

MINUTES OF REGULAR MEETING OF AUGUST 17, 2022

The regular meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Wednesday, August 17, 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 Todd McPeek, Committeeman Robert Stock, Attorney Rich Beilin, and Municipal Clerk Donna Zilberfarb.

Committeeman David Boynton was absent

MINUTES:

- Minutes of July 20, 2022 regular session meeting and executive session meeting were approved on a consent agenda motion by Mr. McPeek, seconded by Mr. Stock. All were in favor.
- Minutes of July 28, 2022 special session meeting were approved on a motion by Mr. Stock, seconded by Mr. McPeek. All were in favor. Mr. Stracco abstained.
- Minutes of August 7, 2022 special session meeting were approved on a motion by Mr. Stock, seconded by Mr. Stracco. All were in favor. Mr. McPeek abstained.

ORDINANCES:

#2022-08 AMENDING ORDINANCE 2022-05 ESTABLISHING SALARY RANGES

WHEREAS, AN ORDINANCE OF THE TOWNSHIP OF FRELINGHUYSEN ESTABLISHING SALARY RANGES was adopted on March 16, 2022, and **WHEREAS**, the need exists to amend the ordinance, **NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Frelinghuysen, County of Warren and State of New Jersey, that the annual, monthly or hourly salary ranges of the following elected officials, appointees and employees of the Township of Frelinghuysen, effective January 1, 2022 shall be as follows:

TITLE:	MINIMUM	TO	MAXIMUM	
FIRE CHIEF	\$500.00		\$1,000.00	ANNUAL
FIRE DEPUTY CHIEF	\$400.00		\$600.00	ANNUAL
FIRE SECRETARY	\$200.00		\$400.00	ANNUAL
FIRE TREASURER	\$200.00		\$400.00	ANNUAL

BE IT FURTHER ORDAINED, that all salaries shall be retroactive to each appointment date except as otherwise noted. **BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon publication and final adoption pursuant to law. Donna Zilberfarb, RMC Keith Ramos, Mayor **CERTIFICATION** 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 July 28, 2022 and will be considered for final reading and adoption at a meeting of the Township of Frelinghuysen Township Committee to be held on August 17, 2022 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. McPeek to open for first reading for introduction, seconded by Mr. Stock. Roll call vote: Mr. Boynton-yes; Mr. Mcpeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-Absent. Second reading for adoption will be held on August 17, 2022 at 6 pm. Motion was made by Mr. Stracco to open for second reading for adoption, seconded by Mr. Stock. All were in favor. Motion was made by Mr. McPeek to open to the public, seconded by Mr. Stock. All were in favor. There was 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. McPeek. Roll call vote: Mr. Boynton-absent; Mr. McPeek-Yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes.

#2022-09 ORDINANCE APPROPRIATING THE SUM OF \$67,500.00 FOR VARIOUS FIRE

DEPARTMENT IMPROVEMENTS BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey as follows: **SECTION 1:** The sum of Sixty-Seven Thousand Five Hundred Dollars (\$67,500.00) presently located in the General Capital Fund is hereby appropriated for Various Fire Department Improvements funded from the Reserve for Fire Department Equipment. **SECTION 2:** In connection with the amount authorized in Section 1 hereof, the Township makes the following determinations:

- 1) The purpose described in Section 1 hereof is not a Current Expense and is a purchase the Township of Frelinghuysen may lawfully make as a capital purchase.
- 2) The period of usefulness of the purpose described in Section 1 hereof is not in the limitation of said Local Bond law and according to the aggregate reasonable life thereof is five (5) years or longer.

SECTION 3: All ordinances or parts of ordinances which are inconsistent with the terms of this ordinance be and the same hereby repealed to the extent of their inconsistency. **SECTION 4:** This ordinance becomes effective upon publication after adoption according to law. Donna Zilberfarb, RMC

Keith Ramos, Mayor **NOTICE** is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Frelinghuysen, in the County of Warren, New Jersey, held on the 28th day of July, 2022. It will be further considered for final passage after public hearing at a meeting of the Mayor and Committee to be held in the Municipal Building, 210 Main Street, in the Township of Frelinghuysen, on August 17th, 2022 at 6:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public. Motion was made by Mr. Mcpeek 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-Absent. Second reading for adoption will be held on August 17, 2022 at 6 pm. Motion was made by Mr. Stracco to open for seconded reading for adoption, seconded by Mr. Stock. All were in favor. Motion was made by Mr. McPeek to open to the public, seconded by Mr. Stock. All were in favor. Public comment: Mr. Greco asked which fire department this was for and Mr. Ramos explained it was for the allocation of capital for Hope, Blairstown and Green fire departments. Motion was made by Mr. Stracco to close to the public, seconded by Mr. McPeek. All were in favor. Motion was made by Mr. Stracco to approve for adoption, seconded by Mr. McPeek. Roll call vote: Mr. Boynton-absent; Mr. McPeek-Yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes.

#2022-10 ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF STREET KNOWN AS KERR ROAD IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN AND STATE OF NEW JERSEY WHEREAS, a portion of a road known as Kerr Road, in the Township of Frelinghuysen ("Kerr Road"), beginning at a point in the northerly right of way line of New Jersey State Highway Route 94 at its intersection with the southerly terminus of a 33 foot wide right of way known as Kerr Road, as fully described in the Schedule attached hereto, is no longer needed for any public purpose, and should be vacated; and WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 empower the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street. NOW THEREFORE BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, Warren County, and State of New Jersey, as follows: 1. The public rights and interests are hereby vacated with respect to a portion of Kerr Road, which portion is more specifically set forth in the metes and bounds description which is attached as a Schedule hereto and made a part hereof. 2. Title to the vacated street shall be apportioned to adjacent property owners, if any, in accordance with law. 3. Pursuant to N.J.S.A. 40:67-1(b), all public easements, rights and interests to the Streets to be Vacated, as more particularly delineated in Exhibit "A" hereto, are hereby vacated, released and extinguished except for said easements and rights specifically set forth herein and except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any Cable Television Company, as defined in the "Cable Television Act," N.J.S.A. 48:5A1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated. 4. Upon final adoption, a copy of this Ordinance shall be transmitted to the Warren County Clerk for recording as required by law. 5. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable. 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies. 7. This Ordinance shall take effect upon final publication as provided 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 Mayor and Committee held on August 17, 2022 and will be considered for final reading and adoption at a meeting of the Township Committee to be held on September 21, 2022 at 6:00 p.m. 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. Roll call vote: Mr. Boynton-absent; Mr. McPeek-Yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on September 21, 2022 at 6 pm.

#2022-11 ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF STREET KNOWN AS CAMP WEAHQUA ROAD IN THE TOWNSHIP OF FRELINGHUYSEN, COUNTY OF WARREN AND STATE OF NEW JERSEY WHEREAS, a portion of a road known as Camp Weahqua Road, in the Township of Frelinghuysen ("Camp Weahqua Road"), 772.30 feet in length, more or less, and beginning at a point at the intersection of a 33 foot wide right of way known as Camp Weahqua Road where it intersects the centerline of a 33 foot wide right of way, being the original alignment of Bear Creek Road, as fully described in the Schedule attached hereto, is no longer needed for any public purpose, and should be vacated, except to retain certain rights of way and access easements as described in the attached Schedule; and WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 empower the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any

public street. NOW THEREFORE BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, Warren County, and State of New Jersey, as follows: 1. Subject to the reservations specified in this ordinance, the public rights and interests are hereby vacated with respect to a portion of Camp Weahqua Road, which portion is more specifically set forth in the metes and bounds description which is attached as a Schedule hereto and made a part hereof. 2. All the rights of any and all public utilities, as defined at N.J.S.A. 48:2-13 and cable television companies, as defined at N.J.S.A. 48:5A-1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated are hereby expressly reserved and excepted from this vacation. 3. All of the rights in certain rights of way and access easements as described in the Schedule attached hereto are expressly reserved and excepted from this vacation in perpetuity. 4. Upon final adoption, a copy of this Ordinance shall be transmitted to the Warren County Clerk for recording as required by law. 5. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable. 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies. 7. This Ordinance shall take effect upon final publication as provided 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 Mayor and Committee held on August 17, 2022 and will be considered for final reading and adoption at a meeting of the Township Committee to be held on September 21, 2022 at 7:30 p.m. at the Municipal Building, 210 Route 661, 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. McPeek to open for first reading for introduction, seconded by Mr. Stracco. Roll call vote: Mr. Boynton-absent; Mr. McPeek-Yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes. Second reading for adoption will be held on September 21, 2022 at 6 pm.

RESOLUTIONS:

#2022-74 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's have filed an application with the Municipal Clerk together with the necessary fees for the year 2022-2023

2106-33-005-007 Plan B Pub, LLC
 2106-33-001-005 McEvoy, Joseph C (Johnsonburg 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 17th day of August, 2022 that the renewals of the above mentioned Plenary Retail Consumption and Plenary Retail Distribution licenses are 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 August 17, 2022.

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

#2022-75 WHEREAS, the Township of Frelinghuysen plans to improve a 3,100 foot segment of Camp Wasigan Road; and WHEREAS, the Township has obtained a grant from the municipal aid portion of the Transportation Trust Fund to help fund the project; and WHEREAS, the Township has appropriated the funds and plans on constructing the improvements in the fall of 2022; and WHEREAS, the Township plans on utilizing South State, Inc. ("South State") and Denville Line Painting Inc. ("Denville") through its membership in the Morris County Cooperative Pricing Council ("MCCPC") to perform the required milling, paving, and striping work on Camp Wasigan Road; and WHEREAS, South State and Denville are qualified contractors and have been found to be in compliance with the contract documents and technical specifications; and NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE of the Township of Frelinghuysen, that the Township shall utilize South State and Denville through its membership in the MCCPC, to perform the following work:

1. HMA Milling, 2" Depth at \$2.70/SY for a total of \$19,642.50 (South State);
2. Hot Mix Asphalt 9.5M64 Surface Course at \$72.50/Ton for a total of \$67,062.50 (South State);
3. Fuel Price Adjustment at \$6,660.00 (South State);
4. Asphalt Price Adjustment at \$11,100.00 (South State);
5. Traffic Stripes, Long Life, Epoxy Resin at \$0.34/LF for a total of \$2,116.50 (Denville).

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the N.J.D.O.T.'s Bureau of Local Government Services.

Date: August 17, 2022

Roll call vote:

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mr. Boynton						x
Mr. McPeek	x		x			
Mr. Ramos			x			
Mr. Stock		x	x			
Mr. Stracco			x			

#2022-76 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MONTH OF AUGUST 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 AUGUST 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
Mr. McPeek		x	x			
Mr. Ramos			x			
Mr. Stock			x			
Mr. Stracco	x		x			

COMMITTEE REPORTS:

- Mayor Ramos explained to members that were absent and the public that the special meeting was held to pass a resolution that was passed for funding opportunities for the fire department. Mr. Stock submitted the application and it was accepted. Mr. Ramos also explained that Planet Networks confirmed that Camp Wasigan, Golden Chain and Lincoln Laurel are all hooked up and ready to go.
- Deputy Mayor Stracco – Nothing to report
- Committeeman Boynton – Absent
- Committeeman McPeek discussed certain equipment he'd like to put on MunicBid. 2 brine tanks from the trucks that are not used, a fertilizer spreader and a dbox spreader. He will get all information to Ms. Zilberfarb so she can post on MunicBid. He discussed the Morton building and that the concrete has been poured and it is moving along.
- Committeeman Stock explained the grant for the fire department.
- Municipal Clerk Zilberfarb – Nothing to report

OLD BUSINESS:

- Right of way – Mr. Ramos and Mr. Beilin are continuing to work on this.

NEW BUSINESS:

- The resignation, after forty plus years, of Max Klein from the Land Use Board was accepted on a motion by Mr. Stracco with regrets, seconded by Mr. McPeek. All were in favor.
- NJTPA letter was discussed and after discussion it was decided to not send a letter in support.

DEPARTMENT REPORTS: *1-15

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

OPEN MEETING TO THE PUBLIC:

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

- Loren Greco asked what NVB playgrounds was on the bills list. Mr. Ramos explained it was for the playground. He also asked about Patch Management and if it was for Kerrs Corner Road and if they'd be back. Mr. McPeek let him know that yes it was for Kerrs Corner Road and they've been back two times. Mr. Greco also asked about the Tire King and Tree King bills on the bills list. Mr. McPeek explained Tire King was for truck tires and Mr. Ramos explained that Tree king was for a tree on South town road. Mr. Greco also discussed the gypsy moths and asked if the county would be spraying for these. The committee was not sure.
- Sandy Hall, of Layton, discussed changing the proposal on the Delaware Water Gap for National Park recognition. She explained that several towns in Sussex and Warren Counties are in opposition of this and have passed resolutions and asked the committee to consider passing a resolution opposing it. She mentioned that Warren County had supported it and then rescinded it after finding out there was no information within the proposal. Mr. Ramos let her know that the committee will look into a resolution opposing it pending further study.
- Marty Connor discussed trees on Lincoln Laurel Road and how they are leaning on the lines and asked if anyone would be coming to take those down. Mr. Ramos explained that he is

meeting with the JCP&L representative tomorrow and asked Mr. Connor to send him some pictures.

- Mark Willis, Allamuchy Road, asked about the status of the internet. Mr. Ramos explained the BPU contract and that Altice has agreed to build out but has been pushed back to the end of the summer, which is tentatively scheduled for the end of September but that could be changed. Mr. Willis asked the difference between Planet Networks and Optimum. Mr. Ramos explained that Planet Networks is internet only and Optimum is both internet and cable.

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

EXECUTIVE SESSION:

There was no executive session

CORRESPONDENCE

- State of New Jersey DEP, suspected hazardous substance discharge notification, 29 Muller Road
- NJLM – Annual Audit Statement
- NJLM – Annual conference information
- Harmony Township – Resolution in opposition of NJ Division of Alcoholic beverage control's special conditions on limited brewery licenses
- Fred Hopengarten – Notice of application to the Land Use Board
- JCP&L – 2022 JCP&L distribution vegetation activity – Allamuchy substation – 4 year cycle
- JCP&L – Compliance filings BPU Docket: ER22060374
- JCP&L – Provision of basic generation service BPU Docket ER22030127
- JCP&L – Adjustment of Rider BPU Docket ER22020039
- JCP&L – Review and approval of deferred balances BPU Docket ER21121257
- Blairstown Hose Company – July Report
- Green Township Fire Department – June report

ADJOURNMENT:

There being no further business, motion was made by Mr. McPeek, seconded by Mr. Stock to adjourn the meeting at 6:40 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC