

**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
MAY 14, 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

Jackie Espinoza, JCP&L representative stepped forward. Ms. Espinoza commented the Board of Public Utilities approved a modified version of their "Reliability Plus Program". Ms. Espinoza explained the program includes tree trimming, advanced technology trip savers and controls at sub-stations. The work will begin in June. Ms. Espinoza also commented she is working with Administrator McHose on street lights in the Borough and explained the process involved with changing lights to LED lights and adding new lights.

Mayor Giordano commented on repeated outages at Susquehanna Street during storms.

Mr. Limon commented on the importance of installation of lighting at 67-69 Corkhill Road.

A discussion continued on street light locations, costs, LED lights and the differences between LED and high-pressure sodium lights.

Mayor Giordano requested Ms. Espinoza to start the process to change the lights on Main Street to LED lights.

COMMITTEE REPORTS

Mr. Limon commented the Senior Spring Fling was well attended on Saturday at the Franklin Fire House; the Senior of the Year was announced. Mr. Limon thanked Christina Sanchez, the Formicas and the Recreation Committee for all their hard work. Mr. Limon also commented there will be a report on file for the costs associated with the event. Mr. Limon stated Miss Franklin will be this Saturday, (5/18/19) at the Franklin Borough School.

Mr. Postas had nothing to report.

Mr. Snyder commented mulch has been ordered for the playground at the pond. There was a buildings and grounds meeting a few weeks ago where we discussed the Forward Franklin Alliance grant of \$35,000 towards the ADA playground equipment that we hope to receive from them and the expansion to the area which could cost up to \$120,000. Mr. Snyder also commented on having future discussions to possibly utilize the Millie Harden funds for the potential project. Mr. Snyder stated we will be getting bids to replace the 2 A/C units on Borough Hall this year.

Mr. Soules had nothing to report.

Mr. Skellenger had nothing to report.

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Mr. Zydon commented he couldn't attend the EDC meeting and invited Cheryl Krouse, EDC Chair to speak in his place.

Cheryl Krouse, EDC Chair stepped forward. Ms. Krouse commented at their meeting they had a speaker via skype from C6 Real Estate Investors who provided information on where Franklin Borough should focus on to get people and businesses into our town. Ms. Krouse thanked Keith Yodice for putting us in contact with him. EDC is working on their on-line brochure and adding a "Do You Know" section to its Facebook page. EDC is exploring sending out surveys to businesses in town to see what we can do to help them thrive.

Mayor Giordano thanked EDC for doing a great job.

Administrator McHose commented Forward Franklin Alliance hasn't awarded the \$35,000 grant yet but the possibility is good and the potential for using the Millie Harden money for the playground. The pond park is looking beautiful, the baseball and softball leagues are thrilled with the conditions of their fields, thanks to the Forward Franklin (Alliance) grant for softball and the recreation committee purchasing the infield dirt for baseball. Jesse's Tree service provided a volunteer who painted all the light poles and helped take down the old (baseball) net. Concetto Formica installed the new net. Ms. McHose thanked everyone for all their help and effort, including the NJ Herald's article and Rachel Heath for writing a nice letter about it. The installation of the 10 fitness stations donated by the YMCA will be happening soon, also there will be tree trimming and mapping out of the walking path. Administrator McHose thanked the DPW for installing the speed limit signs on Rutherford Ave. Ads will be placed in the paper for the Clean Communities summer help and lifeguards for the pond. The pond will not be opening on May 25, 2019, hopefully it will open by Franklin Day at the end of June. Miss Franklin (pageant) is this Saturday at 4:00PM at the Franklin School prior to that there will be a Wellness Expo. Administrator McHose commented she is handling zoning which has been very busy. Tomorrow the Littell Center is being auctioned off and contingency plans will be discussed with Hardyston if it sells. The Borough is also discussing with Hardyston the potential of shared services for zoning services and hopefully will have something on that at the next meeting. Administrator McHose congratulated Joe Bene being named Senior of the Year and thanked the Recreation Committee and Mr. Limon for doing a great job with the Senior Spring Fling. Administrator McHose updated the Council on the 3 DPW employees who are out either sick or on workers compensation.

Mr. Ursin had nothing to report but requested a closed session to discuss JCM litigation.

Mayor Giordano commented there will be second round interviews taking place tomorrow for the finance clerk position. Franklin Borough was awarded a paving grant for Mitchell Avenue for \$148,000, which is covering 100% of the costs. There was a meeting with the Police Department regarding capital improvements. Mayor Giordano also commented we are working on shared services for zoning services with Hardyston. Mayor Giordano re-appointed Jason Doyle to the SWAC (Sussex County Solid Waste Advisory Council). Mayor Giordano requested anyone who would be interested in either the SWAC or the Sussex County Water Quality Management-Policy Advisory Committee to contact him.

Mayor Giordano recognized Freeholder Dawn Fantasia and invited her to step forward.

Dawn Fantasia, Freeholder stepped forward. Ms. Fantasia commented on a new liaison system at the county, she has been assigned to Franklin, Hamburg, Hardyston, Ogdensburg and Vernon. Ms. Fantasia explained her attendance at public meetings as well as scheduling other meetings with municipal officials to discuss issues that the municipality might have. Ms. Fantasia requested to send any information on events to the Clerk of the Board. Ms. Fantasia informed everyone Mr. Robert Dabinett is on the agenda to be appointed to SCMUA at the next Freeholder meeting tomorrow evening. Mr. Dabinett will be a great asset and also

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having Concetto Formica as alternate on the County Planning Board, it is important to have municipal representation at the County level.

Mayor Giordano thanked Ms. Fantasia for all she is doing.

Ms. Fantasia informed everyone Thursday there will be a forum on illegal dumping at the Red Tail Lodge.

Administrator McHose reminded everyone the Memorial Day Parade starts at 10:45AM at the American Legion on Monday, May 27, 2019, and ends at the monument on Main Street across from Borough Hall.

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.

Joanne Tatka, 151 Maple Ave., Franklin stepped forward. Ms. Tatka thanked the Recreation Committee for a great Senior Spring Fling. Ms. Tatka commented on the conflict with the Miss Franklin Pageant and the Wallkill Valley HS Prom. Ms. Tatka expressed her pleasure with having Franklin representation on SCMUA (Sussex County Municipal Utilities Authority). Ms. Tatka also commented on the reaching of a settlement for the breast-feeding incident and the salary range ordinance.

Mr. Ursin explained the procedure for employee salaries.

Cheryl Krouse, 160 Munsonhurst Road, Franklin stepped forward. Ms. Krouse commented she attended the 7th annual grapes and hops event put on by the Wallkill Rotary Club and commended Administrator McHose for representing Franklin Borough so well. Ms. Krouse named businesses secured by Administrator McHose for the event. Ms. Krouse thanked Administrator McHose on behalf of EDC for a great night.

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. Resolution from Lafayette Township in support of New Jersey Legislation which "concerns regulation of solid waste, hazardous waste and soil and fill recycling industries", (S1683/A4267), urging legislators to pass this bill which as amended subjects persons or business concerns engaged in soil and fill recycling services to the same regulation and oversight under the law as that which applies to the solid waste industry.
2. Letter dated April 18, 2019 from Adam Iervolino, Manager Bureau of Local Aid to Mayor Giordano regarding the approved Department of Transportation FY2019 Municipal Aid program for Mitchell Avenue Project.
3. Resolution from the Township of Vernon recognizing municipal clerk's week.
4. Resolution from the Township of Vernon in support of Senate Bill No. 1683 and Assembly Bill 4267 – A bill which would close loopholes in the state's solid waste regulatory and oversight system.
5. Letter dated April 25, 2019 from Melissa Rockwell, Sussex County Tax Administrator to Acting Director Ficara of the Division of Taxation in regards to the Commissioners of the Sussex Board of Taxation resolution establishing the percentage of 100% as the ration of assessed value to true value of real property within Sussex County.
6. Letter dated April 29, 2019 from Keri and Anthony Marino to the Mayor and Council in regards to ordinances.
7. Proclamation from the Sussex County Board of Chosen Freeholders proclaiming May as Lyme Disease Awareness month.

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8. Letter dated May 2, 2019 from David Brady, Planning Board Attorney to Mayor Giordano and Council members in regards to Main Street Development Plan.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Zoning Department Report – April 2019
2. Permit Activity Report – April 2019
3. COH Report – April 2019
4. Construction Report – April 2019
5. County Board of Health Report – April 2019

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Request from Cub Scout Pack 90 to hold their Annual Soap Box Derby to be held on Sunday, July 14, 2019 from 1:00 p.m. to 4:00 p.m.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 14, 2019.

Mr. Skellenger made a motion to approve the consent agenda of May 14, 2019. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Snyder requested an update on the TAP grant.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Limon made a motion to approve the regular meeting minutes and executive session meeting minutes for April 23, 2019. (Absent: Postas) Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Skellenger, Soules, Zydon

Nays: None Absent: None Abstentions: Postas, Snyder

Mr. Limon made a motion to approve the special meeting minutes for April 29, 2019. (Absent: Mayor Giordano). Seconded Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2019-46

Mr. Postas made a motion to adopt resolution 2019-46 authorizing a shared services agreement with the County of Sussex for certified fire marshal services. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Postas, Skellenger, Soules, Zydon

Nays: None Absent: None Abstentions: Limon, Snyder

Resolution #2019-47

Mr. Limon made a motion to adopt resolution 2019-47 authorizing the tax collector to release a tax lien and that the Mayor and Clerk endorse the original certificate for the property located at 55 Mitchell Ave., also known as Block 1101 Lot 10. 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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Resolution #2019-48

Mr. Limon made a motion to adopt resolution 2019-48 proclaiming to local residents and businesses that the municipality will not collect new stormwater management or rain taxes. Seconded by Mr. Snyder.

Mayor Giordano explained resolution 2019-48.

Mr. Limon commented on how this relates to fees imposed on the Borough by SCMUA (Sussex County Municipal Utilities Authority).

Mr. Ursin explained the SCMUA fees for excess flows is not a tax being imposed, it is part of a contract the Borough agreed to decades ago.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction to Ordinance #06-2019

Mr. Soules made a motion to introduce Ordinance 06-2019, entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". (Tabled from April 23, 2019, meeting) Seconded by Mr. Limon.

Public hearing will be held May 28, 2019.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction to Ordinance #07-2019

Mr. Soules made a motion to introduce Ordinance 07-2019, entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING PORTIONS OF CHAPTER 10". Seconded by Mr. Limon.

Public hearing will be held May 28, 2019.

Mr. Ursin explained ordinance 07-2019.

Mr. Snyder commented if there are any issues with other ordinances needing review there is an ordinance committee meeting next Tuesday evening (May 21, 2019).

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

ADDENDUM:

Resolution 2019-49

Mr. Skellenger made a motion to adopt resolution 2019-49 authorizing the Borough of Franklin through the Franklin Police Department to acquire wheeled tactical vehicles (Humvee) and Humvees – listed as truck, utility on the available list, (2) truck cargo, (2) truck dump, etc. through the Federal 1033 LESO Program. Seconded by Mr. Limon.

Mayor Giordano explained resolution 2019-49.

Mr. Snyder commented on insurance coverage costs.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Soules, Zydon

Nays: None Absent: None Abstentions: Snyder

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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. Postas. All were in favor.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on the storage and cost of the vehicles (acquired in resolution 2019-49). Ms. Tatka also commented on the mowing of the large piece of Borough property, let it grow for the farmers to cut for hay.

Administrator McHose explained options for the property and how wetlands could take over that field.

There being no one else present who wished to address the Governing Body, Mr. Zydon made a motion to close the meeting to the public, seconded by Mr. Skellenger. 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 2 litigation matters, JCM and a personnel matter. Motion seconded by Mr. Postas. All were in favor.

Mayor Giordano informed the public we will not be returning to open public session, Mayor and Council will adjourn from executive session.

ADJOURNMENT

At 7:55PM, the Mayor and Council adjourned into executive session and did not return into open public session.

Nicholas Giordano, Mayor

Darlene J. Tremont, Municipal Clerk