

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
FEBRUARY 13, 2018**

Mayor Giordano called the meeting to order and requested the Borough Clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Ms. Fantasia, Mr. Postas, Mr. Rathbun, Mr. Skellenger, Mr. Snyder, and Mayor Giordano.

Absent: Mr. Limon

Mayor Giordano led the assembly in the flag salute.

Mayor Giordano stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall, and printed in the New Jersey Herald/Sunday New Jersey Herald on January 5, 2018, and posted on the Borough website, which adequate notice has been certified by the Clerk."

COMMITTEE REPORTS

Mr. Postas commented the Recreation Commission had a very brief meeting and the officers were named. The Spring Fling venue will be moved to the American Legion Post this year only, it will be on April 14, 2018. Phil Crabb made a presentation at the first Franklin Borough Historic Committee meeting. The meeting was about 2 hours long and discussions included historical overviews of the town, mining areas, the ponds and some places with subsidence issues in town. Franklin Borough was truly a melting pot where many countries came together to work as one. The Zinc Company help build many areas in town. The Historic Committee is very much interested in the historic aspects of the town and making it better.

Mayor Giordano commented he is aware no Ordinance Committee meetings have taken place and advised Mr. Postas that if he is having difficulty with getting everyone together he can reach out to others to accomplish that. Mr. Postas stated there are some ordinances he is researching.

Mr. Snyder commented on the need to do an annual equipment inventory within the borough. There is an outside company that comes in to do that inventory for approximately \$1,300.00. They will inventory the Police Department, DPW, Borough Hall, Fire Department and this year the ambulance squad will be included. Mr. Snyder also stated he and the administrator are hoping to meet with Jennifer from the recreation commission to go over some concerns. The Administrator will speak on what information has been gathered and what needs to be done to maybe move along the opening of the pond once again for swimming.

Mr. Rathbun commented on the progress of the hiring of a police officer. Interviews have been completed and a conditional offer letter was sent out. Mr. Rathbun commented the applicant was very impressive and hopes to see the hiring on an agenda in the near future.

Mayor Giordano commented it will depend on the budget. Mayor Giordano also stated there is a budget workshop meeting scheduled for next Wednesday and will be sending out additional budgeting information to the council to review so that all members will have an accurate accounting to make a decision at the next Mayor & Council meeting.

Mr. Skellenger commented the Planning Board meeting was cancelled and therefore has nothing to report.

Ms. Fantasia commented she, Mr. Skellenger, Administrator McHose, Mayor Giordano and his wife all attended the fire department installation dinner. Congratulation were given to Jason Doyle for the distinction of Firefighter of the year. They also recognized Jason Doyle and Kevin Karpowitz for 25 years of service. Ms. Fantasia commented the only personnel updates she has is for the

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open positions for recreation and planning board secretaries and how those positions will be filled. Ms. Fantasia stated the finance committee had their third extended meeting and worked hard to find some savings that will hopefully get passed onto the taxpayers. They are still waiting on the RUT numbers, the reserve for uncollected taxes which the CFO is still working on who is in close communication with Tom Ferry the town auditor. Ms. Fantasia commented on procedures for communications between the various committees and including the administrator in those communications to help facilitate adequate discussions. Ms. Fantasia questioned Mr. Ursin if there is anything that prohibits a borough from giving preferential hiring treatment to a resident. Mr. Ursin commented he will research and respond at the next meeting.

Mrs. McHose commented on Colleen Little, the deputy clerk, she is settling in and is doing a great job. Mrs. Heath is still working within the Clerk's office and is helping to clear and organize files for destruction. Mrs. McHose thanked the Personnel Committee's efforts to move forward on the vacancies for the recreation secretary, planning board secretary and my assistant. Mrs. McHose also commented she had a meeting with Statewide Insurance Fund and the Department of Health on the opening of the pond, it may just require some water testing, also having someone go into the pond to check for any debris that may be under the surface, ropes and cleaning of the beach area.

Mayor Giordano commented on the Sussex County League of Municipalities (SCLOM). SCLOM is working on a meeting which they have sent out an invitation to all for a Municipal Intervention on March 15, 2018. It addressed the Opioid epidemic similar to the CLEAR program. Mayor Giordano encourages whoever can attend to please do so.

Mr. Ursin had nothing to report.

OPEN PUBLIC SESSION

Mr. Skellenger made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Rathbun. All were in favor.

Dick Durina 23 Lozaw Road stepped forward. Mr. Durina requested the second open public session be added back to future agendas.

Jackie Espinoza, Jersey Central Power & Light stepped forward. Ms. Espinoza handed out invitations to the council to attend the SCLOM Municipal Intervention meeting. Ms. Espinoza expressed the importance of all towns working together.

Joann Tatka, 151 Maple Road stepped forward. Mrs. Tatka asked about legal fees for the labor attorney so far incurred in 2018. Mrs. Tatka questioned if there is state money that we could get for storm emergencies such as snow removal, is the water at the pond safe, is the Freeholder meeting coming to Franklin Borough and is the police officer that is being considered for hiring a new position or filling a vacant position. Mayor Giordano commented the position is the last open squad position on the current roster. Mrs. Tatka asked about the cancellation of the planning board meeting. Mayor Giordano explained how the Planning Board meetings are scheduled since we no longer have two separate boards and why they are advertised the way they are in the calendar.

Mayor Giordano expressed his sympathies to Mrs. Tatka regarding her brother.

Mr. Snyder commented the hiring of a police officer is unacceptable, additional information should be provided before moving forward. Mayor Giordano stated he will get him additional information.

Emily Bazelewich, 1 Mill Street stepped forward. Ms. Bazelewich asked if the pond will be for Franklin residents only and if the council was aware that there is a resident, John Yanish, who expressed interest in donating funds to help achieve the opening of the pond. Ms. Bazelewich expressed her concerns on changing Mabie

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Street to a 2-way street. Ms. Bazelewich asked if there were any new businesses coming into Franklin.

There being no one else present who wished to address the Governing Body, Mr. Snyder made a motion to close the meeting to the public, seconded by Mr Skellenger. All were in favor.

CONSENT AGENDA

Mayor Giordano requested that all persons present review the consent agenda and offer any comments they may have at this time regarding the consent agenda.

Mr. Skellenger asked to remove PO numbers 28319 and 28380 from the List of Bills and vote on them separately.

Dick Durina, 23 Lozaw Road, requested from his seat to discuss the letter on the Consent Agenda, item 1, under correspondence from the Sierra Club. Administrator McHose explained the letter and a discussion took place.

Mr. Skellenger made a motion to approve the consent agenda of February 13, 2018 with PO numbers 28319 and 28380 removed from the Bills List. Seconded by Mr. Mr. Rathbun.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated January 24, 2018 from Gregory Gorman, Conservation Chair, Skylands Group, New Jersey Sierra Club Chapter, Re: Munsonhurst Planned Residential District, Block 2701 Lot 1.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Zoning Officer report for January 2018.
2. Construction permit activity report for January 2018.
3. Construction report for January 2018.
4. COH report for January 2018.
5. Saint Clare's response time report for January 2018.
6. 2017 Annual Raffle Report.
7. Finance activity report for 2017.
8. Police Department Report for January, 2018.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of February 13, 2018.

Mr. Skellenger commented he had no issues with PO numbers 28319 and 28380, only a conflict of interest.

Mr. Rathbun made a motion to accept PO number 28319 and 28380 on the Bills List. Seconded by Ms. Fantasia

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Snyder

Nays: None Absent: Limon Abstentions: Skellenger

OLD BUSINESS

There was no old business for tonight's portion of the meeting.

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NEW BUSINESS

Approval of Meeting Minutes

Mr. Rathbun made a motion to approve the regular meeting minutes and executive session meeting minutes for January 23, 2018. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Littell Community Center Shared Service Agreement

Mayor Giordano commented a meeting with recreation and the Littell Center is scheduled on Tuesday morning and therefore requested the council to table the Littell Community Center Shared Service Agreement.

Mr. Skellenger made a motion to table the Littell Community Center Shared Service Agreement. Seconded by Mr. Rathbun. All were in favor.

Project Self-Sufficiency and Borough of Franklin Memorandum of Agreement

Mr. Rathbun made a motion to approve the Memorandum of Agreement between Project Self-Sufficiency of Sussex County, Inc. and Borough of Franklin to collaborate the mobile outreach project to bring services to the residents of Franklin. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2018-16

Mr. Rathbun made a motion to adopt Resolution #2018-16, authorizing the Water and Sewer Collector to remove an excess overbill of \$245.50 from the water and sewer account and refund the overpaid amount of \$302.50 to Yami Ruiz, owner of the property located at 15 Hillside Avenue also known as Block 1501, Lot 6. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2018-17

Mr. Postas made a motion to adopt Resolution #2018-17 authorizing submission of a Strategic Plan for the Governor's Council Alcoholism and Drug Abuse Grant for Fiscal Grant Cycle July 2014- June 2019. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2018-18

Mr. Postas made a motion to adopt Resolution #2018-18 authorizing compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964". Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2018-19

Mr. Postas made a motion to adopt Resolution #2018-19 authorizing the Water and Sewer Collector to remove an overbill amount of \$217.00 from the water/sewer

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account of David Pasake for the property located at 9 Lehigh Street also known as Block 601, Lot 27. Seconded by Mr. Skellenger.

Administrator McHose explained the reason for Resolution #2018-19.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2018-20

Mr. Snyder made a motion to adopt Resolution #2018-20 authorizing the Franklin Borough Tax Collector to hold a special Tax Sale for the property located at Block 601, Lot 1. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Agreement for Certified Recycling Professional

Mr. Snyder made a motion to approve the agreement between the Borough of Franklin and SCMUA to retain the services of SCMUA for a Certified Recycling Professional that will be responsible for executing the mandatory annual municipal recycling tonnage report in the amount of \$250.00 annually. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2018-21

Mr. Skellenger made a motion to adopt Resolution #2018-21 authorizing the Borough's Certified Recycling Professional to submit the 2017 recycling tonnage grant application to NJ Department of Environmental Protection. Seconded by Mr. Rathbun.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction to Ordinance No. 1-2018

Mr. Skellenger made a motion to introduce an ordinance 1-2018 entitled "ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY ADOPTING THE "HOSPITAL SITE" REDEVELOPMENT PLAN PREPARED BY NELSON CONSULTING GROUP DATED OCTOBER 6, 2017". Seconded by Mr. Rathbun

Public Hearing will be held February 27, 2018.

Mr. Snyder asked if this ordinance was done previously. Administrator McHose explained why this was left out of a previous study from the past redevelopment plan. There was a discussion on the Hospital Site. Mr. Ursin informed the council this site has already been previously designated as a redevelopment site. What the council is voting on is the actual plan for what you want to be on that site. Mr. Ursin also commented the actual plan itself supersedes zoning for that particular lot.

Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mayoral Appointment

Mr. Skellenger made a motion to confirm the Mayoral Appointment of Marc Franco, as member to the Recreation Commission to fill an unexpired 5-year term ending 12/31/2020. Seconded by Mr. Rathbun.

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Upon roll call vote:

Ayes: Fantasia, Postas, Rathbun, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

EXECUTIVE SESSION

None

OPEN PUBLIC SESSION II

Mr. Skellenger made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Snyder. All were in favor.

Joanne Tatka, 151 Maple Road stepped forward. Mrs. Tatka clarified her question she asked previously regarding snow removal during a state emergency and if towns are able to be reimbursed. Mrs. Tatka questioned the \$250.00 being paid to SCMUA. Administrator McHose explained the process for compiling the recycling information and the state mandates for reporting the information to the state.

Dawn Rowe, 140 Munsonhurst Road stepped forward. Ms. Rowe questioned the hiring of the police officer and how many police officers are currently employed within the Borough of Franklin. Ms. Rowe commented on the pond and if it is used as a backup water source for the town. A discussion on the town's backup water source continued.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public, seconded by Ms. Fantasia. All were in favor.

MISCELLANEOUS COMMENTS

None

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 7:55 p.m., seconded by Ms. Fantasia. All were in favor.

Nicholas Giordano, Mayor

Darlene J. Tremont, Acting Municipal Clerk