

**MINUTES OF REGULAR MEETING OF JULY 20, 2022**

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, July 20, 2022 and was called to order at 6:00 p.m. by Mayor Keith 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 e mailing notice to the New Jersey Herald and The Express-Times.

**ROLL CALL:**

Those present were: Mayor Keith Ramos, Deputy Mayor Chris Stracco, Committeeman David Boynton, Committeeman Todd McPeek, Committeeman Robert Stock, Attorney Rich Beilin, and Municipal Clerk Donna Zilberfarb.

**MINUTES:**

- Minutes of June 15, 2022 regular session meeting were approved on a motion by Mr. Stracco, seconded by Mr. McPeek. All were in favor.

**RESOLUTIONS:**

**#2022-63 RESOLUTION APPROVING THE ISSUANCE OF RAFFLE LICENSES FOR ANTLER RIDGE WILDLIFE SANCTUARY** WHEREAS, the Antler Ridge Wildlife Sanctuary has applied for a raffle license to conduct an on premises tricky tray consisting of application #2022-01; and WHEREAS, the Findings and Determination by the Municipal Clerk has determined that the organization is qualified to conduct such raffle. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that the Antler Ridge Wildlife Sanctuary raffle application #2022-01 is hereby approved.

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

**#2022-64 RENEWAL OF LIQUOR LICENSES IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN, STATE OF NEW JERSEY FOR THE YEAR 2022-2023** WHEREAS, the following Plenary Retail Consumption Licensee has filed an application with the Municipal Clerk together with the necessary fees for the year 2022-2023

2106-33-004-002 Kathleen Reay Administrator to Katharina Reay  
Fireside Inn

WHEREAS, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of New Jersey by the above applicants. NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Frelinghuysen on this 20th day of July, 2022 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses is granted for the year 2022-2023. CERTIFICATION I, Donna Zilberfarb, 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 July 20, 2022.

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

**#2022-65 PERSON TO PERSON PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TRANSFER FROM SWEET JANES CAFÉ & BAR LLC TO THE LONE PILGRIM PUB, LLC**

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption Liquor License No. 2106-33-003-008 heretofore issued to Sweet Janes Café & Bar LLC, to The Lone Pilgrim Pub, LLC; and WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and WHEREAS, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business. NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Frelinghuysen do hereby approve, effective July 20, 2022, the transfer of the aforesaid Plenary Retail Consumption License to The Lone Pilgrim Pub, LLC, and do hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to The Lone Pilgrim Pub, LLC, 278 Main Street, Johnsonburg (Frelinghuysen Township), New Jersey 07825, and is effective July 20, 2022." **CERTIFICATION** I hereby certify the

foregoing to be a true copy of a Resolution adopted by the Frelinghuysen Township Committee at a meeting held on July 20, 2022.

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

**#2022-66 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS TO THE FRELINGHUYSEN FIRE DEPARTMENT IN ACCORDANCE WITH N.J.S.A. 40A:5-29 WHEREAS**, permission is required by the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and, **WHEREAS**, the Township of Frelinghuysen provides for receipt of Donations to the Fire Department by the municipality to provide for the operating costs to administer this act; and, **WHEREAS**, N.J.S.A. 40A:5-29 allows for acceptance of contributions, and requires that the contributions be utilized in accordance with the contributor's conditions as long as they are lawful; **WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donations to Fire Department are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement: **NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows:

1. The governing body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of donations to the fire department and the Township of Frelinghuysen.
2. The Clerk of the Township of Frelinghuysen, County of Warren is hereby directed to forward two certified copies of this resolution to the Director of Local Government Services.

Motion made by Mr. McPeek, seconded by Mr. Boynton

Roll call vote:

	Yes	No	Abstain	Absent
Mr. Boynton	x			
Mr. McPeek	x			
Mr. Ramos	x			
Mr. Stock	x			
Mr. Stracco	x			

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Township Committee of the Township of Frelinghuysen, in the County of Warren, New Jersey, at a meeting held on July 20, 2022

**#-2022-67 CHAPTER 159 RESOLUTION: INSERTION OF 2021 AMERICAN RESCUE PLAN LOCAL FISCAL RECOVERY FUND WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of adoption of the budget, and **WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount, **NOW, THEREFORE, BE IT RESOLVED** that the Township of Frelinghuysen hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$113,722.39; which item is now available as revenue from the State of NJ, Department of Treasury, pursuant to the provisions of statute, and **BE IT FURTHER RESOLVED** that a like sum of \$113,722.39 be and the same is hereby appropriated under the caption of:

*Public and Private Programs Offset by Revenues  
American Rescue Plan Local Fiscal Recovery Fund*

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Township Committee of the Township of Frelinghuysen, in the County of Warren, New Jersey, at a meeting held on July 20, 2022

Motion made by Mr. Boynton, seconded by Mr. McPeek

Roll call vote:

	Yes	No	Abstain	Absent
Mr. Boynton	X			
Mr. McPeek	X			
Mr. Ramos	X			
Mr. Stock	X			
Mr. Stracco	X			

**#2022-69 RESOLUTION IN OPPOSITION OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL'S SPECIAL CONDITIONS ON LIMITED BREWERY LICENSEES WHEREAS**, the New Jersey Division of Alcoholic Beverage Control (NJABC) issued new special conditions on each limited brewery licensee in the state beginning Friday, July 1, 2022; and **WHEREAS**, under the license conditions, craft breweries are limited to hold 25 on-site activities open to the general public annually, as well as 52 private parties. Breweries can also attend 12 off-premises events, such as town, charitable and holiday celebrations; and **WHEREAS**, under these license conditions, craft breweries have restrictions on the types of television programming they can air in their tasting rooms, restricts what types of live or record music they can play or host, limits what food options they can make available to customers, bans the sale of coffee, and prohibits the sale of soft drinks and

other non-alcoholic beverages not made onsite at the brewery; and **WHEREAS**, according to the national Brewers Association, the one-hundred and forty-one craft breweries operating in New Jersey in calendar year 2021 contributed almost \$2 billion to the state’s economy, creating over 11,000 jobs at an annually income of more than \$55,000 per employee; and **WHEREAS**, Warren County is home to four microbreweries: Czig Meister Brewing Company and Man Skirt Brewing in Hackettstown, Buttzville Brewing Company in Washington Borough and Invertase Brewing Company in Phillipsburg; and **WHEREAS**, this past spring, these breweries created the “Skylands Ale Trail,” which has brought thousands of visitors to Warren County to experience these breweries and visit other neighboring local businesses; and **WHEREAS**, these new conditions will force these local, homegrown small businesses to rethink business models and closely consider which events they should participate in or host, which will reduce their profits and their opportunities to engage in their communities; and **WHEREAS**, visiting these microbreweries is about each of their unique experiences, and these proprietors have found exciting ways to engage other local businesses, vendors and artists in their communities; and **NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Frelinghuysen, Warren County, State of New Jersey strongly opposes the New Jersey Division of Alcoholic Beverage Control’s Special Conditions on Limited Brewery Licensees; and **BE IT FURTHER RESOLVED** that copies of this resolution shall be forwarded to each municipality in Warren County, all the counties of New Jersey, the leaders of the New Jersey Legislature, the board of County Commissioners of Warren County and Governor Phil Murphy. **CERTIFICATION:** I, Donna Zilberfarb, 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 July 20, 2022.

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

**#2022-70 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF JULY 2022**  
**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 JULY 2022; 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			
Mr. Ramos			X			
Mr. Stock		X	X			
Mr. Stracco			X			

**#2022-71 SETTING EXECUTIVE SESSION** **WHEREAS**, it is necessary to discuss items dealing with contract negotiations, attorney client privilege, and pending litigation. **WHEREAS**, under the Open Public Meetings Act (number 7 of the permitted exceptions to the requirements that a public body hold its meetings in public) it is permissible that such matters be discussed in executive or private session. **NOW, THEREFORE BE IT RESOLVED**, on July 20, 2022 that the Township Committee of the Township of Frelinghuysen will adjourn to private or executive session to discuss the above mentioned and results or portions of that discussion will be made known in reasonable length of time.

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

**COMMITTEE REPORTS:**

- Mayor Ramos – Nothing to report
- Deputy Mayor Stracco – Nothing to report
- Committeeman Boynton – Nothing to report
- Committeeman McPeek discussed the guard rails and the time it takes for weed wacking and let the committee know that he spoke with the county and received a cost of \$791.68 to have the county spray the guard rails. Mr. McPeek discussed the time it takes to weed wack and that the dpw are busy doing other roads projects and that there would be a cost savings by doing it this way. The committee was ok with proceeding with the county.
- Committeeman Stock – Nothing to report
- Municipal Clerk Zilberfarb explained the RAVE memorandum of understanding for the agreement between the Warren County OEM and Frelinghuysen Township. She let the committee know that after speaking with Jim Burns, OEM Coordinator, that this is an agreement that needs to be signed by the Mayor. She asked for a motion to authorize the Mayor to sign the agreement. Motion was made by Mr. Stracco authorizing the Mayor to sign said agreement, seconded by Mr. Boynton. All were in favor.

**OLD BUSINESS:**

- No old business

**NEW BUSINESS:**

- Street vacations for Old Stage, Kerr and a portion of Camp Weaqua roads were discussed. Mr. Stracco explained that this was looked into in 2012 and Ordinances were introduced but were voted down. Mr. Ramos asked the committee their thoughts. All were in agreement for Camp Weaqua and Kerr Roads, not Old Stage because of Nature’s Conservancy. Mr. Boynton did not agree with Kerr Road being vacated. Mr. Ramos asked Mr. Beilin to start the process for vacating Kerr Road and Camp Weaqua road.
- Mr. Ramos explained to the committee the rezone on the Route 94 property. He feels there is value in that property and has spoken with Mr. Sterbenz and Colliers Engineering will need to update the Master Plan to rezone this parcel. All members were in favor of moving forward to rezone the parcel on Route 94.
- Mr. Ramos discussed updating the personnel manual and checked the JIF website for updates. He let the committee know that this will occur in June 2023.
- Stormwater management was discussed by Mr. Ramos and he explained the new Tier level changes, moving Frelinghuysen to Tier A. He discussed with Mr. Sterbenz and explained that the town can ask for a hearing to move back to Tier B and explained that it could be costly. Mr. Beilin explained the time frame and that a hearing notice would have to be done by the end of the month. After discussion it was determined that the town will not contest this.
- Mr. Ramos explained the right of way and asked the committee to look through the document and think about preparing an Ordinance. Mr. Stock asked about the safety of the homeowners with regards to trees in power lines and Mr. Ramos stated they can call the power company in that instance. Mr. Stracco was ok with an Ordinance as long as it was legal and constitutional. It was determined that an ordinance for first reading will be ready for the August meeting.

**DEPARTMENT REPORTS: \*1-10**

Motion was made by Mr. Stracco for a consent agenda for department reports 1-10, seconded by Mr. Stock. All were in favor.

- Land Manager report – report in book
- Recreation Committee report – Mr. Ramos discussed the rec center and is happy that it is being utilized much more and that it is rented almost every weekend and is making money and mentioned that the deck needs to be addressed. Mr. Ramos also discussed that a 12x40 shed is being purchased to house the groomer, lawnmower and other equipment.

Motion was made by Mr. Stracco for a consent agenda for department reports 14-15, seconded by Mr. Boynton. All were in favor.

**OPEN MEETING TO THE PUBLIC:**

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

- Loren Greco, Greendell Road, asked if spraying was a good idea and asked if there was an Ordinance that was passed years ago to prevent that. Mr. Ramos stated that no there was no Ordinance on spraying.
- Alan DeCarolis, Heller Road, asked if they could send to Environmental what was being sprayed and not to spray by streams. Mr. McPeek explained that the county will spray where we want. Mr. DeCarolis also commented on the right of way and that no one knows what the ROW is. Mr. Stracco explained the NJ terms on ROW.
- Mr. DeCarolis also asked about Sustainable Jersey and asked if the township wished to proceed and asked if he could have someone come and discuss at a meeting. Mr. Ramos asked him to coordinate for the September 14 work session.

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

**EXECUTIVE SESSION:**

Motion was made by Mr. Boynton to enter into executive session, seconded by Mr. Stracco. All were in favor.

No action was taken.

Motion was made by Mr. Stracco to exit executive session, seconded by Mr. Boynton. All were in favor.

**RETURN TO REGULAR MEETING:**

Mr. Beilin explained that executive session was conducted for matters of pending litigation and attorney client privilege.

**CORRESPONDENCE**

- State of New Jersey DEP – Notification of Reassignment from a Tier B to Tier A municipality under the Municipal Separate Storm Sewer System (MS4) NJPDES Permit Program
- State of New Jersey NJDOT – Camp Wasigan Road
- State of New Jersey SADC – Fiscal Year 2023 (FY23) Appropriation Announcement Municipal Planning Incentive Grants
- State of New Jersey DEP – Freshwater Wetlands Letter of Interpretation: Line Verification Block 1401 Lot 21.06 (map in Clerk’s office)
- Warren County Board of Commissioners – Resolution opposing NJ division of alcoholic beverage controls special conditions on limited brewery licenses
- Township of Woodbridge – 2022 New Jersey Senior Olympics
- New Jersey Transit Corp – Fiscal Year 2022 request for federal financial assistance
- Blairstown Hose Company – June Report

**ADJOURNMENT:**

There being no further business, motion was made by Mr. Stracco, seconded by Mr. Boynton to adjourn the meeting at 7:21 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC