

Franklin Borough Planning Board
Meeting Minutes for
February 19, 2019

The meeting was called to order at 7:30 PM by the Chairman, Mr. Wes Suckey, who then led the assembly in the flag salute.

Mr. Suckey read the Statement of Compliance pursuant to the "Open Public Meetings Act, Chapter 231, PL 1975."

ROLL CALL OF MEMBERS: Mr. Wes Suckey, Chairman (Present)
Mr. John Christiano, Vice – Chairman (Present)
Mr. Nick Giordano, Mayor (Present)
Mr. Stephen Skellenger, Councilman (Absent)
Mr. Floy Estes (Absent)
Mr. Jim Nidelko (Present)
Mr. Jim Williams (Present)
Mr. Richard Knop (Absent)
Mr. John Friend (Absent)
Mr. Ted Bayles, Alternate #1 (Absent)
Mr. Michael Raperto, Alternate #2 (Present)
Mr. Stephen DeFinis, Alternate # 3 (Present)
MS. Sharon Schultz, Alternate #4 (Present)

ALSO PRESENT: Mr. Dave Brady, Board Attorney
Mr. Ken Nelson, Board Planner

Approval of Minutes:

Franklin Planning Board meeting minutes for November 7, 2018

Mr. Suckey asked if everyone had a chance to read and review the minutes. Mr. Suckey asked for a motion to approve the meeting minutes from November 7, 2018. Mr. Nidelko made a motion to approve the meeting minutes from November 7, 2018. Seconded by Mr. Williams.

Upon Roll Call Vote:

AYES: **Nidelko, Williams, Christiano, Suckey, Raperto, DeFinis, Schultz**

NAYS: None ABSTENTIONS: **Mayor Giordano**

Motion Approved.

Franklin Borough Planning Board meeting minutes for December 17, 2018.

Mr. Suckey asked if everyone had a chance to read and review the meeting minutes from December 17, 2018. Mr. Suckey pointed out two minor typos on page 7.

Mr. Suckey asked for a motion to accept the December 17, 2018 minutes with the two corrections added. Motion made by **Mr. Williams** Seconded by **Mr. Christiano**.

Upon Roll Call Vote:

AYES: **Nidelko, Williams, Estes, Christiano, Bayles, DeFinis, Schultz**

NAYS: None ABSTENTIONS: **Mayor Giordano**

Franklin Borough Planning Board
Meeting Minutes for
February 19, 2019

Motion Approved.

Franklin Planning Board meeting minutes for Re-Org meeting January 14, 2019
Mr. Suckey asked if everyone had a chance to read and review the January 14, 2019.
Mr. Suckey asked for a motion to approve the January 14th Re-Org meeting minutes.
Motion made by **Mr. Christiano**. Seconded by **Mr. Williams**.

Upon Roll Call Vote:

AYES: **Nidelko, Williams, Mayor Giordano, Christiano, Suckey, Raperto, DeFinis, Schultz**

NAYS: None ABSTENTIONS: **Nidelko**

Motion Approved

Franklin Planning Board meeting minutes for January 14th (Regular Meeting)
Mr. Suckey asked if everyone had the chance to read and review the minutes from the regular meeting on January 14, 2019.
Mr. Suckey asked for a motion to approve the January 14, 2019 regular meeting minutes.

Mayor Giordano made a motion to accept the January 14th meeting minutes as printed.
Seconded by **Mr. Christiano**.

AYES: **Williams, Mayor Giordano, Christiano, Suckey, Raperto, DeFinis, Schultz**

NAYS: None ABSTENTIONS: **Nidelko**

Motion Approved.

Franklin Planning Board executive session meeting minutes for January 14, 2019
Mr. Suckey asked if everyone read and returned the executive session meeting minutes back to the board secretary.

Mr. Suckey asked for a motion to accept the executive meeting minutes as printed.

Mr. Williams made a motion to accept the executive meeting minutes from January 14, 2019 as printed. Seconded by **Mayor Giordano**.

AYES: **Williams, Mayor Giordano, Christiano, Suckey, Raperto, DeFinis, Schultz**

NAYS: None ABSTENTIONS: **Nidelko**

Motion Approved.

APPROVAL OF RESOLUTIONS:

Memorializing Resolution for Brian Snyder/Prestige Lawn Maintenance, PB # 09-18-02 Block 2702, Lot 20, 7 RT. 23 Preliminary and Final Site Plan Use D variance in a HC-2 Zone.

Mr. Suckey asked me to take note that Mr. Friend arrived at the meeting at 7:33PM.

Mr. Suckey informed Mr. Friend that we are just starting to review and vote on the resolution for Brian Snyder.

Mr. Suckey asked if everyone had a chance to read and review the resolution.

Mr. Suckey asked if anyone had any questions or corrections regarding the resolution.

There not being any questions or corrections at this time Mr. Suckey asked for a motion to approve the resolution for Brian Snyder/ Prestige Lawn Maintenance. **Mr. Williams**

Franklin Borough Planning Board
Meeting Minutes for
February 19, 2019

made the motion to to approve the resolution for Brian Snyder/ Prestige Lawn Maintenance, PB # 09-18-02 Block 2702, Lot 20, 7 RT. 23 **Seconded by Mr. Raperto.**

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Christiano, Raperto, DeFinis**

NAYS: None ABSTENTIONS: None

Motion Approved

APPLICATIONS FOR COMPLETENESS:

There were no applications for completeness

ADJOURNED CASES:

There were adjourned cases

APPLICATIONS TO BE HEARD:

There were no applications to be heard

OTHER BUSINESS:

Chairman will pick a board ordinance review committee.

Mr. Suckey stated that it has recently come to his attention that escrow and or the lack of escrow funding in escrow funds. Mr. Suckey stated that when looking at the ordinance that there are only two sentences that state anything in regards to retrieving escrow funds once the funds are depleted. Therefore Mr. Suckey explained that he is appointing members to a committee that will meet and work on reviewing ordinances and policies. The committee will work on making a policy on collecting escrow funds when the funds have been depleted.

The board members that Mr. Suckey appointed to this committee are. Mr. Christiano, Mr. Williams, and Mr. Estes.

PAYMENT OF BILLS:

Franklin Borough Planning Board Escrow Report for February 19, 2019

Mr. Suckey asked for a motion to accept the February 19, 2019 Escrow Report.

Motion made by **Mr. Nidelko** Seconded **by Mr. Friend.**

All were in favor. ABSTENTIONS: **Mayor Giordano**

Motion Approved

CORRESPONDENCE:

There were no correspondence

DISCUSSION:

Mr. Nelson gave a brief update on Highlands Act. Mr. Nelson explained that the plan conformance process requires a number of planning studies to be done. A scope of

Franklin Borough Planning Board
Meeting Minutes for
February 19, 2019

work has been sent to the Highlands Council for their approval. Once we get the approval from the Highlands council the board members will receive a copy of the plans. Mr. Nelson went on to explain he is not sure how much involvement the planning board will have at this time. Mr. Nelson did state that he does know that the planning board will be involved in the new affordable housing plan. Mr. Nelson will keep the board up to date as he receives information. Mr. Suckey thanked Mr. Nelson and asked if any of the members had any questions for Mr. Nelson at this time. Members did not have any questions and Mr. Suckey asked the members if anyone else had anything else to add under discussion.

Mr. Christiano addressed Mr. Suckey asking if he could bring up something that has been brought to his attention.

Mr. Christiano explained to the board members that there was a resident of Franklin who came to him concerned about board members being on the phone during the meetings Mr. Christiano asked if going forward the board could have it as a regular procedure to not have the members have their cell phones on the desk. Mr. Christiano asked if they could be put away during the meetings.

Mr. Suckey asked if there were any other discussions.

Mayor Giordano asked the chairman if there has been any decision on having a special meeting, combining the planning board and council members together to discuss the Main Street Redevelopment Plan. Mr. Suckey stated that the planning board would like to have the meeting for March 6th which is already advertised for the planning board. Mayor Giordano stated that he would try his best to get the council members to all attend.

Mr. Suckey stated that at one time the town council scheduled a workshop meeting where all the boards and committees got together to discuss certain topics to get everyone on the same page. Mayor Giordano stated that that dates him and he has not been aware of such meetings even while he was council member. Mayor Giordano stated that he would look into bringing those workshop meetings back.

OPEN PUBLIC SESSION:

Mr. Suckey opened the meeting to the public. Asking if anyone from the public would like to address the board on a matter to please step forward.

Cheryl Krause 160 Munsonhurst Road-

Ms. Krause commented on the cell phone issue stating it would be best if planning board members were not on their cell phones during the meeting. Ms. Krause explained they could be subpoenaed in a law suit. Ms. Krause suggested that members should not be on their phones during the meetings.

Mr. Williams stated the he and Mr. Nidelko would be notified of a fire call via their cell phones and that is why they like to keep their cell phones visible.

Mr. DeFinis stated the members on the board are all adults and should know when it is appropriate and when it is not to use their cell phones and kindly asked if the meeting could move forward.

Franklin Borough Planning Board
Meeting Minutes for
February 19, 2019

Mr. Suckey asked if there were any other members from the public who wanted to come forward. Mr. Suckey stated not seeing anyone coming forward he would like to close the meeting to the public at this time.

Mr. Suckey stated the last item on the agenda is the executive session.

EXECUTIVE SESSION – TO DISCUSS LITIGATION THE OPEN PUBLIC MEETINGS ACT ALLOWS THE PLANNING BOARD TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF FRANKLIN, THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE PLANNING BOARD OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW. MINUTES OF THE SAME MAY BECOME AVAILABLE AFTER THE NEED OR ATTORNEY CLIENT PRIVILEGE NO LONGER EXSITS.

Be further advised this Resolution shall take effect immediately.

Mr. Suckey made an announcement stating that the board would be adjourning from the conference room and that they would not return to this room after the executive meeting. Mr. Suckey requested a motion to adopt a resolution to adjourn into executive session to discuss items that relate to litigation.

Mr. Williams made the motion to adopt the resolution to adjourn into executive session. Seconded by **Mr. Raperto**.

Upon Roll Call Vote:

AYES: Friend, Nidelko, Williams, Mayor Giordano, Christiano, Suckey, Raperto, DeFinis, Schultz

NAYS: None ABSTENTIONS: None

Motion Approved

At 7:52 the board left the public meeting to enter into executive session. Mr. Christiano stated the meeting will adjourn from the executive session.

Respectfully submitted,

Michelle Babcock
Planning Board Secretary

Franklin Borough Planning Board
Meeting Minutes for
February 19, 2019