

**TOWNSHIP OF FRANKFORD
REGULAR COMMITTEE MEETING
Tuesday, May 12, 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 of Frankford 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, and Mayor Carney. Conferencing in on the call was Deputy Mayor Ayers. Also present was Acting Municipal Clerk, Lori Nienstedt, and Attorney Kevin Benbrook.

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

PROCLAMATIONS AND RECOGNITION DRIVE

Proclamations for the month of May honoring the dedication and service to the Frankford Community were read by Mayor Carney to Nancy and Aldo Sayre. The Sayre's expressed their appreciation for the recognition by the Township Committee. In addition to the Proclamations, the Sayre's name was installed on a street sign on Recognition Drive for the entire month of May.

HIGH POINT REGIONAL HIGH SCHOOL BUDGET

Dr. Scott Ripley presented the High Point Regional High School Budget. The budget reflected a 26.6610% Tax Levy Share for Frankford Township. The overall Tax Levy increase is 14%.

JCP&L

Jackie Espinoza, Area Manager at JCP&L, provided an update regarding JCP&L operations during this time of pandemic. Of note, JCP&L will not shut off power to customers facing financial hardship, be they individuals or businesses.

The trimming cycle will begin towards the end of June out of the North Newton substation. Trimming was completed on the circuits through Branchville/Frankford sub.

APPROVAL OF PREVIOUS MEETING MINUTES:

1. April 14, 2020 – Regular Committee Meeting
2. April 14, 2020 – Executive Session Meeting

A motion was made by Committeeman Castimore to approve the April 14, 2020 Regular Committee Meeting Minutes, seconded by Committeeman Civitan. Roll Call Vote – Aye: Mayor Carney, Committeeman Civitan, Committee Castimore, Committeeman Risdon, and Deputy Mayor Ayers. With all ayes and no nays, motion carried.

A motion was made by Committeeman Civitan to approve April 14, 2020 – Executive Session Meeting Minutes, seconded by Committeeman Castimore. Roll Call Vote – Aye: Deputy Mayor Ayers, Committeeman Risdon, Committeeman Castimore, Committeeman Civitan, and Mayor Carney. With all ayes and no nays, motion carried.

CONSENT AGENDA:

1. Resolution 2020-037 – Authorizing participation in the NJ Agency for Surplus Property Program
2. Resolution 2020-038 – Refunding Tax Sale Certificate – 2020-013
3. Resolution 2020-039 – Cancelling Improvement Authorizations Completed
4. Resolution 2020-040 – Estimated Tax Bills
5. Resolution 2020-041 – Authorization for Executive Session
6. NJ State Fireman’s Association Application for Membership
7. FINAL PAPERWORK - Proposed Improvements to Mattison Reservoir Avenue – Section III – HPA 19-197

A motion was made by Mayor Carney to approve the Consent Agenda, seconded by Committeeman Castimore. Roll Call Vote – Aye: Committeeman Risdon, Committeeman Civitan, Committeeman Castimore, Mayor Carney, and Deputy Mayor Ayers. With all ayes and no nays, motion carried.

FOR PUBLIC HEARING AND ADOPTION:

ORDINANCE 2020-002 – An Ordinance Amending Chapter II of the Code of The Township of Frankford Entitled “Administration”

A motion was made by Committeeman Castimore to open the Public Hearing, seconded by Committeeman Civitan. All in favor. Motion carried.

With no comment by the public on the Ordinance, Committeeman Castimore made a motion to close from public comment and adopt Ordinance 2020-002, seconded by Committeeman Civitan. Roll Call Vote – Aye: Deputy Mayor Ayers, Committeeman Risdon, Committeeman Castimore, Committeeman Civitan, and Mayor Carney. With all ayes and no nays, motion carried.

ORDINANCE 2020-003 – An Ordinance of the Township of Frankford, County of Sussex, State of New Jersey, Providing for the purchase of a 2020 Medium Duty Single Axle Cab and Chassis with Snow Plow, Switch and Go Detachable Body System, Winter Sub Frame and Stainless Steel V-Box Sand/Salt Spreader. The Total Cost of the Equipment is \$174,000.00, appropriating a Sum of \$174,000.00 from a reserve in the Capital Trust for the Reserve for the Purchase of Road Equipment.

A motion was made by Committeeman Civitan to open the Public Hearing, seconded by Committeeman Risdon. All in favor. Motion carried.

With no comment by the public on the Ordinance, Committeeman Risdon made a motion to close from public comment and adopt Ordinance 2020-003, seconded by Committeeman Castimore. Roll Call Vote – Aye: Deputy Mayor Ayers, Committeeman Risdon, Committeeman Castimore, Mayor Carney, and Committeeman Civitan. With all ayes and no nays, motion carried.

PUBLIC COMMENT

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

With no comment by the public, Mayor Carney made a motion to close from public comment, seconded by Committeeman Risdon. Roll Call Vote – Aye: Mayor Carney, Deputy Mayor Ayers,

Committeeman Castimore, Committeeman Risdon, and Committeeman Civitan. With all ayes and no nays, motion carried.

CORRESPONDENCE:

1. Mayor Carney read correspondence sent by Marisa Tipton regarding the speeding on Kymer Road. The Mayor suggested that perhaps a stop sign on the road would be helpful in reducing speeding. The Sheriff's office will also be contacted for assistance.

OEM Salary Amendment

A motion to approve an amendment to the salary of the OEM Coordinator was made by Committeeman Civitan, seconded by Committeeman Castimore. Salary to be \$4,500 per year. Roll Call Vote – Aye: Mayor Carney, Deputy Mayor Ayers, Committeeman Castimore, Committeeman Civitan. Nay: Committeeman Risdon. With a majority of ayes, motion carried.

DEPARTMENT REPORTS:

Reports from Animal Control Officer, DPW Supervisor, Tax Collector, and Zoning Officer for April 2020 were reviewed by the Committee.

TOWNSHIP CLERK REPORT

Clerk Nienstedt reported that information on assistance to small business owners were sent out to all Frankford business owners three weeks ago. Responses were received that the information was not only helpful but also aided in acquisition of PPP assistance. Local businesses serving alcohol were sent information regarding extension of license renewals decided by the ABC (Alcoholic Beverage Commission).

The Primary Election date has been moved to July 7, 2020. The County Board of Elections submitted a letter to the Governor requesting that the election be moved to a 100% mail in ballot election. The reasoning was to limit exposure to the virus for both voters and poll workers. This was not done with the knowledge of the Township.

May 13, 2020 is the last day to change Party Affiliation.

May 22, 2020 is the date for the Clean Communities Shred Day.

TOWNSHIP ATTORNEY REPORT

The public hearing on the cable franchise renewal was adjourned by Mr. Benbrook as he felt it was inappropriate to do such a meeting via electronic meeting. Additionally, Mr. Benbrook advised that it would be best to wait until restrictions have been lifted regarding gatherings as this may be an issue the Frankford community would want to be invited to.

Tax foreclosures are barred at least until the end of May. There are no evictions at this time.

The DPW union representative confirmed the salary percentage increases – 2.5%, 2.25%, and 2%. This will be codified into the existing agreement.

TOWNSHIP COMMITTEE REPORTS

Mayor Carney noted the detrimental impact of fundraising events being cancelled at the Fairgrounds. Committeeman Civitan stated that the Fairgrounds will likely announce by the end of the week their decision for holding the NJ State Fair.

Deputy Mayor Ayers discussed the plan for an irrigation system at the park. Mayor Carney said he will talk with John Preste, Park Chair, to procure an estimate for the system. He believes that the most recent estimate that was received was roughly \$125k.

Attorney Benbrook added that this coming June was supposed to be the deadline after which the abandoned junkyard was going to be kicked out of bankruptcy court and the Township could proceed with foreclosure. That will be reactivated as soon as the current restrictions are lifted.

Ms. Nienstedt commented that since the Township is not going to proceed in purchasing the new truck, it may behoove the Committee to contract with Art Pierson, snow plow contractor. Mayor Carney feels the Township should use the spare, single axle, truck that DPW already has. Deputy Mayor Ayers said that Mark Yetter should be making the decision as it is part of his job. The Committee, via consensus, decided not to continue with Mr. Pierson's services.

UNFINISHED BUSINESS:

- Mayor Carney discussed the ongoing 14th Street drainage issue, highlighting the fact that when it is cold water running off onto East Shore will freeze and can cause accidents. Further discussion will be held on this matter.
- Per Mr. Benbrook's advice to rent the Perry Road unit directly, Committeeman Civitan made a motion to advertise the rental for \$750.00 with a one-year lease, seconded by Committeeman Castimore. Roll Call Vote – Aye: Committeeman Castimore, Committeeman Risdon, Deputy Mayor Ayers, Committeeman Civitan, Mayor Carney. With all ayes and no nays, motion carried. Ms. Nienstedt will advertise in the New Jersey Herald.

NEW BUSINESS:

- Renaming New Street in Culver Lake – New Street, Frankford Township residents have had difficulty receiving letters and packages due to the fact that neighboring Branchville has a "New Road". The Committee will come up with a name that will eliminate this problem by the June 9, 2020 meeting date. Attorney Benbrook will craft an Ordinance, leaving the road name section blank, that can be read at the next meeting.
- Frankford Foodbank – The Foodbank at the Frankford School is receiving a great deal of donations for the community.
- Opening local businesses – Ms. Nienstedt composed a draft letter to the Governor and/or Freeholders regarding the re-opening steps for Frankford Township. Mayor Carney stated that he would like to send this out as soon as possible. The Committee, via consensus, approved sending the letter.

Mr. Benbrook discussed the Warren-Sussex-Hunterdon regional approach to re-opening, stating that Freeholders in each county are working together to develop a plan to present to Trenton.

BILLS LIST APPROVAL

Motion made by Committeeman Civitan to approve Bills List from April 15, 2020 through May 8, 2020, seconded by Committeeman Castimore. Roll Call Vote – Ayes: Committeeman Castimore, Committeeman Risdon, Deputy Mayor Ayers, Committeeman Civitan, Mayor Carney. With all ayes and no nays, motion carried.

PUBLIC COMMENT

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

Being there was no comment by the public, a motion to close was made by Committeeman Castimore, seconded by Committeeman Civitan. All in favor. Motion carried.

ADJOURNMENT

A motion was made by Committeeman Risdon to adjourn the public meeting, seconded by Committeeman Castimore. All in favor. Motion carried.

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

Attested: _____
Lori Nienstedt, Acting Municipal Clerk

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

RESOLUTION 2020-037

AUTHORIZING PARTICIPATION IN THE NEW JERSEY AGENCY FOR SURPLUS PROPERTY PROGRAM

WHEREAS, the Federal Surplus Personal Property Donation Program enables certain nonfederal organizations to obtain personal property that the federal government no longer needs; and

WHEREAS, the General Services Administration (GSA) Order FSS P 4025.5 provides procedures for the donation of federal surplus personal property, consistent with the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377 as amended and other applicable laws; and

WHEREAS, eligibility may be granted to any State Department, Division, Bureau or Agency; any City or Town government; or any other governmental entity or public agency established by or pursuant to State Law; except that eligibility may not be granted to individual subordinate programs or divisions of a governmental entity where the parent entity has established eligibility; and

WHEREAS, an application for eligibility by a public agency shall be approved by a resolution adopted by a majority of the full membership of the governing body of a local unit prior to the transmittal of any such application of any such program.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Frankford, County of Sussex, State of New Jersey does hereby authorize and approve submittal of an application the Federal Surplus Personal Property Donation Program established by the United States General Services Administration.

BE IT FURTHER RESOLVED that the Township Administrator and the Township Clerk are hereby authorized to make application for the enrollment on behalf of the Township of Frankford.

BE IT FURTHER RESOLVED that the Township Administrator is here by authorized to approve the acquisition of any property deemed appropriate under this agreement.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON MAY 12, 2020.

LORI NIENSTEDT, ADMINISTRATOR
ACTING MUNICIPAL CLERK

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

RESOLUTION 2020-038

**REFUNDING TAX SALE CERTIFICATE 2020-013
WHICH WAS REDEEMED**

WHEREAS, the property owned by Robert F Grega, known as block 55.01 lot 17 located at 11 Willowbrook Drive had unpaid 2019 property taxes and was sold at a Tax Sale held on 30 January 2020 by the Frankford Township Tax Collector; and

WHEREAS, Bala Partners, LLC of 17 West Cliff Street in Somerville, NJ 08876 was the successful bidder of the above stated property. The amount of the Tax Sale consisted of unpaid 2019 property taxes, interest, and other costs, and totaled \$1,419.70 and is represented by Tax Sale Certificate 2020-013; and

WHEREAS, Robert F Grega, the supposed owner of the property, paid \$4,288.59 on 20 April 2020 to the Frankford Township Tax Collector to satisfy the outstanding Tax Sale Certificate 2020-013, subsequent taxes, and current taxes:

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Frankford on this 12th day of May 2020 that the Chief Financial Officer be authorized to draw a check payable to Bala Partners, LLC in the amount of \$9,928.87 which includes the redemption of Tax Sale Certificate 2020-013 of \$2,928.87 and the return of a \$7,000.00 tax sale premium.

BE IT FURTHER RESOLVED that the Tax Collector return the executed satisfied Tax Sale Certificate to Robert F Grega at PO Box 760 located in Branchville, NJ 07826.

CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Township of Frankford, In the County of Sussex, New Jersey, at a meeting held on May 12, 2020.

Lori Nienstedt, Administrator
Acting Municipal Clerk

**FRANKFORD TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

RESOLUTION 2020-039

**RESOLUTION TO CANCEL CAPITAL APPROPRIATION BALANCES OF
COMPLETED PROJECTS PURSUANT TO N.J.S.A. 5:30-4.1 ET. SEQ.**

WHEREAS, Certain General Capital Improvement Appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balance and unused debt authorization may be cancelled;

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Frankford that the following unexpended and dedicated balances of General Capital Appropriations be cancelled:

ORDINANCE NO.	DATE AUTH.	PROJECT DESCRIPTION	AMOUNT CANCELLED	
			FUNDED	UNFUNDED
2019-07	05/14/19	Purchase of Snow Plows	\$1,724.00	
2019-08	05/14/19	Purchase of 2019 Ford F350	\$5,431.50	
2016-02	04/05/16	Purchase of Three (3) Dump Trucks		\$140.22

CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Township of Frankford, In the County of Sussex, New Jersey, at a meeting held on May 12, 2020.

Lori Nienstedt, Administrator
Acting Municipal Clerk

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

RESOLUTION 2020 - 040

Resolution for Preparation of Estimated Tax Bills

WHEREAS, Governor Philip D Murphy has declared a state of emergency via Executive Order 103 in response to the COVID-19 outbreak, the Division of Local Government Services has recommended municipalities prepare to issue estimated property tax bills for 2020; and

WHEREAS, pursuant to Section 3 of P.L. 1994, c. 72 (C.54:4-66.3) provision is made for the issuance of estimated tax bills when the Governing Body has determined that there will be insufficient cash flow to support operations in late July 2020 unless third quarter revenue is received on time; and

WHEREAS, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3:

NOW, THEREFORE BE IT RESOLVED on this 12th day of May 2020 by the Mayor and Township Committee of the Township of Frankford hereby authorize that:

1. The Tax Collector is directed to prepare and issue estimated tax bills for the third quarter 2020, in accordance with the provisions of N.J.S.A. 54: 4-66.2et seq.
2. The entire estimated tax levy for 2020 is hereby set at \$19,573,611.55, with the estimated tax rate being \$2.665.
3. The Tax Collector is authorized to take any additional steps necessary to immediately implement this resolution.

CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Governing Body of the Township of Frankford, In the County of Sussex, New Jersey, at a meeting held on May 12, 2020.

Lori Nienstedt, Administrator
Acting Municipal Clerk

RESOLUTION 2020-041

**TOWNSHIP OF FRANKFORD
TOWNSHIP COMMITTEE**

OPEN PUBLIC MEETING ACT – AUTHORIZATION EXECUTIVE SESSION

May 12, 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 May 12, 2020.

ATTEST:

Lori Nienstedt
Acting Municipal Clerk/Office Manager