

**MINUTES OF THE MEETING OF THE MAYOR AND COMMITTEE  
OF THE TOWNSHIP OF FRANKFORD  
HELD ON MAY 14, 2019**

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

**SALUTE THE FLAG**

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**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 – March 12, 2019  
Regular Meeting – April 9, 2019  
Workshop Meeting – April 23, 2019

**LICENSES/PERMITS:** Event License – Peter’s Valley School of Craft, Inc.  
Craft Fair to be held 9/28/19 – 9/29/19  
  
Event License – John McLaughlin Jr.  
Taco Festival to be held on September 7, 2019

**RESOLUTIONS:** Resolution Canceling Tax Sale Certificate 2019-007  
  
Resolution Refunding Tax Sale Certificate 2019-015,  
Which Was Redeemed  
  
Resolution to Cancel Improvement Authorization for  
Completed Project – New Sidewalk and Railings – Court  
  
Resolution to Cancel Improvement Authorization for  
Completed Project – George Hill Road  
  
Resolution to Cancel Improvement Authorization for  
Completed Project – Price Road  
  
Resolution to Cancel Improvement Authorization –  
Unfunded for Completed Project – Various Roads/2016  
  
Resolution to Cancel Unfunded Balance of Bond  
Ordinance  
  
Resolution to Cancel General Capital Grant Receivable for  
George Hill Road

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

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**PUBLIC PORTION**

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

There was no public comment.

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

**ORDINANCES**

**1<sup>ST</sup> READING:**

**ORDINANCE #2019-09**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE RESURFACING OF GEORGE HILL ROAD, SECTIONS III & IV AND APPROPRIATING \$45,000 FROM VARIOUS RESERVES – IMPROVEMENTS TO ROADS IN THE GENERAL CAPITAL FUND FOR SUCH PURPOSE AND \$159,000 FROM A GRANT AWARDED BY THE NJ DEPARTMENT OF TRANSPORTATION FOR SUCH PURPOSE**

A motion was made by Risdon to approve Ordinance #2019-09 on First Reading, seconded by Civitan. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). All in favor. Motion carried.

**ORDINANCE #2019-10**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$900,000 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE TOWNSHIP OF FRANKFORD, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION**

A motion was made by Ayers to approve the Capital Budget Amendment, seconded by Carney. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). All in favor. Motion carried.

A motion was made by Ayers to approve Ordinance #2019-10 on First Reading, seconded by Civitan. Roll call was taken for a 4-1 vote in favor of this motion. (Risdon, abstain; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). Motion carried.

**ORDINANCE #2019-11**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$265,000 FOR VARIOUS CAPITAL IMPROVEMENTS FOR AND BY THE TOWNSHIP OF FRANKFORD, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$130,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION**

A motion was made by Risdon to approve Ordinance #2019-11 on First Reading, seconded by Ayers. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). All in favor. Motion carried.

**ORDINANCES**  
**2<sup>nd</sup> READING:**

**ORDINANCE #2019-05**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKFORD,  
COUNTY OF SUSSEX, STATE OF NEW JERSEY  
AMENDING CHAPTER 30 ENTITLED  
“COMPREHENSIVE LAND USE ORDINANCE”  
TO AMEND THE ACCESSORY BUILDINGS  
AND STRUCTURES ORDINANCE REQUIREMENTS  
CODIFIED AT SECTION 1015 TO ALLOW  
ARCH, HOOP AND CLAMSHELL STRUCTURES  
TO BE USED AS ACCESSORY STRUCTURES**

• **PUBLIC HEARING**

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

Sharon Tufaro – Zoning Officer needed clarification on specifications and restrictions for the Ordinance.

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

The Committee discussed the Ordinance in more detail, including specifications, criteria and ratables.

A motion was made by Risdon to adopt Ordinance #2019-05 on Second Reading, seconded by Carney. Roll call was taken for a 2-3 vote against this motion. (Risdon, yes; Carney, no; Ayers, no; Civitan, no; Castimore, yes). Motion failed to carry.

A motion was made by Risdon to place a six-month moratorium on violations on existing arch, hoop and clamshell structures, or until such a time when Ordinance #2019-05 goes into effect, seconded by Civitan. Roll call was taken for a 4-1 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, no; Civitan, yes; Castimore, yes). Motion carried.

**ORDINANCE #2019-06**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX,  
STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF A SWITCH N GO  
DETACHABLE SERVICE BODY WITH STANDARD SIZE TOOL COMPARTMENTS.  
TOTAL COST OF THE EQUIPMENT IS \$13,100.00, APPROPRIATING A SUM OF  
\$13,100.00 FROM A RESERVE IN THE CAPITAL TRUST FOR THE RESERVE FOR  
THE PURCHASE OF ROAD EQUIPMENT**

BE IT ORDAINED by the Township Committee of the Township of Frankford, County of Sussex, State of New Jersey, as follows:

Section 1. The funding for the Purchase of a Switch N Go Detachable Service Body with Standard Size Tool Compartments not to exceed \$13,100, which is hereby appropriated for such purposes from the Reserve for the Purchase of Road Equipment located in the Capital Trust Fund.

Section 2. This Ordinance shall take effect upon publication of notice of final adoption as provided by law.

- **PUBLIC HEARING**

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

There was no public comment.

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

A motion was made by Civitan to adopt Ordinance #2019-06 on Second Reading, seconded by Ayers. Roll call was taken for a 3-2 vote in favor of this motion. (Risdon, no; Carney, yes; Ayers, yes; Civitan, yes; Castimore, no). Motion carried.

**ORDINANCE #2019-07**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF TWO (2) 11' REVERSIBLE SNOWS PLOW. TOTAL COST OF THE EQUIPMENT IS \$28,000, APPROPRIATING A SUM OF \$28,000.00 FROM A RESERVE IN THE CAPITAL TRUST FOR THE RESERVE FOR THE PURCHASE OF ROAD EQUIPMENT**

BE IT ORDAINED by the Township Committee of the Township of Frankford, County of Sussex, State of New Jersey, as follows:

Section 1. The funding for the Purchase of two (2) 11' Reversible Snow Plows not to exceed \$28,000, which is hereby appropriated for such purposes from the Reserve for the Purchase of Road Equipment located in the Capital Trust Fund.

Section 2. This Ordinance shall take effect upon publication of notice of final adoption as provided by law.

- **PUBLIC HEARING**

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

There was no public comment.

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

A motion was made by Ayers to adopt Ordinance #2019-07 on Second Reading, seconded by Carney. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). Motion carried.

**ORDINANCE #2019-08**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF A 2019 FORD F350 REGULAR CAB DIESEL 4 X 4 PICK UP WITH SNOW PLOW AND SANDER. TOTAL COST OF THE EQUIPMENT IS \$59,000.00, APPROPRIATING A SUM OF \$59,000.00 FROM A RESERVE IN THE CAPITAL TRUST FOR THE RESERVE FOR THE PURCHASE OF ROAD EQUIPMENT**

BE IT ORDAINED by the Township Committee of the Township of Frankford, County of Sussex, State of New Jersey, as follows:

Section 1. The funding for the Purchase of a 2019 Ford F350 Regular Cab Diesel 4 x 4 Pick Up with Snow Plow and Sander not to exceed \$59,000, which is hereby appropriated for such purposes from the Reserve for the Purchase of Road Equipment located in the Capital Trust Fund.

Section 2. This Ordinance shall take effect upon publication of notice of final adoption as provided by law.

• **PUBLIC HEARING**

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

There was no public comment.

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

A motion was made by Risdon to adopt Ordinance #2019-08 on Second reading, seconded by Ayers. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). Motion carried.

**TOWNSHIP REPORTS:**

- Township Committee Reports:

***Committeeman Risdon:*** Committeeman Risdon requested that the Field 6 parking lot at the Park be replaced with gravel.

***Committeeman Carney:*** Committeeman Carney reported that the High Point Board of Education lost three board members. He met with Mayor Frato of Branchville about water easement at reservoir. A resident who lives on 44 Mattison has been putting millings on the waterline easement. By law, they shouldn't be putting anything on an easement. The zoning officer sent an advisement letter, and will follow up on same.

Opening day at the Park was this past weekend and everything went well.

***Committeeman Ayers:*** Committeeman Ayers reported that the Open Space Committee spent time with the Park Commission to gather ideas for recreation within the Township. Culver Lake Watershed will be coming to the June meeting along with the Foundation. Looking into working again with APS to open up a 4-6 acre field at Drybrook to get back into farming.

Committeeman Ayers attended the District 24 meeting with Oroho and Space. The marijuana bill may be a dead issue. They are working on the single use plastic bags, straws and poly-styrofoam ban.

**Deputy Mayor Civitan:** Deputy Mayor Civitan reported that the Park may want to add amendments to their leases regarding dogs, insurance, etc. It was also mentioned by Mr. Civitan that the Committee may want to consider rent increases in the future. Deputy Mayor Civitan would also like to acknowledge the Fire Department for bringing the truck to Opening Day.

The Township Attorney stated that foreclosure Judgements have been recorded – 13-14 properties excluding Scandia Spa. The next step would be to offer the non-conforming lots to the adjoining property owners, and larger tracts which may be conforming would have to be auctioned.

Mr. Benbrook received confirmation that the DOT is not requiring the light by the new firehouse. He also suggested that the Federal Code was not in the Traffic Manual, and that moving forward, the light would only go there if Frankford asks for it.

- DPW Report: Supervisor Mark Yetter mentioned that the piping job on Wantage Avenue will begin after Memorial Day due to weather issues. He also mentioned that there is an issue on Meyers Road with a collapsed pipe running under a driveway. Harold Pellow, the Township Engineer will be checking into the pipe issue with Mark. The Committee needs to discuss the removal of the Township ash trees.

### **OLD BUSINESS:**

- **Notice of Unsafe Structure located at 133 Route 206 - Frankford Township which expired on November 22, 2017**

The Township Attorney reiterated that he is in the process of a property foreclosure.

- **Notice of Unsafe Structure - Winding Brook Farm:** This matter was tabled.
- **Township-wide Garbage and Recycling Collection**

The Committee had a brief discussion regarding the contract, administration fees and referendum of township-wide garbage and recycling collection.

### **NEW BUSINESS:**

- **Letter from County Administrator regarding Shared Services Agreement with Frankford Township for the Provision of 9-1-1 System Management:**

This matter will be carried to the next meeting once all parties have had time to review. As requested, the Municipal Clerk/Administrator will forward the contract to the Fire Chief and Emergency Management Coordinator for review.

- **Request for Hidden Driveway Sign – Fenwick Road**

The Committee will inspect Fenwick Road issues, and report their findings at the next meeting.

- **Request from Attorney William Haggerty to Vacate a Portion of First Street**

Kevin Benbrook, Esq. will forward this request to Harold Pellow.

- **Award of Bid for Farming of Savannah Sparrow Mitigation Site, Northrup Road, Block 10, Lot 6**

A motion was made by Risdon to award the Farming of Savannah Sparrow Mitigation Site, Northrup Road, Block 10, Lot 6 to Ideal Farm Nursery, seconded by Civitan. Roll call was taken for a 4-1 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, abstain). Motion carried.

- **Proposed Lease of Open Space Parcel known as 100 Swamp, Block 66, Lot 8, 41.25 Acres to the Culver Lake Watershed – Discussion Only**

A motion was made by Ayers to approve the proposed lease of Open Space parcel known as 100 Swamp, Block 66, Lot 8, 41.25, for five years, seconded by Civitan. Roll call was taken for a 3-2 vote in favor of this motion. (Risdon, no; Carney, yes; Ayers, yes; Civitan, yes; Castimore, no).

- **American Legion - Request for Annual Donation and Invitation to Participate in the Annual Memorial Day Parade to be held on May 27, 2019**

A motion was made by Ayers to approve the request of the American Legion for the Annual Donation and Invitation to Participate in the Annual Memorial Day Parade to be held on May 27, 2019, seconded by Risdon. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes).

- **Memo from Tax Collector Steve Lance Concerning Fire Insurance Claims Ordinance:**

Discussion took place. The Township Attorney will draft an Ordinance for Frankford for review at the next meeting.

- **Review of Quote from Brodhecker Farm, LLC for a new 10 X 12 replacement Shed at the Municipal Building in the amount of \$2,454.00**

A motion was made by Carney to approve the quote of Brodhecker Farm, LLC for a new 10 X 12 replacement Shed at the Municipal Building in the amount of \$2,454.00, seconded by Civitan. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). All in favor. Motion carried.

- **Letter of Resignation submitted by Administrator/Clerk, Patricia Bussow, effective June 21, 2019**

A motion was made by Risdon to accept the Letter of Resignation submitted by Administrator/Clerk, Patricia Bussow, with regret, effective June 21, 2019, seconded by Carney. All in favor. Motion carried.

### **CORRESPONDENCE:**

The following correspondence was reviewed by the Committee:

- Tax Collector's Report of Receipts
- Resolution, County of Sussex, In Support of New Jersey Legislation which "Concerns Regulation of Solid Waste, Hazardous Waste, and Soil and Fill Recycling Industries"
- Resolution, Township of Sparta, In Support of "Path to Progress"

A motion was made by Ayers to support the Resolution, Township of Sparta, In Support of "Path to Progress", seconded by Carney. All in favor. Motion carried.

### **APPROVE PAYMENT OF BILLS**

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

**PUBLIC PORTION**

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

There was no public comment.

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

The Committee discussed a possible Sanctuary City Ordinance, and the Township Attorney will be drafting one for their review.

**EXECUTIVE SESSION:** By Resolution

A motion was made by Risdon to move into Executive Session, seconded by Ayers. All in favor. Motion carried.

A motion was made by Civitan to appoint Ann Bell as Deputy Municipal Clerk, at a salary of \$57,500.00, seconded by Ayers. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). All in favor. Motion carried.

A motion was made by Ayers to authorize the Municipal Clerk to advertise for a Part-Time Construction Secretary, seconded by Civitan. Roll call was taken for a 5-0 vote in favor of this motion. (Risdon, yes; Carney, yes; Ayers, yes; Civitan, yes; Castimore, yes). All in favor. Motion carried.

**ADJOURNMENT**

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

ATTEST:

*Diane Brauchle*

Diane Brauchle  
Deputy Municipal Clerk