

**TOWNSHIP OF FRANKFORD
REGULAR COMMITTEE MEETING
Tuesday, February 11, 2020**

MINUTES

CALL TO ORDER

Mayor Carney read the following statement: Notice of this meeting has been sent to a newspaper of general circulation in which notice was given of the date, time, place and general agenda in accordance with the Open Public Meetings Act. This agenda is subject to change by order of the Township Committee before and/or during this scheduled meeting.

ROLL CALL

This meeting was called to order by Mayor Carney. Those present were Committeeman Castimore, Committeeman, Civitan, Committeeman Risdon, Deputy Mayor Ayers and Mayor Carney. Also present were Acting Municipal Clerk, Lori Nienstedt, and Attorney, Kevin Benbrook.

The **FLAG SALUTE** was conducted by Mayor Carney.

PUBLIC COMMENT

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

Jackie Espinoza of JCP&L spoke regarding "TripSavers", which are new fusing that JCP&L is installing on their system in various locations. They are "auto-reclosing", meaning that if the fault clears, the fuse will close and customers will only see a momentary outage.

Deputy Mayor Ayers requested clarification on the chain of command when it comes to communication during outages. Ms. Espinoza stated that she is assisting her operations department so communications should go to our OEM Coordinator and then to Mark Yetter, our DPW Supervisor.

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

APPROVAL OF PREVIOUS MINUTES

- January 13, 2020 – Budget Meeting Minutes
- January 14, 2020 – Regular Meeting Minutes
- January 27, 2020 – Budget Meeting Minutes
- January 28, 2020 – Workshop Meeting Minutes
- January 28, 2020 – Workshop Meeting – Executive Minutes

A motion was made by Committeeman Castimore to approve previous meeting minutes, seconded by Committeeman Civitan. All in favor. Motion carried.

CONSENT AGENDA

1. Resolution 2020-16 – Cancelling 2019 Property Taxes on Block 64, Lot 3
2. Resolution 2020-17 – Cancelling Tax Sale on Block 48, Lot 21.03

3. Resolution 2020-18 – Authorizing Executive Session
4. Resolution 2020-19 – 2020 Salary Resolution
5. Resolution 2020-20 – Wielkocz & Company Audit Engage Agreement Change of Name
6. Resolution 2020-21 – PAIC Renewal
7. Social Affair Permit - #352710 – PVT Peter S. Hotalen Post 157 American Legion – March 7, 2020 – Venison Dinner
8. Soil Removal License Renewals – Kymer’s Campground, Harmony Ridge Campground, ADR Environmental
9. Campground License Renewals – NJ State Fair/ Sussex County Farm & Horse Show, Kymer’s Campground, Edwin F. Risdon, Sr.
10. Used Car License Renewals – Wheels ‘N Props LLC, Sound Motors, NSC Automotive T/A Fonzarelli’s Collision & Auto
11. Kennel License Renewal – Jackie Wagner
12. Final Payment – EM Electrical Contractors - \$18,575.65 – Emergency Power Generator – HPA No. 18-341
13. Application for Payment #2 – Charles Schaffer & Associates – DPW Storage
14. Denville Line Painting Final Payment - \$116.80 – HPA No. 19-105
15. Change Order No. 1 for Tilcon – George Hill Road – Reduction of \$19,109.75

A motion was made by Committeeman Castimore to approve Consent Agenda, seconded by Committeeman Civitan.

Roll Call Vote – Aye: Committeeman Risdon (1 through 7, 10 through 15), Committeeman Civitan, Mayor Carney, Deputy Mayor Ayers, Committeeman Castimore.

Abstain – Committeeman Risdon abstained on Consent agenda items 8 and 9.

With a majority of ayes, motion carried.

GENERAL CORRESPONDENCE

Michael Dann – OEM Coordinator – Letter of Resignation

A motion was made by Mayor Carney to accept the Letter of Resignation of Michael Dann, seconded by Deputy Mayor Ayers. All in favor. Motion carried.

Robert and JoAnn Mossi – Donation of 6 Glen Road, Block 23, Lot 3.03. Attorney Benbrook will be reaching out to the Mossi’s daughter, Terri Driver to discuss this matter further.

Normanoch Association, Inc. would like to move elections from their clubhouse to the Frankford Township Fire Department Firehouse. Mike Fox of the Fire Department stated that they were fine with multiple districts voting at the firehouse.

DEPARTMENT REPORTS:

1. Animal Control Officer Report – January 2020
2. DPW Report – January 2020
3. Tax Collector’s Report – January 2020
4. Zoning Report – Nothing to report.

Lori Nienstedt, Municipal Clerk

1Q'20 focus on records disposition, destroying records according to State Law. The State granted permission for destruction of the records submitted, some going back as far as 1972. Disposing of outdated records aids in providing space for the administrative offices.

The Township newsletter has been mailed out to all residents.

Township Attorney

Tax foreclosure complaints have been filed and after discussion with the tax collector, two properties were dropped. The Pines are in tax sale. Attorney Benbrook submitted a summary of the Scandia Spa property, which is not in this round of foreclosure because there is a court order through the bankruptcy court. Attorney Benbrook feels he may be able to get a judgement in prior to the end of the year if he begins working on it in June.

Mr. Buerkle of the Sussex County Commons reached out to Attorney Benbrook regarding applying the Pilot Program to the Sussex County Commons project. No commitments have been made at this time.

TOWNSHIP COMMITTEE REPORTS:

Mayor Carney

Mayor Carney attended the Park Commission meeting on February 3, 2020. They reported that their Sand Pro motor broke and they estimate it to be about \$1,800 to fix.

The next meeting of the Fire Department will be on February 24th. Ms. Nienstedt reached out to Firefighter One regarding acquisition of the Title. She is waiting for a return call.

Committeeman Civitan

The next meeting with the Fairgrounds will be in two weeks.

Committeeman Castimore

The Park Commission is looking for funding for an irrigation system for the new field through Open Space funding.

There is still a need to clear the land at Dry Brook. Deputy Mayor Ayers is going to reach out to Wantage Excavation to see if they will bush hog the hiking trails.

Committeeman Risdon

Gorney Road – Lafayette Township will be paving and widening their portion and would like us to pave the last remaining 600 feet. Harold Pellow suggested this be revisited at budget time, estimating the cost to be \$8,000.00 - \$10,000.00. There is a power line in the area.

Deputy Mayor Ayers

The Deputy Mayor reported on his recent trip to the Mayor’s Conference in Washington, D.C., stating that the USDA has some grants available that we should look into.

UNFINISHED BUSINESS

Recognition Drive Schedule has been finalized. Committeeman Castimore offered more information on Richard Lorenzo. We will be acknowledging the following:

- Aldo and Edith (Nancy) Sayre – May
- US Army SPC Connor Phillips – June
- Richard Lorenzo - July

NEW BUSINESS

- Municipal office carpeting - Mayor Carney referenced how expensive he felt the quote was that was received. A phased approach was suggested but dependent upon budget numbers.
- Landscaping plan – several quotes have been received.

BILLS LIST APPROVAL: For Bills from January 11, 2020 through February 10, 2020

A motion was made by Deputy Mayor Ayers to approve the bills list, seconded by Committeeman Castimore. Roll Call Vote – Ayes: Deputy Mayor Ayers, Committeeman Castimore, Mayor Carney, Committeeman Civitan, Committeeman Risdon.

With all ayes and no nays, the motion carried.

PUBLIC SESSION

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

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

EXECUTIVE SESSION

A motion was made by Committeeman Castimore to move into Executive Session for purposes of Personnel at 8:17 p.m., seconded by Deputy Mayor Ayers. All in favor. Motion carried.

A motion was made by Committeeman Castimore to close from Executive Session at 8:59 p.m., seconded by Deputy Mayor Ayers. All in favor. Motion carried.

Attorney Benbrook presented a summary of the executive session.

A motion was made by Committeeman Civitan to allow Acting Municipal Clerk, Lori Nienstedt to advertise for the Office of Emergency Management position at salary range between \$4,000.00 - \$5,000.00, seconded by Committeeman Castimore. All in favor. Motion carried.

Mayor Carney will reach out to the Mayor of Branchville regarding a potential shared services agreement with Branchville for OEM Coordinator services. Any Committeeman with potential candidates for the position to send their names to Lori.

A motion was made by Committeeman Civitan to designate Anthony Pagano, subject to coordinating with the union rep and a brief amendment to the contract, as Park Foreman. His salary would be whatever he was designated to get for this year, along with whatever the contractual rates for this year was, plus \$3,200.00 for the additional responsibilities at the park, seconded by Committeeman Castimore.

Roll Call Vote – Aye: Committeeman Risdon, Committeeman Civitan, Committeeman Castimore, Deputy Mayor Ayers, Mayor Carney. With all ayes and no nays, motion carried.

A motion was made by Committeeman Ayers to designate Katie Radler a Permanent Part-Time employee, seconded by Committeeman Risdon. Roll Call Vote: Mayor Carney, Deputy Mayor Ayers, Committeeman Civitan, Committeeman Risdon, Committeeman Castimore. With all ayes and no nays, motion carried.

A motion was made by Committeeman Risdon to approve Lori Nienstedt receiving two weeks vacation as per the revised section 3.2 of the Personnel Policy, seconded by Committeeman Castimore. Roll Call Vote - Committeeman Risdon, Committeeman Civitan, Committeeman Castimore, Deputy Mayor Ayers, Mayor Carney. With three ayes and two nays, motion carried.

A motion was made by Deputy Mayor Ayers to approve the hire of a DPW Laborer, seconded by Committeeman Civitan. All in favor. Motion carried.

ADJOURNMENT

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

ATTEST: _____
Lori Nienstedt, Acting Municipal Clerk

**TOWNSHIP OF FRANKFORD
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

RESOLUTION 2020-16

**CANCELLING 2019 PROPERTY TAXES ON BLOCK 64, LOT 3
GRANTED A DISABLED VETERAN TAX EXEMPTION**

WHEREAS, Steven Williams, the owner of block 64, lot 3 located at 449 US Highway 206, was evaluated by the US Department of Veterans Affairs effective 04 August 2003 to be permanently and totally disabled because of injuries suffered during wartime service. This determination was communicated in a letter dated 23 November 2005 from the US Department of Veterans Affairs; and

WHEREAS, according to NJS 54:4-3.30 et seq when a veteran or a surviving spouse of a veteran or serviceperson is determined to have suffered a permanent disability being total, paraplegia, or blindness caused by their wartime service, that the applicant be granted a property tax exemption on their dwelling house and the lot where the house is erected, if they so occupy this property and it is considered their legal residence:

NOW, THEREFORE BE IT RESOLVED on this 11th day of February 2020 by the Mayor and the Township Committee of the Township of Frankford that property taxes on block 64, lot 3 be cancelled effective 25 November 2019 for the balance of calendar year 2019.

BE IT FURTHER RESOLVED that the Chief Financial Officer be authorized to draw a check payable to Steven Williams, the assessed owner of the property, in the amount of \$455.98 to refund previously paid 2019 property taxes after the tax exemption became effective.

CERTIFICATION

I, Lori Nienstedt, Acting Municipal Clerk and Administrator for the Township of Frankford, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 11th of February, 2020.

Lori Nienstedt, Acting Municipal Clerk, Administrator

**TOWNSHIP OF FRANKFORD
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

RESOLUTION 2020-017

RESOLUTION CANCELING TAX SALE

WHEREAS, the property of Flavian Simonelli known as block 48, lot 21.03 located at 322 US Highway 206 had unpaid 2019 property taxes and was sold at Tax Sale on 30 January 2020 by the Frankford Township Tax Collector; and

WHEREAS, as there were no outside bidders for the abovementioned property, the Frankford Township Tax Collector struck off the property to the Township of Frankford for the amount of \$852.38. This amount consists of unpaid 2019 property taxes, interest, and other costs, and is represented by Tax Sale Certificate 2020-009; and

WHEREAS, Flavian Simonelli, the supposed owner of the property, paid \$862.08 on 04 February 2020 to the Frankford Township Tax Collector to satisfy the outstanding Tax Sale Certificate:

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Frankford on this 11th day of February 2020 that the Mayor of the Township of Frankford be authorized to sign Tax Sale Certificate 2020-009 as being satisfied; and

BE IT FURTHER RESOLVED that the Tax Collector return the executed satisfied Tax Sale Certificate to Flavian Simonelli at 326 US Highway 206 located in Branchville, NJ 07826.

CERTIFICATION

I, Lori Nienstedt, Acting Municipal Clerk and Administrator for the Township of Frankford, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 11th of February, 2020.

Lori Nienstedt, Acting Municipal Clerk, Administrator

RESOLUTION 2020-018

**TOWNSHIP OF FRANKFORD
TOWNSHIP COMMITTEE**

OPEN PUBLIC MEETING ACT – EXECUTIVE SESSION

February 11, 2020

WHEREAS, N.J.S.A. 10:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of the hereinafter specified subject matters:
 - A. Personnel
2. Minutes will be kept of the meeting in closed session and the time and circumstances under which the discussion conducted in closed session can be disclosed to the public and cannot be determined at this time.
3. This Resolution shall take effect immediately.

I certify the foregoing to be a true and accurate copy of a Resolution adopted by the Mayor and Committee of the Township of Frankford at a meeting held on February 11, 2020.

CERTIFICATION

I, Lori Nienstedt, Acting Municipal Clerk and Administrator for the Township of Frankford, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 11th of February, 2020.

Lori Nienstedt, Acting Municipal Clerk

**RESOLUTION
SETTING SALARIES FOR CERTAIN OFFICERS AND EMPLOYEES IN THE TOWNSHIP OF FRANKFORD FOR 2020
RESOLUTION 2020 - 019**

WHEREAS, the Frankford Township Committee has reviewed the salaries of officers and employees of the Township of Frankford except for those employees covered by a Collective Bargaining Agreement; and

WHEREAS, the Township Committee wishes to have said salaries take effect the 1st day of January, 2020, unless otherwise noted.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Frankford, County of Sussex, State of New Jersey that the following salaries be paid to non-bargaining personnel:

Committeeperson	\$ 2,500.00
Mayor	\$ 3,800.00
Municipal Clerk	\$65,000.00
Administrator	\$ 5,000.00
Deputy Municipal Clerk	\$29,639.00
Registrar	\$ 4,397.00
Dog Licensing	\$ 6,099.00
Clean Communities Coordinator	\$ 2,348.00
Recycling Coordinator	\$ 2,760.00
Office Assistant	\$ 16.00
CFO	\$18,299.00
Treasurer	\$35,141.00
Land Use Administrator	\$24,306.00
Zoning Officer	\$40,197.00
Fire Official/Fire Inspector	\$10,000.00
Assistant Fire Inspector	\$25.00 per hour
DPW Supervisor	\$73,543.00
Tax Collector/Search Officer	\$63,225.00
Tax Assessor	\$39,035.00
Secretary – Construction Office	\$26,266.00
Board of Health Secretary	\$ 5,254.00
Construction Official	\$41,274.00
Plumbing Sub Code Official	\$ 9,000.00
Fire Sub Code Official	\$ 9,000.00
Electric Sub Code Official	\$16,777.00
Open Space Committee Secretary	\$100.00 per meeting

Emergency Management Coordinator	\$5,000.00
Animal Control Officer	\$7,320.00
Animal Pickup	\$10.00 per pick-up
Animal Control – Court Attendance	\$25.00 per session
Park – Employee	\$13.29 per hour
Park – Supervisor	\$17.32 per hour
Buildings & Grounds - Cleaning	\$16.00 per hour
Buildings & Grounds – Recycling	\$16.23 per hour
Magistrate	\$61,966.00
Court Administrator	\$66,268.00
Call Outs	\$20.00 per call out
Deputy Court Administrator	\$18,870.00
Night Court Attendance Deputy Court Administrator	\$ 1,468.00
Violations Clerk	\$16,380.00
Night Court Attendance Violations Clerk	\$16.31 per hour
Sergeants At Arms	\$125.00 per session

Special meetings for the Municipal Clerk, Land Use Board Secretary, Board of Health Secretary, Court Administrator – Note: The \$100 fee pertains to one person performing all the work for the meeting or \$50.00 each if two people perform all the work, such as one person attending the meeting and one person typing the minutes: \$ 100.00 each meeting

I certify the foregoing to be a true and accurate copy of a resolution adopted by the Mayor and Committee of the Township of Frankford at a regular meeting held on February 11, 2020.

Lori Nienstedt
Acting Municipal Clerk

TOWNSHIP of FRANKFORD

RESOLUTION 2020-20

**RESOLUTION AUTHORIZING THE ASSIGNMENT OF
FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.
AUDITING SERVICE CONTRACT TO
WIELKOTZ & COMPANY, LLC**

WHEREAS, the Township of Frankford (the "Township") previously selected Ferraioli, Wielkotz, Cerullo & Cuva, P.A. as the Township Auditor for a contract period ending on December 31, 2020; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. will cease doing business under that name as of December 31, 2019; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. employees will become employees of Wielkotz & Company, LLC as of January 1, 2020; and

WHEREAS, the employees of Ferraioli, Wielkotz, Cerullo & Cuva, P.A. possess unique knowledge concerning the operations of the Township gained its years of experience serving as the Township Auditor; and

WHEREAS, the Township desires to recognize the assignment of the Ferraioli, Wielkotz, Cerullo & Cuva, P.A. professional services contract to Wielkotz & Company, LLC without change to the terms, conditions and rates set forth therein.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Frankford in the County of Sussex, New Jersey, as follows:

1. The Township hereby recognizes the assignment of the Ferraioli, Wielkotz, Cerullo & Cuva, P.A. professional services contract to Wielkotz & Company, LLC, without change to the terms, conditions and rates set forth therein.
2. Wielkotz & Company, LLC has acknowledged that it shall assume all of Ferraioli, Wielkotz, Cerullo & Cuva, P.A.'s duties and obligations under the professional services contract. Wielkotz & Company, LLC stands behind all prior opinions rendered by Ferraioli, Wielkotz, Cerullo & Cuva, P.A. as Township Auditor.
3. Thomas M. Ferry, CPA, RMA of the firm Wielkotz & Company, LLC shall continue to be responsible to perform the duties and responsibilities of Township Auditor under the professional services contract.
4. Wielkotz & Company, LLC shall provide the following documents to the Township: (1) a valid certificate of insurance; (2) a valid Business Registration Certificate; (3) a complete C.271 Political Contribution Disclosure Form; (4) a complete Business Entity Disclosure Certificate; and (5) a W-9.

BE IT FURTHER RESOLVED, that all Township employees and officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

CERTIFICATION

I, Lori Nienstedt, Acting Municipal Clerk and Administrator for the Township of Frankford, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Frankford Township Committee on this 11th of February, 2020.

Lori Nienstedt, Acting Municipal Clerk, Administrator

TOWNSHIP OF FRANKFORD

RESOLUTION 2020-021

**PUBLIC ALLIANCE INSURANCE COVERAGE FUND
RESOLUTION FOR RENEWAL OF MEMBERSHIP**

WHEREAS, the Frankford Township hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

WHEREAS, said renewal membership terminates as of January 1, 2020 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

WHEREAS, the **Public Entity** is afforded the following types of coverages:

- ⊖ Workers' Compensation
- ⊖ Package (property, boiler & machinery, crime, auto & general liability, including Police Professional)
- ⊖ Public Officials Liability
- ⊖ Excess Liability
 - ⊖ Auto & General Liability (including Police Professional)
 - ⊖ Public Officials Liability
- ⊖ Environmental Impairment Liability

WHEREAS, the **Public Entity** desires to renew said membership.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2020, and ending January 1, 2023 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
3. The **Public Entity** hereby appoints Lori Nienstedt as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

This Resolution agreed to the 11 day of February, 2020, by a vote of:

___ Affirmative

___ Abstain

___ Negative

___ Absent

By: The Frankford Township Mayor and Committee; Christopher Carney, Mayor; James Ayers, Deputy Mayor; Sam Castimore, Committeeman, Nick Civitan, Committeeman; Ed Risdon, Committeeman