

**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 26, 2019**

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: Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder, Mr. Soules, Mr. Zydon and Mayor Giordano.

Absent: None

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 4, 2019, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

None

COMMITTEE REPORTS

Mr. Limon commented Recreation met on Thursday, February 21, 2019, Senior Spring Fling is April 27, 2019, there is a conflict with the Girls Scout town wide garage sale being on the same day, but we have decided to keep the Spring Fling as is stated in the Borough calendar, \$800 has been approved for the Spring Fling, there was also an approval to spend up to \$1200 for the purchase of a net for the softball field. Senior of the Year will be chosen soon. Recreation held a chocolate fondue movie night event for the children that went very well. Recreation is also working on the Fluorescent 5K again, separate from Franklin Day. May 18, 2019, is the Miss Franklin Pageant. Lastly, we are looking into starting a youth bowling league, more information will come when finalized.

Mr. Postas commented the Personnel Committee meeting was held about 2 weeks ago, more information on the meeting will be addressed later in tonight's meeting regarding 2 hires.

Mr. Snyder commented the Buildings and Grounds Committee will be meeting for the first time this year the end of this week or beginning of next week. The Ordinance Committee will be looking into updating several ordinances.

Mr. Soules had nothing to report.

Mr. Skellenger commented the Finance Committee met discussing the preliminary numbers for the police department budget, the next finance meeting is Thursday to go over the DPW numbers with Brian VanDenBroek for the budget.

Mr. Zydon commented Public Works will be meeting with Brian VanDenBroek soon to go over some issues. There was no EDC meeting.

Administrator McHose commented she has been working with Monica, CFO and the Finance Committee on budget items, the Clerk is working on the auction of Borough surplus items, dog licensing has been busy, the possibility of doing a dog census this year is being discussed; it brings in revenue for the Borough.

Mr. Ursin commented he has requested an executive session this evening to update the Council on litigation matters.

Mayor Giordano commented he is reappointing all current recreation members except two and also a new EDC member as stated on the addendum. Mr. Postas has secured the microchipping event sponsored by SB One Bank on March 30, 2019, at the DPW garage on Corkhill Road. Mr. Postas commented it is a free clinic.

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Administrator McHose stated it is free to a limited number of first come first serve people, then a reduced rate of \$15.00/animal. It is open to all, not just Franklin residents. Mayor Giordano reminded everyone of the animal donation box at Borough Hall. Mayor Giordano confirmed there will be an executive session tonight for litigation updates.

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. Postas. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina stated his motto is "Franklin First". Mr. Durina commented he supports the questions of bills on the bills list, problems and news reports about Franklin during the last year, sense of community, advantages and disadvantages of surrounding towns. Mr. Durina questioned the necessity of TCC (Technical Completeness Committee) escrow fees, professionals and the process. Mr. Durina also commented on goals of Franklin, marketing and getting the word out for new projects.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on the status of the recreation report from the auditor, Zoning Officer shared services, negative press reported on 20-year veterans within our police department, and lawsuits. Ms. Tatka stated something needs to done.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Mrs. Bazelewich commented having the Spring Fling scheduled on the same day as the town wide garage sale will cause problems for those who participate in both events. Mrs. Bazelewich requested having "No Littering" signs with a penalty amount put up in certain areas of town, especially in front of the American Legion Hall where garbage is noticeably seen on the ground between the entrance and exit of the property.

Tamara Contreras, 121 South Rutherford Ave., Franklin stepped forward. Ms. Contreras commented the Franklin Pride Poster contest had 25 entries, the award ceremony is on March 14, 2019 at 5:30PM at the Franklin Library on Main Street and invited all to come. Ms. Contreras informed the Council and public of a Wellness Expo being held on May 18, 2019 from 10:00AM – 3:00PM, it is an opportunity for local organizations to represent themselves and connect with residents. Ms. Contreras commended the Advertiser News for spreading the word on positive happenings in our town. Ms. Contreras also commented on the South Rutherford Avenue item on the agenda, it is not the only street with a safety problem, though it can be a start for other areas in the Borough.

Patti Carnes, 289 Rutherford Ave., Franklin stepped forward. Ms. Carnes commented the EDC now has a Facebook page. Ms. Carnes asked everyone to look for it, like it, follow it, we are posting a lot of information as it becomes available to us. Ms. Carnes also commented a new business, 4Chicks Café, is opening on Thursday and named other new businesses that have come into town recently.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented on the importance of communication and updated information.

There being no one else present who wished to address the Governing Body, Mr. Limon 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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated February 5, 2019 from State of NJ Department of Law and Public Safety, Division of State Police, Louis Bucchere, Commanding Officer, to David J. Williams, Franklin Borough OEM, in regards to the acceptance of Franklin Borough's Emergency Operations Plan.

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2. Resolution from Sandyston Township in favor of continued in-lieu of tax payments for municipalities to encourage open space acquisition which is critical to New Jersey's water supply.
3. Sussex Borough resolution in support of "path to progress" recommendations made by New Jersey economic and fiscal policy workshop.
4. 2018 amended table of equalized valuations.
5. Borough of Ogdensburg Ordinance adopting and codifying Chapter 30 Land Development.
6. Sussex Borough Resolution supporting Assembly Bill A4037 and Senate Bill S2650 amending N.J.S.A.40A:14-96, N.J.S.A.40A:14-98 and P.L.1940, c. 153 allowing members of junior firefighters' auxiliaries to perform certain fire support duties.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health Report – January 2019
2. Construction Permit Activity Report – January 2019
3. Construction Report – January 2019
4. COH Report – January 2019
5. Littell Community Center Report – January 2019
6. Police Department Report – January 2019

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of February 26, 2019.

Mr. Skellenger asked to have PO #30243, Danforth's, removed from the consent agenda and voted on separately.

Mr. Zydon asked to have PO #30293, EarthCare, removed from the consent agenda and voted on separately.

Mr. Skellenger questioned what PO #30128, a music license is for. Administrator McHose explained the license. Mr. Limon requested to remove PO #30128 from the consent agenda.

Mr. Limon made a motion to approve the consent agenda of February 26, 2019 with the removal of PO #30243, PO #30293 and PO #30128. Seconded by Mr. Soules.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Mr. Soules made a motion to approve PO #30243, Danforths. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: Skellenger

Mr. Postas made a motion to approve PO#30293, EarthCare. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules

Nays: None Absent: None Abstentions: Zydon

OLD BUSINESS

Mr. Limon commented the official date for the pond opening this year is May 25, 2019. Mr. Limon questioned who will be overseeing the pond and concession stand this year. Mayor Giordano commented it will now be the responsibility of the buildings and grounds committee. Mayor Giordano recommended to have a

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recreation member be included in meetings when discussing the pond and or concession stand and a budget will also need to be established for it.

Mr. Postas recommended to the Recreation Committee to lease out the concession stand to an outside vendor, explaining the potential benefits to the Borough.

Mayor Giordano commented the recreation committee will need to address plans for the carnival.

Mr. Skellenger requested amending resolution 2018-14, Federal 1033 Program, the Borough has lost out on receiving equipment because prior authorization of the Council is required according to the way it is currently written.

A discussion on restrictions, authorizations and streamlining the process for the Federal 1033 Program continued.

Mr. Skellenger requested the resolution be amended to authorize the Public Safety Committee to give the approval for items to be acquired.

The Council agreed to have an amended resolution on the agenda at their next meeting.

Mayor Giordano requested a 5-minute recess.

Mr. Skellenger made a motion to approve a 5-minute recess. Seconded by Mr. Postas. All were in favor.

Mr. Zydon made a motion to return to the regular meeting. Seconded by Mr. Skellenger. All were in favor.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zydon made a motion to approve the regular meeting minutes for January 22, 2019. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: Soules

Mr. Zydon made a motion to approve the regular meeting minutes for February 5, 2019. (Absent: Limon Snyder) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Postas, Skellenger, Soules, Zydon

Nays: None Absent: None Abstentions: Limon, Snyder

Introduction of Ordinance #03-2019

Mr. Zydon made a motion to introduce ordinance 03-2019 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 161 REGARDING PARKING COMMERCIAL VEHICLES". Seconded by Mr. Limon.

Mr. Ursin commented this ordinance was acted upon by the Council but it didn't go to the Land Use Board, because this [ordinance] is in chapter 161 it should go to the Land Use Board for comments.

Public Hearing will be held March 26, 2019.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

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Discussion on Franklin Borough Slogan Proposals from Forward Franklin Alliance

At this time there was a discussion on the Franklin Borough slogan proposals from Forward Franklin Alliance. (proposal samples included in packets)

Administrator McHose explained the slogans presented, they are not to replace the Borough's logo, Forward Franklin Alliance has money available to purchase banner style signs to be placed around the Borough, using the slogan chosen tonight.

Mayor Giordano commented there are 3 choices, exhibit "A", "B" and "C" and requested a selection be made.

Mr. Skellenger made a motion to approve exhibit "C". Seconded by Mr. Zydon.

Mr. Snyder commented all choices are great, however Franklin has always been known for the colors blue and white, "B" and "C" have green.

Upon roll call vote:

Ayes: Skellenger, Zydon

Nays: Limon, Postas, Snyder, Soules Absent: None Abstentions: None

Motion Failed

Mr. Limon made a motion to approve exhibit "A". Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules

Nays: Zydon, Skellenger Absent: None Abstentions: None

Mayor Giordano thanked the Forward Franklin Alliance, they will look great on Main Street.

Discussion on Prohibiting Engine Braking

At this time there was a discussion on prohibiting engine braking on certain streets in the Borough of Franklin.

Mayor Giordano commented neighboring towns have passed ordinances prohibiting engine braking and requested if the Council is interested in drafting an ordinance for Franklin prohibiting engine braking.

Mr. Zydon commented on the history of engine braking and the added layer of safety they give to large trucks when stopping. Mr. Zydon also commented on noise ordinances already included in the Franklin Borough code book. Mr. Zydon stated he doesn't support the need for an ordinance to prohibit engine braking.

A discussion continued on engine braking, noise ordinances and enforcement.

The Council unanimously agreed there is no need to proceed with research for an ordinance on prohibiting engine braking.

Discussion on Proposed Closure of Route 23 Access to South Rutherford Ave.

At this time there was a discussion on the proposed closure of Route 23 access to South Rutherford Ave.

Mayor Giordano referred to emails received from Captain Geddis, Franklin Borough Police Department and Tom Knutelsky, Borough Engineer regarding the access to South Rutherford from Route 23. Mayor Giordano requested suggestions on how to proceed, should it be a closure, one-way, speed bumps or do nothing.

Mr. Zydon commented on past closures of other roads in Franklin.

Mr. Ursin commented on NJDOT regulations.

Administrator McHose commented on the effects of commercial businesses along that road.

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Mr. Ursin suggested giving direction to the Borough Engineer as to whether or not you want him to pursue the closure process with NJDOT.

Mr. Postas commented on lowering the speed limit and the need to have it enforced.

Mayor Giordano recommended altering the speed limit, putting signage up as per our ordinances.

A discussion continued on South Rutherford Avenue access from Route 23.

Mayor Giordano requested Administrator McHose to speak with the Borough Engineer regarding possible options such as lowering the speed limit to 15 mph, local traffic only, no thru traffic and speed humps for South Rutherford Avenue and ask for his recommendations prior to the next meeting for information for a possible ordinance.

Child Abuse Prevention Month Proclamation

Mr. Skellenger made a motion to adopt the Proclamation proclaiming April as Child Abuse Prevention Month. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Discussion on Zoning Officer Shared Service with Borough of Hamburg

At this time there was a discussion on continuing the zoning officer shared service with Borough of Hamburg.

Administrator McHose updated the Council on the temporary zoning officer shared services. Joe Drossel, Zoning Officer has indicated in his memo that services are working fine, he has been managing his time without needing to add any additional hours or impacting his services in Franklin. Administrator McHose commented there has been a cushion built into the hourly rate to cover costs associated with the work, wear and tear of the car, gas and stationary; Hamburg is very pleased with Joe [Drossel] and the services they are receiving so far.

Mr. Postas commented on the compensation amount for this shared service, the Borough doesn't know what will happen when things get busier later in the year. Mr. Postas recommended adding 60 days to the temporary agreement. This agreement should be worked out to see if a more permanent arrangement can be agreed upon prior to our next meeting.

Mr. Zydon questioned what Hamburg really needs, do they want permanent services.

Administrator McHose commented Hamburg doesn't have a zoning officer anymore, by state statute they are required to have one and explained their situation.

A discussion continued on zoning officer shared services.

Mr. Skellenger recommended extending the temporary agreement 30 days, while the Personnel Committee, Alison and the Mayor meet with Hamburg to negotiate a more permanent solution.

Mr. Postas made a motion to extend the temporary zoning officer shared services agreement with Borough of Hamburg 30 days, April 14, 2019, negotiations will take place prior to the expiration date. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

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Mayoral Appointments

Mr. Skellenger questioned the process for recreation member appointments now that they are a recreation committee.

Mr. Ursin commented it is a Mayor appointment with consent of the Council.

Mr. Postas confirmed the recreation committee now consists of up to 9 members.

Mr. Ursin suggested if the Mayor is going to make these nominations and the Council gives their consent, the terms that are applied should match the terms from the previous form of the recreation commission.

Mayor Giordano will make the following appointments. All were in favor

Recreation Committee – 3-year terms

Member	Scott Davis	(term expires 12/31/2021)
Member	Bobbi Formica	(term expires 12/31/2021)
Member	Concetto Formica	(term expires 12/31/2020)
Member	Jennifer Giordano	(term expires 12/31/2020)
Member	Anthony Marino	(term expires 12/31/2022)
Member	Christina Sanchez	(term expires 12/31/2021)

Addendum

Mayoral Appointment

Mayor Giordano will make the following appointment. All were in favor.

Economic Development Committee

Keith Yodice term expires 12/31/2019

Discussion on Hiring a Recreation Committee Secretary

At this time there was a discussion on hiring a recreation committee secretary.

Mr. Postas commented the recommendation from the Auditor who is doing the review of the Recreation Commission is to have the Recreation Committee continue to utilize a Recreation Committee Secretary. The Personnel Committee is recommending hiring Michelle Babcock as the Recreation Committee Secretary, her responsibilities will include meetings and minutes, etc., she will continue as Planning Board Secretary and the Administrator’s assistant. We are combining those 3 positions which will cause Michelle Babcock to change from part time to full time employee.

Mayor Giordano confirmed her hours will be 35 hours and the meetings will be inclusive of her hours at the rate of \$17.60/hr., effective March 1, 2019.

Mr. Postas made a motion to hire Michelle Babcock, full time as Recreation Committee Secretary, Planning Board Secretary and Administrative Assistant. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Discussion on Hiring a Nutrition Site Manager

At this time there was a discussion on hiring a nutrition site manager for the Senior Center.

Mr. Postas commented they interviewed Anna Fischer for the nutrition site manager position. The position will be a part time position, 29 hours per week at the rate of \$16.00/hr., effective March 1, 2019. Mayor Giordano clarified the full-time position is now becoming 2 part time positions. Mr. Postas stated Cindy did a great job, much more than one person should have. We are beginning to interview for a cleaning

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position for 20 hours per week. The two part time positions should be saving the Borough approximately \$7,000 to \$10,000 per year.

Mr. Postas made a motion to hire Anna Fischer as the nutrition site manager at the rate of \$16.00/hr. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Mr. Snyder thanked Cindy Space for her dedicated years of service to the Borough, since 1980, wishing her well in her retirement.

Mayor Giordano commented there will be an executive session, however we can go to open public session II now and adjourn from executive session.

OPEN PUBLIC SESSION II

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

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented on a cost benefit analysis for what the pond opening was last year, is it cost effective to open the pond this year. Mr. Durina also commented on budget issues, pension issues and residents moving out of Franklin.

Mr. Postas commented on the sense of community in Franklin, cost effectiveness of past programs, projects, current budgeting for the pond. Mr. Postas recommended to give the pond opening another chance.

Mayor Giordano explained the difficulties and lack of experience in the first year that took place.

Keith Yodice, 34 Jenkins Road, Franklin stepped forward. Mr. Yodice thanked the Mayor and Council for the appointment to the EDC. Mr. Yodice commented on businesses he owns and his work experience that give him much to offer to Franklin. Mr. Yodice also commented on options for the South Rutherford Avenue issues. Mr. Yodice offered to work with the Recreation Committee to draft a financial performance report to show how the pond could make money.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich commented on the date for opening the pond and leasing out the concession stand being a great idea. Ms. Bazelewich reiterated her disappointment with the scheduling conflict with the Senior Spring Fling and the town wide garage sale. Ms. Bazelewich also commented on Main Street building owners being held accountable for their appearance.

Rachel Heath, 7 Hemlock Drive, Franklin stepped forward. Ms. Heath thanked the Council for hiring Anna Fischer for the Nutrition Site Manager position. Ms. Heath commented on the responsibilities and salary approved for the position. Ms. Heath stated her appreciation for the Senior Center and fees paid by the County for the Nutrition Program. Ms. Heath also commented on many other groups using the Senior Center who aren't required to pay fee. Ms. Heath also thanked Cindy Space for all of her years of service.

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

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Soules made a motion to adjourn into closed executive session to discuss litigation matters. There will be no action taken after executive session. Motion seconded by Mr. Skellenger. All were in favor.

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MISCELLANEOUS COMMENTS

There were no miscellaneous comments.

ADJOURNMENT

Mayor Giordano announced at 9:21PM, we [Mayor and Council] will adjourn directly from executive session and will not return into open public session.

Nicholas Giordano, Mayor

Darlene J. Tremont, Municipal Clerk