

MINUTES OF WORK SESSION MEETING OF APRIL 13, 2022

The work session meeting of the Frelinghuysen Township Committee was held in the Township Recreation Center Building, 139 Lincoln Laurel Road, Frelinghuysen Township, New Jersey on Wednesday, April 13, 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, CFO Ashley Wilson, QPA Danette Dyer, and Municipal Clerk Donna Zilberfarb.

MINUTES:

- Minutes of March 16, 2022 regular session meeting were approved on a motion by Mr. Stracco, seconded by Mr. Stock. All were in favor. Mr. Boynton abstained.
- Minutes of February 16, 2022 executive session meeting were approved on a motion by Mr. McPeek, seconded by Mr. Stock. All were in favor. Mr. Boynton abstained.

ORDINANCES:

#2022-05 AN ORDINANCE OF THE TOWNSHIP OF FRELINGHUYSEN ESTABLISHING SALARY RANGES FOR EMPLOYEES AND OFFICERS

BE IT ORDAINED, 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 elected officials, appointees and employees of the Township of Frelinghuysen, effective January 1, 2022 shall be as follows:

TITLE:	MINIMUM	to	MAXIMUM	
MAYOR	\$3,000.00	to	\$5,000.00	ANNUAL
TOWNSHIP COMMITTEE MEMBERS	\$3,000.00	to	\$5,000.00	ANNUAL
MUNICIPAL CLERK	\$50,000.00	to	\$90,000.00	ANNUAL
ASSESSMENT SEARCH OFFICER	\$2,000.00	to	\$5,000.00	ANNUAL
PART TIME CLERICAL HELP	\$15.00	to	\$20.00	PER HOUR
TAX COLLECTOR	\$15,000.00	to	\$30,000.00	ANNUAL
TAX ASSESSOR	\$15,000.00	to	\$40,000.00	ANNUAL
CHIEF FINANCIAL OFFICER	\$15,000.00	to	\$30,000.00	ANNUAL
QUALIFIED PURCHASING AGENT	\$1,000.00	to	\$5,000.00	ANNUAL
BOARD OF HEALTH MEMBERS	\$25.00	to	\$50.00	ANNUAL
BOARD OF HEALTH SECRETARY	\$500.00	to	\$1,500.00	ANNUAL
ANIMAL CONTROL OFFICER	\$5,000.00	to	\$15,000.00	ANNUAL
OPEN SPACE/FARMLAND PRESERVATION SECRETARY	\$15.00	to	\$25.00	PER HOUR
CLEAN COMMUNITIES COORDINATOR	\$500.00	to	\$2,000.00	ANNUAL
RECYCLING COORDINATOR	\$500.00	to	\$2,000.00	ANNUAL
FORESTRY MANAGEMENT SECRETARY	\$15.00	to	\$30.00	PER HOUR
ENVIRONMENTAL COMM SECRETARY	\$15.00	to	\$30.00	PER HOUR
RECREATION SECRETARY (FFP)	\$15.00	to	\$25.00	PER HOUR
EMERGENCY MANAGEMENT COORDINATOR	\$1,000.00	to	\$3,000.00	ANNUAL
DEPUTY EMERGENCY MGT COORDINATOR	\$1,000.00	to	\$3,000.00	ANNUAL
ASSISTANT EMERGENCY MGMT COORDINATORS (4)	\$250.00	to	\$2,000.00	ANNUAL
STATE OF EMERGENCY VARIABLE COMP	\$100.00	to	\$500.00	PER DAY
CONSTRUCTION OFFICER	\$15,000.00	to	\$80,000.00	ANNUAL
TEMP SUBCODE INSPECTOR	\$30.00	to	\$50.00	PER HOUR
FIRE INSPECTOR OFFICIAL	\$2,000.00	to	\$15,000.00	ANNUAL
ELECTRICAL INSPECTOR	\$30.00	to	\$50.00	PER HOUR
ELECTRICAL INSPECTOR	\$2,000.00	to	\$20,000.00	ANNUAL
PLUMBING SUBCODE INSPECTOR	\$2,000.00	to	\$20,000.00	ANNUAL
TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICER	\$15.00	to	\$25.00	PER HOUR
TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICER	\$2,000.00	to	\$12,000.00	ANNUAL
ZONING OFFICER	\$5,000.00	to	\$15,000.00	ANNUAL
CODE ENFORCEMENT OFFICER	\$30.00	to	\$50.00	PER HOUR
LAND USE SECRETARY	\$15.00	to	\$30.00	PER HOUR
DPW SUPERVISOR	\$1,000.00	to	\$7,500.00	ANNUAL
DPW FOREMAN	\$20.00	to	\$50.00	PER HOUR
DPW OPERATOR/LABORER	\$18.00	to	\$30.00	PER HOUR
TEMPORARY DPW LABORER	\$15.00	to	\$25.00	PER HOUR
TEMPORARY DPW EQUIPMENT OPERATOR WITH CDL	\$30.00	to	\$40.00	PER HOUR
TEMPORARY DPW EQUIPMENT OPERATOR WITHOUT CDL	\$25.00	to	\$35.00	PER HOUR
SAFETY DIRECTOR	\$1,500.00	to	\$3,000.00	ANNUAL
MANAGER OF PUBLIC LANDS	\$500.00	to	\$3,000.00	ANNUAL
ASSISTANT MANAGER OF PUBLIC LANDS	\$500.00	to	\$3,000.00	ANNUAL

This ordinance shall take effect immediately upon final passage 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 Frelinghuysen Township Committee held on February 16, 2022 and was considered for final reading and adopted at the meeting of the Frelinghuysen Township Committee held on April 13, 2022 at the Frelinghuysen Township Recreation Center, 139 Lincoln Laurel Road,

Frelinghuysen Township, New Jersey. 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-yes. Second reading will be held on March 16, 2022. This ordinance was readvertised and second reading will be held on April 13, 2022. 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. Stracco to open to the public, seconded by Mr. McPeek. All were in favor. Public comment: Mr. Manz, Allamuchy Road, asked how anyone can comment on this when nothing was given to the public. Ms. Zilberfarb explained that all Ordinances are posted in the townhall. 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-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes.

NO. 2022-06 ORDINANCE ESTABLISHING FIRE DEPARTMENT, AND AMENDING THE FRELINGHUYSEN TOWNSHIP CODE BY ADDING A NEW CHAPTER 11 THERETO WHEREAS, pursuant to N.J.S.A. 40A:14-7, a governing body of any municipality may, by ordinance, create and establish a part-paid fire department, and provide for the maintenance, regulation and control there, and except as otherwise provided by law, appoint such members, officers and personnel as shall be deemed necessary, determine their terms of office, fix their compensation and prescribe their powers, functions and duties, and adopt and promulgate rules and regulations for the government of the department, and for the discipline of its members; and WHEREAS, in order to effectively and efficiently provide for the health, safety and welfare of Frelinghuysen Township, its residents and businesses, it is necessary and appropriate to establish a fire department. NOW THEREFORE BE IT ORDAINED by the Mayor and Committee of the Township of Frelinghuysen, Warren County, and State of New Jersey, as follows: **Section I** The Frelinghuysen Township Code is amended by adding thereto a new Chapter 11, to read as follows: **CHAPTER 11. FIRE DEPARTMENT** **§ 11-1. Fire Department established.** There is hereby created a fire department (referred to in this Chapter as the “Company,” which shall be an independent, part-paid and part volunteer municipal fire and rescue fire department serving the Township of Frelinghuysen and such other areas as may be designated by the Township Committee, known as the “Frelinghuysen Township Volunteer Fire Company.” **§ 11-2. Composition.** A. The Company shall consist of a Chief and Deputy Chief and such firefighters, engineers, lieutenants and captains as established in the Company's bylaws as shall be appointed as hereinafter set forth. B. There shall be a liaison representative from the Township Committee, who shall attend all Company meetings. **§ 11-3. Bylaws.** The Company shall prepare its own bylaws. The Company shall provide a copy of the bylaws to the Township Committee and shall provide the Township with copies of any updates or amendments that are adopted. In the event of a conflict between the bylaws and this ordinance, this ordinance shall take precedence. **§ 11-4. Administrative control; Ownership of Firehouse, Equipment and Apparatus.** A. Administrative control of the Company shall reside with the Company, with oversight by the Township Committee. The Chief of the Company shall provide regular reports to the Township Committee. The Company shall provide copies of its meeting minutes to the Township Committee upon request. B. The Township Committee shall approve all grant applications prior to the Company submitting same. All grant proceeds shall be payable to and shall be disbursed by the Township, unless the terms of the grant specifically require otherwise. C. The Township shall have title to the firehouse, all equipment and apparatus used by the Company. **§ 11-5. Records.** The Company shall maintain all records, including meeting minutes, as required by state law and regulations. The Company shall produce records in response to requests made under the Open Public Records Act as required under the Act. The Company shall produce records for inspection by the Township Committee liaison or Township Committee upon request. **§ 11-6. Expulsion or suspension.** After discipline has been implemented by the Company's Disciplinary Committee, the Township Committee shall have the right to expel or suspend any member or officer of the Company upon charges preferred, related to a violation of the Company's bylaws or the Township's personnel policies, provided that the member or officer of the Company who is the subject of the discipline shall be entitled to notice and a hearing before the Township Committee. **§ 11-7. Election of officers.** The officers of the Company shall be elected annually by ballot at an election of the Company, to be held on such date and time and at such location as shall be designated by the Company, and they shall hold office for one year from the first day of January following their election; provided, however, that the election of the Chief and Deputy Chief shall be confirmed by the Township Committee before they shall assume the duties of their office. **§ 11-8. Duties of Chief.** The duties of the Chief shall be as follows: A. The Chief shall preside at all meetings of the Company and shall maintain order and decorum therein. B. The Chief shall order any special meetings as required. C. The Chief, together with officers and trustees, shall have the power to refer, to the Disciplinary Committee, disciplinary matters against a member for improper conduct. D. The Chief shall order a fire drill or other exercise pertaining to fire duties at least once per month, and the members shall be notified of such at a regular meeting. E. It shall be the duty of the Chief, from the time the apparatus leaves the firehouse until it returns, when in attendance, to lead the operations of the Company while at fires, drills or parades. F. The Chief shall order the time for working the apparatus and shall set such time as he/she deems best for the welfare of the Company. G. The Chief shall appoint all special and standing committees and members as shall be deemed necessary for the proper transaction of the business of the Company. H. The Chief shall appoint three persons at the annual meeting each year, to be designated as the Auditing Committee, whose duty it shall be to examine the books and accounts of the Secretary and Treasurer of the Company and report upon the same at the next regular meeting. I. The Chief shall render an annual report of the operations of the Company at the annual meeting and furnish a copy of the report to the

Township Committee. J. The Chief's salary shall be determined by the Township Committee. K. The Chief shall appoint one member to act as historian, who shall maintain an appropriate history of the Company. L. The Chief shall report to the Township Committee at the regular meeting each month as to the condition of the Company and its apparatus, and of any other Company matters that the Chief deems necessary. **§ 11-9. Amendments.** The Township Committee reserves the right to amend this Chapter as necessary. **§ 11-10. Compensation.** The services rendered by the members of the Company shall be voluntary and without compensation, with the exception of the Chief, Deputy Chief, Secretary and Treasurer. The salaries of these individuals are as set by Township ordinance. **§ 11-11. Inspections.** The Mayor and Township Committee liaison shall, at all times and in the presence of the Chief or his/her designee, be admitted to the firehouse for the purpose of examining the conditions of the fire apparatus and any property of the Township. **§ 11-12. Duties of firefighters.** The duties of all firefighters of the Company shall be as follows: A. It shall be the duty of all members of The Company to obey all commands of their officers. B. It shall be the duty of all members of the Company to answer all fire alarms, and the Secretary shall maintain a record of same. C. Sickness or death in the family of a member, personal sickness, or absence from the Township shall be deemed sufficient excuses for neglect of duty, and no others will be accepted, absence from the Township to mean absence from the coverage area of the Company. D. No member shall appear at the meetings of the Company, or on duty, in a state of intoxication or under the influence of drugs, or shall be guilty of using indecent or profane language, or shall disobey the orders of the Chief, Deputy Chief, or officer in charge of the Company, or be guilty of unbecoming conduct or otherwise bringing disgrace upon the Company or Township, under penalty of expulsion. E. Any firefighter ceasing to be a member of the Company, either by resignation or by expulsion, shall lose all title to any and all property in any way belonging to the Company or the Township of Frelinghuysen. F. Any member leaving the Township for longer than one month shall notify the Chief or the Secretary of same. G. It shall be the imperative duty of all members who may be a witness to any improper or disorderly conduct by an officer or member, in the firehouse or while in service, to report same at once to the Chief or Deputy Chief. H. The Chief, Deputy Chief, or Secretary shall be the official spokespersons for the Company. I. It shall be the duty of all SCBA-certified members to have an annual physical. This physical must conform to the standards set forth by PEOSHA. If this physical is performed by the Township-approved doctor, it can be billed to the Township. If the physical is performed by a doctor of the member's choice, payment shall be the member's responsibility. J. Any member who is on disability from work under any circumstances, even if minor, must notify the Chief and Deputy Chief as soon as possible. A doctor's written clearance letter is mandatory before returning to attend fires. K. Members of the Company are expected to adhere to and comply with the specific personnel policies adopted by the Township Committee. **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.

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 Frelinghuysen Township Committee held on February 16, 2022 and was considered for final reading and adopted at the meeting of the Frelinghuysen Township Committee held April 13, 2022 at the Frelinghuysen Township Recreation Center, 139 Lincoln Laurel Road, Frelinghuysen Township, New Jersey. 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-yes. Second reading for adoption will be held on March 16, 2022. THIS ORDINANCE WAS READVERTISED TO APRIL 13, 2022 FOR ADOPTION. Motion was made by Mr. Stracco to open for second reading for adoption, seconded by Mr. McPeek. All were in favor. Motion was made by Mr. Boynton to open to the public, seconded by Mr. Stock. All were in favor. Mr Ramos addressed the Committee and public and gave a brief overview of what has been happening. He explained the debt that has been incurred and how the town has gotten to this point. He also explained the letter sent from Green Township explaining that they threatened they would terminate coverage without having a contract. He explained the task force for installing a fire department and explained why one is needed. He also explained that adopting the ordinance is the first step in the process. He explained that upfront costs can be paid with ARP funding and that all ARP funds must be used by 2026. He also discussed obtaining grants, 2 of which are for \$250,000.00. Mr. Ramos also explained that it would be a yearly cost of \$60,000.00, which he explained we pay \$103,000.00 per year now. The location was discussed being at the dpw garage and felt it was large enough. He explained that establishing a fire department in town helps benefit all residents. Mr. Boynton added that this will increase the value of our town as well. Public comment limited to 3 minutes per person and only questions about this ordinance.

- Dale Durling, Allamuchy Road, and Alan DeCarolis, Heller Road, thanked the committee for allowing them to help. Mr. Durling explained that they were not able to meet with Green Township as they were advised due to pending litigation not to meet. Mr. Durling and Mr. DeCarolis did meet with Mr. Burns, Sig Mueller, and the Mayor and all went to the fire truck to inspect it. Mr. Durling explained that after discussions they feel that this is a good idea for the township to move forward.
- Nick Pachnos, South Street, discussed different issues within the ordinance. He explained that no other fire department has a paid Chief, Assistant Chief, Secretary or Treasurer. He

discussed the clause regarding volunteers responding unless there's a death in family or something else and explained that most volunteers work full time jobs and that no other department has that stringent of measures in place. Mr. Pachnos stated his opinion is that the town will have a shell fire department with 4 paid employees within their control to get free coverage via mutual aid. Mr. Ramos explained that was not true and that the committee and himself have done much work to make this fire department work and explained that the town has to stop overpaying for fire coverage. Mr. Beilin asked if Mr. Pachnos looked at the Blairstown Ordinance, as the Chief, Assistant, Treasurer and Secretary being paid is in their Ordinance. Mr. Ramos explained that this was never against the fire department it was an injunction. Mr. Pachnos stated that it shows distain and that no one cares about response times and that the town will need volunteers.

- Paul Manz, Allamuchy Road, felt the Mayor explanation was confrontational. He asked if the fire truck had on board water and it was answered that yes 500 gallons. He also asked about volunteer coverage and if there would be 24/7 coverage. It was answered yes. Mr. Manz also asked about the total upfront non recurring costs. Mr. Ramos explained it would be \$295,916.14 and Mr. Burns explained that a good portion will be donated \$295,000.00. He asked about taxes raised and figured about \$250 one time and that number could be zero. He thanked Mr. Durling and Mr. DeCarolis for trying. He is concerned about life safety.
- Mike Kiesler, Camp Wasigan Road, let the mayor and committee know that good points were made and seem to be looking out for the best interest of the town. Mr. Kiesler is a mechanic and is concerned with maintenance on the pump and asked what's the cost. Mr. DeCarolis explained that the truck was in excellent condition and it was about 30 years old. Mr. Burns explained that the truck came from Howell township and was utilized as interim truck and was not used a lot.
- Colin Kellaheer, Saddle Ridge Road, referenced a recent purchase of a 10 year old truck. Mr. Burns stated that the NJ Division of safety does not put NFPA and that they are simply guidelines and stated that a truck in Jersey City or Newark is not the same as a truck in Frelinghuysen, NJ and explained they are guidelines and not set standards or law. Mr. Kellaheer explained that currently the portion of town is being covered by 2 engines and 1 tanker and asked if that will be given to the town for the \$60,000 per year. Mr. Ramos explained that not during initial startup. Mr. Kellaheer asked that when the town reached that point if they would still be at \$60,000 a year. Mr. Ramos explained yes.
- Dan Kohuth, Greendell Road, referenced the GW Bridge and the forward thinking it took to build it. He asked that the residents give the committee some lead way to what they want to do.
- Loren Greco, Greendell Road, asked where the dpw equipment would go if the fire department would be located at the garage. Mr. Ramos explained the Morton building will hold them. Mr. Greco asked if it will all fit in the Morton building and Mr. Ramos explained yes it will fit and if not they will park outside as they do now.
- Shannon Drylie, Allamuchy Road, discussed that in the past surveys were sent to residents, and gave example of internet and open space. She asked why the residents weren't asked. Mr. Beilin explained that the survey for the internet was asked by an outside source not the town. She asked if there was anyway to ask the residents. Mr. Stock thanked her for her questions and explained that passing the ordinance is the next step in the process. This will then allow us to do the due diligence needed. If in the future this is not feasible, he will not vote to move forward. Mr. Drylie asked what happens to her side of town? Mr. Ramos stated that the state has said that Green Fire Department will cover us. Mrs. Drylie asked if they had to cover us legally and Mr. Ramos stated he never heard that they didn't have to cover us and that yes there is coverage.
- Ryan Durling, Bear Creek Road, had questions as a resident and not a member of the Green Township Fire Department. He asked if there would be a bathroom and what building they were thinking for housing the fire department. Mr. Ramos explained the porta potty and said there would be a bathroom. He also asked if the committee was aware of the cost of gear and recon. Mr. Burns explained that they've obtained, and can obtain more, quotes from Fire Fighter One. Mr. Durling asked the committee if anyone would file an application to be a volunteer. Mr. McPeek stated he would. Mr. Boynton, explained that although he may not be a volunteer fire fighter he would do more to help get the building ready etc. He stated he appreciates this town and that it's a great town to live in. He explained that he volunteers in ways he can for the community and country. Dale Durling Sr. thanked Mr. Boynton for his service. Ryan asked about benefits such as losap, death benefits, workers comp etc. and about a plan for membership. Mr. Ramos explained that benefits have been discussed but explained they don't have all the information. He let Mr. Durling know that he has reached out to many for membership.
- Cliff Jackson, Lackawanna Drive, asked where the water comes from and asked about operating capability from first fire truck to the next one bought. Mr. Ramos discussed a possible new well for water and is looking at purchasing the fire trucks for next to nothing. Mr. Jackson asked about "leaching" volunteers from other departments and Mr. Ramos explained there was nothing to prevent someone from volunteering for both. Mr. Jackson asked how that would impact mutual aid calls, as volunteers for another department would have been there already. Mr. Stock discussed that we are already at that point and feels there will be more volunteers.
- Sigfreid Mueller, Greendell Road, stated he was appreciative of the bridge analogy and explained that just passing an Ordinance now and should consider as a whole. He explained

that the process will develop the plan to get the town where it needs to be and that it takes years to put together and that this is where the town needs to start. Mr. Mueller endorsed this and feels it is an excellent idea.

- Max Klein, Lincoln Laurel Road, discussed his concerns with volunteers and explained the incident when his wife collapsed and the 911 call was dispatched and Great Meadows responded over an hour later. He mentioned Frank Prezioso, a resident and fire chief with experience. Mr. Ramos explained that volunteer fire departments have members that work.
- Dale Durling, Jr., Bear Creek Road, discussed mutual aid and explained that both towns have to agree on mutual aid and asked what happens to Blirstown and Hope after fire department is established. Mr. Ramos explained they don't to live under threat of losing coverage unless the town pays more. He also stated Mr. Beilin may be know more about mutual aid once the fire department is established and running. Mr. Durling, Jr. also asked if anyone knew how long 500 gallons on a truck would last and let them know 4 minutes. Mr. Ramos explained that he understood but that it wasn't going to be the only fire truck but it's a start.

Motion was made by Mr. Stracco to close to the public, seconded by Mr. Boynton. All were in favor. Motion was made by Mr. McPeek to approve for adoption, seconded by Mr. Boynton. Roll call vote: Mr. Boynton-yes; Mr. McPeek-yes; Mr. Ramos-yes; Mr. Stock-yes; Mr. Stracco-yes.

#2022-07 BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$128,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$122,275 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRELINGHUYSEN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:** SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Frelinghuysen, in the County of Warren, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$128,500, said sum being inclusive of a down payment in the amount of \$6,225 now available for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$128,500 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$122,275 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$122,275 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. SECTION 3.(a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for various 2022 capital improvements, which include, but are not limited to: (i) repairs, improvements, or the replacement of, as applicable, the Department of Public Works ("DPW") building fence; (ii) various improvements and upgrades to the Township's Morton Building, including, but not limited to, (a) the acquisition and installation of new flooring, and (b) a build out of the existing building structure; (iii) repairs, improvements or the replacement of, as applicable, the ceiling in the Town Hall meeting room; (iv) the acquisition and installation of street signs throughout the Township; (v) the acquisition of miscellaneous tools for use by the DPW; (vi) the acquisition of a flail lawnmower; (vii) the acquisition of a self-contained gasoline-powered Boss Jet Pro Hydro Drain Cleaning Machine for use in the sewer system; and (viii) repairs and improvements to various roadways in the Township, including, but not limited to, paving, tarring, chipping and cross drains. Such improvements or purposes shall also include, as applicable, all engineering and design work, surveying, construction management services, preparation of plans and specifications, permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans therefor on file in the office of the Township Clerk and available for public inspection and hereby approved. (b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$122,275. (c) The estimated cost of said improvements or purposes is \$128,500, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of \$6,225, which is the down payment available for such improvements or purposes. SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Warren make a contribution or grant in aid to the Township for the improvements or purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid. SECTION 5. All

bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Township and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated: (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby. (b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.17 years. (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$122,275 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. (d) An aggregate amount not exceeding \$4,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$122,275. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion was made by Mr. Stracco to open for first reading for introduction, seconded by Mr. McPeek. 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 May 18, 2022.

RESOLUTIONS:

#2022-39 RESOLUTION APPROVING PAYMENT OF BILLS FOR THE MEETING OF APRIL 13, 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 MEETING OF APRIL 13, 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			
Mr. Stracco	x		x			

#2022-40 was not utilized. There was no executive session.

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 – Nothing to report
- Municipal Clerk – Nothing to report

OLD BUSINESS:

- South State Paving payment was held until the April 27th meeting when the Engineer will be in attendance.

NEW BUSINESS:

- FY2022 Community Project Funding was not discussed.

OPEN MEETING TO THE PUBLIC:

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

- Paul Manz, Allamuchy Road, spoke regarding costs and ask that the committee make sure they consider the whole cost for an effective fire department, number for water and recurring costs.
- Loren Greco, Greendell Road, asked when the potholes would be fixed. Mr. McPeek stated that the asphalt plants just opened on Monday and explained they are waiting on a PO for purchase.
- Lowell Forbes, Saddle Ridge Road, thanked the committee for whomever fixed the benches and stated his daughter appreciated it.
- Bob Olivier, Acting Chief GTFD, discussed the timeline from when he took over as Acting Chief on 1/1/22. He explained going to court and never being heard, the case dropped prior to going into hearing and meeting a day later with the State fire and safety. He explained the 2 weeks given by the state has lapsed and asked about coverage. As of 4/8 there had been no progress. He discussed the legal fees because of this lawsuit and stated it was costly and lost a lot of work due to it. He also explained that he spoke with Mayor Phillips regarding funding and shared services. Mr. Ramos and Mr. Stracco explained the payments that have been paid out this year to Green Township and Green Township Fire Department. Acting Chief Olivier discussed that the primary aid would be mutual aid if the department only has 1 truck. He won't stand in the way but asked that the committee have more fire expertise and stated that the door is still open to Green Township to talking. He will be on board to help facilitate.
- Randy Gould, Assistant Chief GTFD and employee of Green Township, explained that the fire department is not Green Township and that the legal fees that have accumulated, \$12,000.00, are the fire departments to pay. He also explained that with just one truck that the water will last 4 minutes.
- Colin Kellaheer, Saddle Ridge Road, inquired about the third payment for \$13,000 this month and that there seemed to be a dissonnet. Mr. Ramos explained it was court ordered. Mr. Kellaheer asked if the town has a shared service agreement. Mr. Ramos stated that the town was never presented a contract with fire and safety, and that no the town has never received one. He also asked if the town has any agreement. Mr. Ramos explained that there has never been any agreement and currently do not have one but continue to pay. He also explained that the State has said that GTFD is still covering the town. Mr. Stock asked if the town could get a copy of the shared services agreement. Mr. Durling asked that Mr. Kellaheer be part of the progress and not the problem. Mr. Kellaheer volunteered to be on the task force.

- Mike Kiesler, Silver Lake Road, stated that the town has done a lot and asked if there was anyway that the town could get more information out to the people. Mr. Ramos explained that they are doing the best they can.
- Mike Swistak, Kerrs Corner Road, discussed that the town is in infant stages and feels they should be looking at 2 trucks and not just 1. Mr. Swistak asked about the timing of the purchase of the truck. Mr. Ramos explained the ARP funding in which the first truck would be paid with. Mr. Gould stated that if they purchase the truck now that they need to keep it moving and running.
- Dave Hocking, South Street, explained that he is confused on the fire coverage and asked for some clarification. Mr. Ramos stated that there is fire coverage. Mr. Ramos explained that the state has said we have coverage and if GTFD would like to say anything else they could. Mr. Olivier explained they are looking for an agreement and would need to sit down with towns and fire department.
- Dave Togno, Lackawanna Drive, asked if they can settle on a contract if the town will still move forward with the fire department. Mr. Ramos explained that yes they would still move forward. Mr. Togno asked about putting it on a referendum. Mr. Ramos explained that it is not our policy. He explained the salt shed being on referendum and how long it took to complete, 15 years later and it was completed in a year and a half. Mr. Togno asked down the road if it is not a good idea would the town stop and Mr. Ramos explained that yes if down the road it was not a good idea it would be stopped. Mr. Stracco explained the Ordinance that was passed and how it works and that it can be amended at any time.
- Shannon Drylie, Allamuchy Road, thanked the Committee and stated that her eyes are opened more now.

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

ADJOURNMENT:

There being no further business, motion was made by Mr. Stracco, seconded by Mr. McPeek to adjourn the meeting at 7:58 p.m. All were in favor.

Respectfully Submitted,

Donna Zilberfarb, RMC