

**TOWNSHIP OF FRANKFORD
REGULAR COMMITTEE MEETING
Tuesday, November 10, 2020**

MINUTES

STATEMENT OF PUBLIC NOTICE

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, Deputy Mayor Ayers, Committeeman Civitan, and Mayor Carney. Absent was Committeeman Risdon. Also present were Kevin Benbrook, Esq. and Lori Nienstedt, Administrator and Acting Municipal Clerk.

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

APPROVAL OF PREVIOUS MEETING MINUTES

1. October 13, 2020 – Regular Committee Meeting
2. October 27, 2020 – Workshop Meeting
3. October 27, 2020 – Executive Session

Motion to accept by Committeeman Civitan; second to approve by Committeeman Castimore. Roll Call Vote – Ayes: Mayor Carney, Committeeman Civitan, Committeeman Castimore, Deputy Mayor Ayers. With all ayes and no nays, motion carried.

CONSENT AGENDA

1. Resolution 2020-072 – Cancel Capital Fund Reserve for the Firehouse
2. Resolution 2020-073 – Transfer Resolution
3. Resolution 2020-074 – Cancel Improvement Authorization Unfunded
4. Resolution 2020-075 – Cancel Improvement Authorization Funded – Landscaper & Welder/Generator
5. Resolution 2020-076 – Authorizing Executive Session
6. Social Affairs Permit – United Way of Northern New Jersey – Chili Open Golf Outing – January 30, 2021
7. Allocation of Municipal Alliance Funding to the Eleven Municipal Alliance Committees for the Provision of Substance Abuse Prevention Programs for the period of July 1, 2019 through June 30, 2020 in the amount of \$139,896.00
8. Blue Light Permit – Mike Fox

Motion to accept Consent Agenda by Mayor Carney; second to approve by Committeeman Castimore.

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

FIRST READING/INTRODUCTION

Ordinance 2020-009 – Purchase Equipment for Fire Department

Motion to introduce by Deputy Mayor Ayers; second to approve by Committeeman Civitan.

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

Ordinance 2020-010 – Purchase Mini Hydraulic Excavator

Motion to introduce by Committeeman Civitan; second to approve by Deputy Mayor Ayers.

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

RESOLUTION 2020-077 – Condemning Large-Scale Solar Plans. Tabled until November 24, 2020 Workshop Meeting.

RESOLUTION 2020-078 – CARES ACT

Motion to introduce by Committeeman Civitan; second to approve by Deputy Mayor Ayers. All in favor. Motion carried.

CONTRACT APPROVAL – Denville Line Painting – HPA No. 20-226

Motion to accept by Deputy Mayor Ayers, second to approve by Committeeman Castimore.

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

EMPLOYEE OF THE MONTH – Mayor Carney and Committee members commended Employee of the Month, Diane Brauchle, for her hard work, dedication, and creativity.

APPOINTMENT OF ELECTRICAL SUB-CODE OFFICIAL

Mr. Simonis will begin on November 17, 2020 with an annual salary of \$15,000.00.

Motion to appoint Andrew Simonis as Electrical Sub-Code Official made by Deputy Mayor Ayers, second to approve by Committeeman Castimore. Roll-Call Vote – Ayes: Committeeman Castimore, Deputy Mayor Ayers, Committeeman Civitan, Mayor Carney. With all ayes and no nays, motion carried.

CORRESPONDENCE

- Frankford Seniors Organization thanked the Township Committee for their generous annual contribution to their organization.

PUBLIC COMMENT

Motion to open to the public made by Mayor Carney, seconded by Committeeman Civitan. All in favor. Motion carried.

- Stanley Van Den Heuvel – 81 Lower North Shore, Culver Lake, Branchville asked for status on the vacation of his portion of Hill Street. Attorney Benbrook asked that Derek Kennedy, Surveyor for Mr. Van Den Heuval, send Ms. Nienstedt the map, easement, and a description of the entire vacated alley prior to the Workshop Meeting so the Ordinance can be ready for first reading at that time.
- Mike Fox – 44 Beemerville Road - asked for clarification on item 1 in the Consent Agenda. Ms. Nienstedt stated that Resolution 2020-072 is required to pass Ordinance 2020-009.

Motion to close public comment made by Committeeman Castimore, seconded by Committeeman Civitan. All in favor. Motion carried.

UNFINISHED BUSINESS

- 14th Street
 - No easement has been received from the owners of 179 East Shore Culver Road to facilitate installation of the drainage improvement designed by Township Engineer, Harold Pellow.
- 11 & 13 Lakepoint Avenue
 - Attorney Bill Haggerty will follow up with Attorney Benbrook with the information needed for him to proceed with a vacation ordinance once title has been closed on the opposite side of the road.
- Banners
 - Ms. Nienstedt explained that Administrative Assistant, Katie Radler, obtained pricing for the Hometown Hero Banner Program. Mayor Carney would like the information on the program to be included in the Frankford Township annual newsletter. The program will be launched in 2021.

NEW BUSINESS

- Fern Street Vacation
 - Attorney Benbrook stated that a vacation ordinance should be on file with the Township. He will check with his Title searcher to see if this is a recorded record. Ms. Nienstedt will e-mail back-up documentation to Harold Pellow and Attorney Benbrook.

DEPARTMENT REPORTS

1. Animal Control Officer Report – October 2020
2. DPW Report – October 2020
3. Tax Collector's Report – October 2020
4. Zoning Report – October 2020
5. Treasurer's Report – October 2020
6. Fire Prevention Update – Bernie Kotchkowski detailed the revenues generated by Fire Prevention and proposed possible uses for said monies.

TOWNSHIP CLERK REPORT

- Executive Order 192 Protocols are being followed with office and DPW staff. Temperatures are being taken daily.
- Joint Court Update
 - A review of the draft court contract written by Attorney Benbrook was held with the Mayors of Sandyston and Montague. Review comments were logged and shared with Attorney Benbrook for his consideration. Ms. Nienstedt will supply Attorney Benbrook with ticket generation data and revenues obtained in September by Blairstown CFO, Christine Rolef.
- Halloween Trunk-or-Treat
 - The first annual Trunk-or-Treat event was highly attended and well received by residents.
- Santa Calls
 - Ms. Nienstedt and her husband will be making calls to Frankford children whose parents have registered them for phone calls from Santa in early December.

- Gingerbread House Contest
 - The office Staff are hosting a virtual Gingerbread House Decorating Contest in light of COVID-19 restrictions.

TOWNSHIP ATTORNEY REPORT

- The Dell House – Foreclosure notice will be published in the local paper by the end of this week.
- Scandia Spa will not be in foreclosure as they are making their monthly payments.

TOWNSHIP COMMITTEE MEMBER REPORTS

- Open Space
 - A contract was sent to Bob Canace, who will be returning a signed copy to Ms. Nienstedt.
 - Mr. Benbrook has requested Committeeman Risdon respond to him regarding his vote on the request made by the Watershed Foundation for a contribution of funds for purchase of the golf course. If Mr. Risdon’s father’s estate is not directly adjacent to the golf course, then it is a non-issue. Mr. Benbrook will seek further clarification from Mr. Risdon.
- Schools
 - Mayor Carney reiterated the need for residents to be more involved with regard to the school board as there have been inconsistencies regarding their stated approach to COVID-19 and what actually has been occurring.
 - Local mayors are wanting to change the date of the school board election. Attorney Benbrook provided cautionary advice in making such an action as the Statute gives no direction on whom has the final say in setting the election date for school boards. Attorney Benbrook stated that the Township could approve a Resolution changing the school board election date of the local Frankford Township School. He will create a sample Resolution before the end of the week.

BILLS LIST APPROVAL

Motion to accept the 10/14/2020 to 11/06/2020 Bills List by Committeeman Civitan, second to approve by Committeeman Castimore.

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

2021 SALARY ADMINISTRATION

Mayor Carney extolled the current office staff, highlighting their hard work ethic, dedication to the community, and strong working relationship. As such, he recommended these qualities be considered in making decisions for 2021 salary administration. His sentiments were echoed by Committeeman Castimore, who added the importance of retaining the current staff.

The Committee will continue to discuss salary administration at the November 24, 2020 Workshop Meeting.

PUBLIC COMMENT

Motion to open to the public made by Committeeman Castimore, seconded by Committeeman Civitan. All in favor. Motion carried.

With no comments made, a motion to close public comment was made by Mayor Carney, seconded by Committeeman Civitan. All in favor. Motion carried.

EXECUTIVE SESSION

A motion was made by Committeeman Civitan to enter Executive Session, seconded by Deputy Mayor Ayers. All in favor. Motion carried.

Following Executive Session, a motion was made by Committeeman Castimore to exit Executive Session and re-open to the public, seconded by Committeeman Civitan. All in favor. Motion carried.

Attorney Benbrook reported that a discussion with respect to the Fire Sub-code Official took place. The Committee was not satisfied with the way said official interacts with the staff and other sub-code officials. His actions and conduct have been deemed unacceptable.

A motion to issue a termination letter to Frankford Township's Fire Sub-code Official was made by Committeeman Castimore, seconded by Committeeman Civitan. Roll-Call Vote – Ayes: Committeeman Castimore, Deputy Mayor Ayers, Committee Civitan, Mayor Carney. With all ayes and no nays, motion carried.

Discussion was held concerning recent revelations regarding significant overpayments of health insurance waiver payments. Said payments were not in compliance with State Statute and Frankford Township's Personnel Policy. While action is not being taken this evening, the Committee has authorized Attorney Benbrook to work to compile information to present to appropriate agencies and individuals.

ADJOURNMENT

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

ATTEST:

**Lori Nienstedt, Administrator
Acting Municipal Clerk**

**FRANKFORD TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

Resolution 2020 - 072

RESOLUTION TO CANCEL CAPITAL FUND RESERVE FOR FIREHOUSE

WHEREAS, Certain Reserves remain dedicated to a project now completed; and

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance will be cancelled into Fund Balance; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Frankford, Sussex County, New Jersey, that the following unexpended and dedicated balances of the Capital Fund Reserve for the Firehouse in the amount of \$11,112.50 be cancelled into Fund Balance.

CERTIFICATION

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 workshop meeting held on November 10, 2020.

ATTEST:

Lori Nienstedt
Administrator, Acting Municipal Clerk

**Frankford Township
County of Sussex, State of New Jersey**

Resolution 2020-073

Transfer Resolution

WHEREAS, there is a need for adjustments to the 2020 municipal budget appropriations,
and

WHEREAS, N.J.S.A. 40:4-58 permits transfers to be made in the last two months of the
calendar year and first three months of the calendar year

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of
Frankford that the following transfers be made in the amounts so noted:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
Streets & Roads S&W	\$6,500.00	Coronavirus Response
General Liability	\$2,366.00	Worker's Comp Insurance
Park Building & Grounds S&W	\$3,544.20	Park Building & Grounds O&E

CERTIFICATION

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 workshop meeting held on November 10, 2020.

ATTEST:

Lori Nienstedt
Administrator, Acting Municipal Clerk

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

RESOLUTION 2020-074

**RESOLUTION TO CANCEL IMPROVEMENT AUTHORIZATION - UNFUNDED
FOR COMPLETED PROJECT – MUNICIPAL BUILDING/STEPS & ROOF**

WHEREAS, a General Capital Improvement appropriation balance remains dedicated to a project now completed; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Frankford Township, New Jersey, that the following unexpended and dedicated balance for the General Capital Appropriation be cancelled:

Date Auth.	Project Description	Amount Funded Cancelled
08/07/19	Municipal Building (Roof/Steps) – Bond Ordinance 2019-16	\$13,872.00

CERTIFICATION

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 workshop meeting held on November 10, 2020.

ATTEST:

Lori Nienstedt
Administrator, Acting Municipal Clerk

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

RESOLUTION 2020-075

**RESOLUTION TO CANCEL IMPROVEMENT AUTHORIZATION FUNDED
FOR COMPLETED PROJECTS – LANDSCAPING INSTALLATION AND WELDER/GENERATOR**

WHEREAS, General Capital Improvement appropriation balances remain dedicated to a project that is completed; and

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be returned to Fund Balance and Various Reserves – Purchase of Road Equipment and unused debt authorization may be cancelled;

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

Date Auth.	Project Description	Amount Funded Cancelled
07/14/20	Landscaping for Municipal Building – Ordinance 2020-04	\$ 672.75
07/14/20	Purchase of Welder/Generator – Ordinance 2020-06	\$3,977.15

CERTIFICATION

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 workshop meeting held on November 10, 2020.

ATTEST:

Lori Nienstedt
Administrator, Acting Municipal Clerk

**TOWNSHIP OF FRANKFORD
TOWNSHIP COMMITTEE**

RESOLUTION 2020-076

OPEN PUBLIC MEETING ACT – AUTHORIZATION EXECUTIVE SESSION

November 10, 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 workshop meeting held on November 10, 2020.

ATTEST:

Lori Nienstedt
Administrator, Acting Municipal Clerk

TOWNSHIP OF FRANKFORD
COUNTY OF SUSSEX, STATE OF NEW JERSEY
RESOLUTION 2020-078
APPLICANT'S RESOLUTION
LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs ("DCA"), through the Division of Local Government Services ("DLGS" or "Division"), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the "LGEF" or "Program"), provided through an allocation of the State of New Jersey's CARES Act Coronavirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government's direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit's response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Frankford, that the Township of Frankford will apply for a LGEF Grant in the amount of \$10,731.80.

CERTIFICATION

I, Lori Nienstedt, Administrator, Acting Municipal Clerk of the Township of Frankford in the County of Sussex, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Township of Frankford at its meeting of November 10, 2020

ATTEST: _____
Lori Nienstedt, Administrator, Acting Municipal Clerk

**FRANKFORD TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2020-009

AN ORDINANCE OF THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF EQUIPMENT FOR FIRE DEPARTMENT FOR THE TOTAL COST OF \$11,000, APPROPRIATING A SUM OF \$11,000.00 FROM FUND BALANCE IN THE CAPITAL TRUST

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 Equipment for the Fire Department not to exceed \$11,000, which is hereby appropriated for such purposes from Fund Balance located in the Capital Trust Fund.

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

NOTICE

PLEASE TAKE NOTICE that the above ordinance was introduced at first reading on Tuesday, November 10, 2020 and will be considered for adoption after a public hearing to be held on Tuesday, December 8, 2020 at 7:00 PM in the Municipal Building, 151 US Highway Route 206, Augusta, NJ.

Lori Nienstedt, Administrator,
Acting Municipal Clerk

**FRANKFORD TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2020-010

AN ORDINANCE OF THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF A CATERPILLAR MODEL 306 MINI HYDRAULIC EXCAVATOR WITH 3 BUCKETS. THE TOTAL COST OF THE EQUIPMENT IS \$90,000, APPROPRIATING A SUM OF \$25,000 FROM A RESERVE IN THE CAPITAL TRUST FOR THE RESERVE FOR THE PURCHASE OF ROAD EQUIPMENT AND \$65,000 FROM FUND BALANCE IN THE CAPITAL TRUST

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 Caterpillar Model 306 Mini Hydraulic Excavator with 3 Buckets not to exceed \$90,000, which is hereby appropriated for such purposes from the Reserve for the Purchase of Road Equipment located in the Capital Trust Fund in the amount of \$25,000 and Fund Balance located in the Capital Trust Fund in the amount of \$65,000.

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

NOTICE

PLEASE TAKE NOTICE that the above ordinance was introduced at first reading on Tuesday, November 10, 2020 and will be considered for adoption after a public hearing to be held on Tuesday, December 8, 2020 at 7:00 PM in the Municipal Building, 151 US Highway Route 206, Augusta, NJ.

Lori Nienstedt, Administrator
Acting Municipal Clerk