

**MINUTES OF THE MEETING OF THE MAYOR AND COMMITTEE OF THE
TOWNSHIP OF FRANKFORD HELD ON
MARCH 13, 2018**

CALL TO ORDER: Adequate notice of this meeting was provided to the public and the press by delivering to the press and posting in the Municipal Building, the Meeting Notice.

ROLL CALL: Present were Committeeman Civitan, Committeeman Carney, Committeeman Ayers, Deputy Mayor Castimore and Mayor Risdon. Also present were Township Attorney Kevin Benbrook and Municipal Clerk Patricia Bussow.

SALUTE THE FLAG

EXECUTIVE SESSION:

A motion was made by Castimore to enter Executive Session, seconded by Ayers. All in favor. Motion carried.

A motion was made by Castimore to return to Regular Session, seconded by Carney. All in favor. Motion carried.

Results from Executive Session:

A motion was made by Castimore to accept the resignation of Charles Konecke, Office of Emergency Management Coordinator and to authorize the Municipal Clerk to advertise for the position with the required certification mandatory, seconded by Ayers. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

A motion was made by Carney to approve a 2% increase in rent on all Township owned rental units, seconded by Ayers. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

A motion was made by Castimore to authorize the Attorney to draft a Release by Jonathan Frato to the Township for any and all claims for the retroactive payment for health benefit waivers for the calendar years 2015 and 2016, seconded by Carney. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

MINUTES: Regular Meeting – December 12, 2017
Annual Reorganization Meeting – January 2, 2018
Regular Meeting – January 9, 2018

LICENSES/PERMITS:

Event License:	Military Transport Association – 4/21 & 4/22/18
Used Car License:	Sound Motors
Blue Light Permit:	Edwin Risdon, Jr.

RESOLUTIONS:

Resolution of the Township of Frankford – Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

Resolution Refunding 2018 Tax Overpayment Block 184/Lot 5

Resolution Canceling Tax Sale Certificate 2018-008

Resolution Refunding 2016 & 2017 Tax Overpayment Block 1.01/Lot 7

A motion was made by Castimore to approve the Consent Agenda, seconded by Ayers. Roll call was taken for a 4-1 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, abstain). Motion carried.

PUBLIC PORTION

A motion was made by Ayers to open to public comment, seconded by Civitan. All in favor. Motion carried.

Economic Development Committee Chairman Peter Knipe updated the Township Committee on the recent meeting of the EDC. He also addressed the Committee on his proposal to see an entertainment tax established in the Township.

A motion was made by Castimore to open to public comment, seconded by Ayers. All in favor. Motion carried.

ORDINANCES
2ND READING:

TOWNSHIP OF FRANKFORD
ORDINANCE #2018-03

CALENDAR YEAR 2018
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Township Committee of the Township of Frankford in the County of Sussex finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Township Committee hereby determines that a 1.00% increase in the budget for said year, amounting to \$28,053.05 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Frankford, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Frankford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$98,185.68, and that the CY 2018 municipal budget for the Township of Frankford be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

- **PUBLIC HEARING**

A motion was made by Castimore to open to public comment, seconded by Civitan. All in favor. Motion carried.

There was no public comment.

A motion was made by Castimore to close to public comment, seconded by Ayers. All in favor. Motion carried.

A motion was made by Castimore to adopt Ordinance #2018-03 on second reading, seconded by Carney. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

TOWNSHIP REPORTS:

- Township Committee Reports:

Committeeman Carney stated that the back stop at Field #1 has been taken down, and that they are hopeful insurance will cover the cost.

Committeeman Ayers stated that Open Space reviewed the letter from Ms. Carol Rice regarding a possible donation of land, however it does not fit within the parameters of the Open Space plan. He suggested the possibility of an adjacent land owner accepting the donation.

- DPW Report: The monthly DPW Report was reviewed, as submitted by the Supervisor.

OLD BUSINESS:

- **Request from SCARC to donate an additional \$10,000.00 from COAH funds for project at 82-80 Morris Avenue:** After reviewing a memo of recommendation from the Township Land Use Board, a motion was made by Ayers to release an additional \$22,297 as requested by SCARC for their project located at 80-82 Morris Avenue, seconded by Castimore. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

Additionally, a motion was made by Ayers to waive all non-residential development fees for new construction at Block 17, Lot 1.14, Augusta Center for Persons with Disabilities (SCARC), seconded by Castimore. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

- **Unsafe Structure located at 133 Route 206 - Frankford Township which expired on November 22, 2017:** No action was taken on the matter.

NEW BUSINESS:

- **Review of and Award of Bids for Auction of 28 Pelletown Road and 30 Pelletown Road:**

A motion was made by Carney to approve the Contract for Sale of Real Estate for 28 Pelletown Road to Heidi Mountford, in the amount of \$65,000, seconded by Castimore. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

A motion was made by Carney to approve the Contract for Sale of Real Estate for 30 Pelletown Road to Arthur Pierson and David Lott, in the amount of \$37,000, seconded by Castimore. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

- **Letter from Danae Dortz, Secretary of the Greater Culver Lake Watershed Conservation Foundation requesting review of the materials list for residential driveways listed in Ordinance Article 6, Development Principles and Standards, Section 30-606:** After discussion, it was recommended this matter be moved to the Land Use Board for further review.
- **Review and Consideration of the New Jersey Government Energy Aggregation Program:** No action was taken on this matter.
- **Agreement between the Township of Frankford and Peter J. Laemers, Municipal Prosecutor for 2018:** A motion was made by Ayers to approve the Agreement, seconded by Carney. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.
- **Memo from Jeff Fette, Construction Official, regarding significant changes to Minor Work and Ordinary Maintenance and follow up discussion regarding the possible implementation of a Continuing Certificate of Occupancy (CCO):** Mr. Fette's memo was reviewed. No action was taken.

APPROVE PAYMENT OF BILLS:

A motion was made by Castimore to approve payment of bills, seconded by Carney. Roll call was taken for a 5-0 vote in favor of this motion. (Committeeman Civitan, yes; Committeeman Carney, yes; Committeeman Ayers, yes; Deputy Mayor Castimore, yes; Mayor Risdon, yes). All in favor. Motion carried.

PUBLIC PORTION:

A motion was made by Castimore to open to public comment, seconded by Civitan. All in favor. Motion carried.

Resident and Volunteer Fireman Andrew Retz commented on dying trees in the right of way in Lake Owassa and other areas in the Township, and to take into consideration when discussing possible plans for enforcement of property maintenance.

Resident and Volunteer Fireman Chuck McDermott commented that most municipalities in Sussex County charge a fee for CO's and CCO's, but are limited to smoke detector certifications and fire extinguisher checks.

Resident and Land Use Board Member Ty Kobis commented that the Committee should make sure that the savings are worth it overall before committing to an alternative energy cooperative town wide.

Resident and Economic Development Member Marc Macri commented on the current 5-acre zoning for residential and asked the Committee if there is any interest in lowering that requirement.

The Municipal Clerk stated that after inspection by the County Board of Elections, Culver Lake Clubhouse is now an official polling location of the Township, and the Frankford School trailer will no longer be needed as a polling place. Residents who reside in District #2 will now report to Culver Lake Clubhouse to vote, and residents in District #3 will report to the Municipal Building. The County Board of Elections will notify the affected voters by mail, as well as by advertisement in the NJ Herald. The Municipal Clerk will have the information posted on the Township Website, as well as the Township Facebook page.

A motion was made by Castimore to close to public comment, seconded by Ayers. All in favor. Motion carried.

ADJOURNMENT

A motion was made by Castimore to adjourn, seconded by Civitan. All in favor. Motion carried.

Attest:

Patricia L. Bussow

Patricia L. Bussow, RMC
Municipal Clerk