, it is necessary and appropriate at this time to revise the fees assessed for alcoholic beverage licenses. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: **Section I** 1. Section 6:3-4 of the Frelinghuysen Township Code is amended to read as follows (deletions are stricken through, additions appear in boldface): **§ 6-3.4. License Fees; Maximum Number.** The annual fees of licenses for the sale or distribution of alcoholic beverages in the Township shall be as follows:

Class of License	Annual License Fee	Number
Plenary Retail		
Consumption License	\$360.00 \$432.00	4
Plenary Retail		
Distribution License	\$288.00 \$345.60	1

The license fees shall cover the period of July 1st of each year to June 30th of the year following and shall be for a full year and any portion of that year; there shall be no prorating of such licensing. The provisions of this subsection with respect to the limitation on the number of licenses shall not apply to the renewal or transfer of licenses presently issued. The license fees shall be payable in accordance with the revised statutes of New Jersey and rules and regulations promulgated by the Commissioner of Alcoholic Beverage Control. **Section II** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 22, 2023 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 19, 2023 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. Boynton. Roll call vote: Mr. Boynton-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 19, 2023.

#2023-08 ORDINANCE AMENDING CHAPTER 11 OF THE FRELINGHUYSEN TOWNSHIP CODE TO ADD A NEW ARTICLE II, "JUNIOR FIREFIGHTERS' AUXILIARY" WHEREAS, pursuant to N.J.S.A. 40A:14-95, et seq., the governing body of a municipality that maintains a volunteer fire department may establish an auxiliary to that fire department, to be known as the Junior Firefighters' Auxiliary; and WHEREAS, the Junior Firefighters' Auxiliary will provide a great benefit to Frelinghuysen Township and its residents, by providing assistance to members of the Fire Department as they fight fires and other emergencies, and providing training for prospective future members of the Department. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: **Section I** 1. Sections 11-1 through 11-12 of the Frelinghuysen Township Code, "Fire Department," are designated as Article I, "Fire Department." **Section II** 1. Chapter 11 of the Frelinghuysen Township Code, "Fire Department," is amended by adding a new Article II thereto, to read as follows: **Article II. Junior Firefighters' Auxiliary § 11-13. Junior Firefighters' Auxiliary created.** There is hereby established an auxiliary to the Frelinghuysen Township Volunteer Fire Company, to be known as the Junior Firefighters' Auxiliary, which shall operate under and pursuant to N.J.S.A. 40A:14-95 et seq. **§ 11-14. Eligibility for membership.** A. Any person who is a resident of the Township of Frelinghuysen and is at least 16 years and not more than 18 years of age shall be eligible for membership in the Junior Firefighters' Auxiliary. B. Prior to being accepted for membership in the Junior Firefighters' Auxiliary, a person eligible to serve pursuant to Section 11-17(A) shall: (i) Obtain permission to join the Auxiliary from that person's parent or guardian. Permission shall be granted in writing on a form prescribed by the Commissioner of Community Affairs; (ii) Complete an application and be interviewed by officers of the Frelinghuysen Township Volunteer Fire Company. This interview shall take place with the person's parent or guardian present; (iii) Submit documentation from a qualified physician verifying that the person is medically able to perform the activities of the Auxiliary as established herein, pursuant to N.J.S.A. 40A:14-98, and (iv) Obtain working papers from the New Jersey Department of Labor. The original written permission and working papers shall be retained by the Township Clerk, who shall forward a copy to the Chief of the Frelinghuysen Township Volunteer Fire Company. **§ 11-15. Insurance coverage for junior members.** Members of the Junior Firefighters' Auxiliary shall be provided with the same insurance coverage as provided for the regular volunteer firemen of the Township of Frelinghuysen. **§ 11-16. Junior Firefighters' Auxiliary Committee.** The Junior Firefighters' Auxiliary program shall be under the guidance of a standing committee within the Frelinghuysen Township Volunteer Fire Company. The standing committee shall be appointed annually by the Chief, and shall consist of three active Fire Company members, at least one of whom shall presently hold or have previously held a firematic officer's position within the Fire Company. **§ 11-17. Ineligibility for LOSAP.** Service in the Junior Firefighters' Auxiliary shall not be taken into account in determining eligibility for or the amount of

income to be received in the event that there is a Length of Service Award Program (“LOSAP”) established for the Frelinghuysen Township Volunteer Fire Company. **§ 11-18. Rules and regulations governing Junior Firefighters’ Auxiliary activities.** The following rules are established to govern the activities of the Auxiliary and to provide for the training of its members with a view toward their eventual membership in the Frelinghuysen Township Volunteer Fire Company: A. Junior Firefighters’ Auxiliary members shall attend at least 50 percent of all scheduled meetings and required training. B. Junior Firefighters’ Auxiliary members shall maintain a “C” or higher average in their schoolwork. C. Junior Firefighters’ Auxiliary members shall conduct themselves in a professional and appropriate manner when representing the Fire Company, including but not limited to following orders and observing designated procedures. Horseplay shall not be tolerated during training or in responding to calls. D. Pursuant to N.J.S.A. 40A:14-98, no Junior Firefighters’ Auxiliary member shall be required to perform duties which would expose the junior fireman to the same degree of hazard as a regular member of the Fire Company. E. Pursuant to N.J.S.A. 40A:14-98, a Junior Firefighters’ Auxiliary member may be permitted to perform non-hazardous support duties at a fire site, provided that: (1) the member has been appropriately and adequately trained to perform the support duties; (2) the member is appropriately and adequately supervised in performing those support duties at the fire site; (3) the member’s parent or guardian has provided written permission allowing the member to perform those support duties; and (4) the member is provided with insurance coverage that is identical to that provided for the regular members of the Fire Company. F. Junior Firefighters’ Auxiliary members shall not be permitted in the immediate vicinity of a hazardous condition involving the handling of dangerous or poisonous acids or dyes or injurious quantities of toxic or noxious dust, gases, vapors or fumes. G. Junior Firefighters’ Auxiliary members shall be on probation until the age of 18 years, and may be expelled from the Auxiliary for just cause. H. Junior Firefighters’ Auxiliary members shall comply with the rules and regulations of the Frelinghuysen Township Volunteer Fire Company, as well as any rules and regulations that may be established by or on behalf of the Auxiliary itself. I. Junior Firefighters’ Auxiliary members shall obey all New Jersey Department of Motor Vehicle laws while responding to calls. J. Junior Firefighters’ Auxiliary members may apply for an adult class of membership in the Frelinghuysen Township Volunteer Fire Company upon achieving the age of 18 years by completing the appropriate application forms in accordance with the Fire Company’s procedures. **Section III** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 15, 2023 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 19, 2023 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. Boynton. Roll call vote: Mr. Boynton-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 19, 2023.

#2023-09 ORDINANCE REVISING FRELINGHUYSEN TOWNSHIP LAND DEVELOPMENT ORDINANCE TO ADD A NEW SECTION LDO-707, “TECHNICAL COORDINATING COMMITTEE”

WHEREAS, the Rules and Regulations of the Frelinghuysen Township Land Use Board provide for a Technical Coordinating Committee, and establish the membership and duties of that Committee, and WHEREAS, it is necessary and appropriate at this time to revise the Frelinghuysen Township Land Development Ordinance to set forth the provisions governing the Technical Coordinating Committee within the Ordinance, and to provide for the fees to be collected in matters involving the Technical Coordinating Committee. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: **Section I** 1. The Frelinghuysen Township Land Development Ordinance is hereby amended by adding thereto a new Section LDO-707, Technical Coordinating Committee, to read as follows:

§ LDO-707. Technical Coordinating Committee. A. Purpose. A Technical Coordinating Committee is established, to meet with applicants to identify legal, planning, engineering, technical, procedural and evidential issues so as to assist applicants in making a more efficient and informative presentation to the Land Use Board. B. Membership. The Technical Coordinating Committee shall consist of the Land Use Board Attorney, Land Use Board Engineer, Land Use Board Planner and one member of the Land Use Board. The member of the Land Use Board shall be selected on an annual basis by the Chairperson of the Land Use Board, and shall serve a one-year term. C. Procedure. The Technical Coordinating Committee shall meet on a monthly basis if it has applications or matters to consider. It shall review all applications referred to it, and shall make recommendations to the applicant and/or to the Land Use Board for further action. The Land Use Board may review any applications to the Technical Coordinating Committee either before or after a ruling on completeness is rendered. Any recommendations made by the Technical Coordinating Committee shall be set forth in a written report to be submitted to the Land Use Board (unless the Board agrees to receive an oral report), with a copy to the applicant, where appropriate. D. Payment of Meeting and Professional Escrow Fees; Payment of Taxes. (i) The applicant, or the proposed applicant in the case of a pre-application Technical Coordinating Committee review, shall pay the applicable fees established by ordinance, including escrow fees to cover special expenses incurred by the Technical Coordinating Committee to cover special expenses incurred by the Committee for the rendering of services by the Township Attorney, Township Engineer or Township Planner to be held pursuant to N.J.S.A. 40:55D-53.2 and this Code. In addition, the applicant or proposed applicant shall pay a meeting fee in the amount of \$250.00. (ii) If such affidavit has not already been filed with the Land Use Board, the applicant, prior to meeting with the Technical Coordinating Committee, shall file with the Land Use Board an affidavit that real property taxes are currently paid and up-to-date. **Section II** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the

ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 15, 2023 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 19, 2023 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. Boynton. Roll call vote: Mr. Boynton-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 19, 2023.

#2023-10 ORDINANCE REVISING SECTION 13-1.4 OF THE FRELINGHUYSEN TOWNSHIP CODE, "DRIVEWAY CONSTRUCTION PERMIT AND FEE REQUIRED" WHEREAS, it is necessary and

appropriate at this time to revise the application fee and escrow deposit assessed in connection with driveway construction permits. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: **Section I** 1. Section 13-1.4a(1) of the Frelinghuysen Township Land Development Ordinance is amended to read as follows (deletions are stricken through, additions appear in boldface): **§ 13-1.4. Driveway Construction Permit and Fee Required.** a. An application for roadway opening shall be submitted to the Township Construction Official by the owner, or the authorized agent of the owner who is constructing a driveway or reconstructing, repairing or resurfacing a driveway which enters onto a Township road. Major and minor subdivisions shall not be exempt from permit requirements or exempt where the driveway construction is by the owner, subdivider or his successor. 1. The application shall be accompanied by the following: (a) A check in the amount of ~~\$100~~ **\$200** representing the nonrefundable application fee ("application fee"); (b) A check in the amount of \$1,500 representing a driveway bond escrow ("driveway bond escrow"), specifically for the paving of the driveway apron; and (c) A check in the amount of ~~\$800~~ **\$1500** to cover the cost of engineering and inspection fees ("engineering and inspection fee escrow")... **Section II** 1. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency. 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect. 3. This ordinance shall take effect immediately upon final passage and publication as required by law. **NOTICE** Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Frelinghuysen Township Committee held on March 15, 2023 and will be considered for final reading and adoption at the meeting of the Frelinghuysen Township Committee to be held on April 19, 2023 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. Boynton. Roll call vote: Mr. Boynton-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on April 19, 2023.

COMMITTEE REPORTS:

- Mayor Ramos – nothing to report
- Deputy Mayor Stracco – nothing to report
- Committeeman Boynton – nothing to report
- Committeeman McPeek – nothing to report
- Committeeman Stock – Mr. Stock let the committee know that the town is all set up in SAM.gove and FEMA and that he is ready to go for grant submissions.
- Municipal Clerk Zilberfarb – nothing to report

OLD BUSINESS:

NEW BUSINESS:

- CPWM courses for the foreman were discussed by Mr. McPeek and Mr. Ramos. After discussion, it was determined that classes could start for the foreman. Over a 5 year period and 2 classes in 2023, and 1-2 classes per each year after. The 5th year he will sit for the exam.
- Summer hours were discussed by Mr. Ramos and a motion was made by Mr. Stracco, to approve summer hours from June 15th – August 28th, with regular hours starting back the week of September 5th, seconded by Mr. McPeek. All were in favor.
- Jim Banta's resignation from the WC Solid Waste Advisory Council was accepted on a motion by Mr. Stracco with regrets, seconded by Mr. McPeek. All were in favor.
- Jessica Caruso's resignation from the Land Use Board was accepted on a motion with regrets by Mr. McPeek, seconded by Mr. Boynton. All were in favor.
- Mr. Ramos appointed Nick Sorrano as Class IV member with expiration of 12/31/23. Alternates will move up, Pamela Rogers – Alternate 1 and Justin Stanley Alternate 2. Motion to concur was made by Mr. McPeek, seconded by Mr. Boynton. All were in favor.

DEPARTMENT REPORTS:

Motion was made by Mr. Stock for a consent agenda for department reports 1-15, seconded by Mr. Stracco. All were in favor.

OPEN MEETING TO THE PUBLIC:

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

- Alan DeCarolis asked if there was reason that the foreman does not attend the meetings. Mr. Ramos asked if it was necessary and that he'd been to other township meetings and the foreman is not in attendance.
- Alan DeCarolis asked why all the fees were increasing. Mr. Ramos explained that the current fees weren't working and haven't been revised in years. Mr. Stracco explained the land use board fee schedule that was updated recently. Mr. Ramos explained that those were updated as they were not enough and the township was taking the short fall.
- Alan DeCarolis asked about the bills and what grand rental was for. Mr. Ramos explained it was for a scissor lift.
- Loren Greco asked about the bills list and what Finch Turf was for. Ms. Kannaley let him know it was for mower parts.
- Marty Connor asked about the technical coordinating committee ordinance. Mr. Stracco explained that it is a land use board committee established to expedite land use board matters for the professionals and attorney. He explained it was mentioned by the land use board attorney to adopt so escrow can be charged to the applicant to meet with them for informal meetings. Mr. Connor said they have a technical committee and asked what this means. Mr. Stracco explained that the escrow fee is established by ordinance not by the application fee. Admin fees would be paid by escrow. Mr. Connor felt it was worthwhile thing to do.
- Dan Kohuth asked who the land use board secretary was and asked if that was their responsibility to make sure escrow is correct. Mr. Ramos let Mr. Kohuth know that this has been discussed previously. Mr. Kohuth asked about applications having gone through with not enough escrow in the account. Mr. Ramos explained the fees that were raised and stated that everyone makes mistakes and we've learned and are moving forward.
- Dan Kohuth asked about CPWM classes and if the employee will be paying for them. Mr. Ramos explained that the township will be paying and that he is firm believer in education. Mr. DeCarolis asked if he would sign a contract to keep him after he finishes the courses. Mr. Ramos explained there is no contract.
- Dan Kohuth asked if the garages are compliant and what needs to be done to make it compliant. Mr. Ramos stated that it is now but will be lifting the roof and bringing the front out and squaring off the back.
- Dan Kohuth questioned the amount for Colliers Engineering bills this month. Mr. Ramos explained that the majority is all in escrow.
- Mr. Greco asked about the status of the Route 94 property. Mr. Ramos let him know that it didn't sell and the committee will be discussing the next steps.

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

CORRESPONDENCE:

- Board of County Commissioners of WC – Resolution 103-23
- Board of County Commissioners of WC – resolution 127-23
- Warren County Cultural & Heritage Affairs – outreach meetings
- Warren County Mosquito Extermination Commission – Notification application for authorization to the NJDEP, Division of Land Protection for conducting regulated activities in wetlands, flood hazard areas and transitional areas throughout Warren County
- Warren County Mosquito Extermination commission – Annual information packet
- MEL JIF – 2021-2022 annual report
- Covington & Burling LLP – Service copy of the Petition for Special relief filed by TV-49, Inc. licensee of television state WZME, Bridgeport, CT
- Voigt Law – Notice for application (dated 9/22/2022) was received on February 9, 2023.
- Blairstown Hose Company – February monthly
- Green Township Fire Department – January and February monthly
- Hope Township fire Department – January and February monthly

ADJOURNMENT:

There being no further business, motion was made by Mr. McPeek, seconded by Mr. Boynton to adjourn the meeting at 6:32 p.m. All were in favor.

Respectfully submitted,

Donna Zilberfarb, RMC