

**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
NOVEMBER 12, 2019**

Council President Skellenger 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 and Mr. Zydon.

Absent: Mr. Snyder, Mr. Soules, Mayor Giordano

Council President Skellenger led the assembly in the flag salute.

Council President Skellenger 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."

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Postas made a motion to adjourn into closed executive session to discuss attorney client privilege matters. Motion seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 7:10 p.m. and Council President Skellenger declared the meeting to be reconvened into open public session.

Mr. Zydon made a motion to return from executive session. Seconded by Mr. Postas. All were in favor.

Council President Skellenger informed the public we went into executive session prior to the meeting to move things along and as a courtesy to all, since we have a presentation and a very full agenda tonight.

PRESENTATIONS

Mr. Marvin Joss, Partnership Specialist for the Census Bureau addressed the Governing Body in regards to the upcoming census and presented a slide show. The Census results effects Federal funding in every town, that is one of the reasons why it is very important for everyone to respond to the questionnaires that are received. All information that the Census Bureau collects is confidential; the only thing that gets released is statistics. The Census Bureau will be hiring a lot of people to assist with the Census.

COMMITTEE REPORTS

Mr. Limon commented that the Recreation Meeting was Thursday. There was an update on the net profit of the Carnival which was estimated around \$7,500. Recreation events were discussed for 2020. November 30th is the tree lighting at the pond.

At this time Council President Skellenger addressed Item 2 on the agenda.

Elaine Tizzano and Mary Burns stepped forward. Elaine and Mary lost their children to substance use disorder. They thanked the Governing Body for allowing this walk in Franklin every year and the police department, the fire department and the town of Franklin for their support and for all they do.

Special Event Permit

Mr. Postas made a motion to approve an application for a special event permit from Elaine Tizzano and Mary Burns, for their sixth annual walk in conjunction with the Center for Prevention and Counseling to be held on August 1, 2020, to bring awareness and treatment for substance use disorder. Seconded by Mr. Limon.

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 12, 2019

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Mr. Postas commented that there are three items on the agenda for the hiring of new employees. We will be conducting interviews for the new CFO soon.

Mr. Zydon had nothing to report.

Ms. McHose had nothing to report.

Mr. Ursin had nothing to report.

Mr. Skellenger 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. Postas. All were in favor.

Mr. Shane Hrbek, 343 Rutherford Ave Franklin stepped forward. Mr. Hrbek asked if the wood for the Hungarian Church roof repair was donated or if grant money will be received for the repair. Mr. Hrbek raised concerns about the lights for Main Street. Ms. McHose commented that JCP&L did come out to assess the lights.

Ms. Joanne Tatka, 151 Maple Road Franklin stepped forward. Ms. Tatka asked if the CFO is definitely temporary. Ms. Tatka also asked if the carnival profit included the police coverage?

Ms. McHose stated that the cost of the police coverage was not included in the carnival profit.

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.

CONSENT AGENDA

Council President Skellenger 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. Township of Sparta ordinance 19-19 amending section 18-4.24b entitled "Principal Permitted Uses" code chapter 18 "Comprehensive Land Management Code" of the code of the Township of Sparta.
2. Township of Sparta ordinance 19-20 revising chapter 18 entitled "Comprehensive Land Use Code" to amend sections 18-4.2.q, affordable housing provisions, to include an affordable housing preference for veterans and surviving spouses.
3. Montague Township resolution 2019-95 to urge voters to support the referendum on the election ballot in November so that Veterans or widowed spouses of Veterans who reside in continuing care retirement communities (CCRC) will be eligible for property tax deduction.
4. Letter dated November 1, 2019, from Deborah M. Franco, Elizabethtown Gas, to County Administrators, Board of Chosen Freeholder Clerks and Municipal Clerks, Re: In the matter of the petition of Elizabethtown Gas Company for approval of increased base tariff rates and charges for gas service, changes to depreciation rates and other tariff revisions. BPU Docket No. GR19040486.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Permit Activity Report – October 2019
2. Construction Report – October 2019
3. COH Report – October 2019
4. Municipal Court Report – October 2019

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 12, 2019

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of November 12, 2019.

Mr. Limon made a motion to approve the consent agenda of November 12, 2019. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Approval of Meeting Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for October 22, 2019. Seconded by Mr. Postas. (Absent: Limon)

Upon roll call vote:

Ayes: Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: Limon

Discussion and approval of the Highlands Petition

At this time there was a discussion and approval of the Highlands Petition. (Discussion tabled from 10/22/2019 meeting).

Mr. Ursin explained the conformance process presentation and the start of the process to obtain grant money for affordable housing study and water conservation study. Entering into the petition process does not bind you to take any steps further than you want to take. The steps you are taking now is to just explore the process further and make yourself eligible for grant money. If the Council decides to go forward with the petition process, they can make it conditioned upon receiving written assurances from the Highlands Council that these grants would not be required to be paid back if you decide to stop the process.

Mr. Limon made a motion to file the petition with the Highlands Council with written confirmation that we would not be required to pay back Highlands Grants in the event that the Council decides to not go forward. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

2019 Best Practices Inventory

Mr. Postas made a motion to accept the best practices inventory prepared by the CFO, Administrator and the Clerk as required by the Division of Local Government Services. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Resolution #2019-87

Mr. Postas made a motion to adopt resolution 2019-87 modifying the employee handbook regarding evaluations. (evaluation forms included in Council packets) Seconded by Mr. Limon.

Mr. Zydon explained the evaluation forms referred to in resolution 2019-87.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 12, 2019

Resolution #2019-88

Mr. Postas made a motion to adopt resolution 2019-88 authorizing the transfer of appropriations (2019 Municipal Budget) in the amount of \$31,000.00. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Resolution #2019-89

Mr. Zydon made a motion to adopt resolution 2019-89 authorizing the Municipal Court to cancel outstanding check balances in the General Account totaling \$58.00 and the Bail Account totaling \$1.00. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Resolution #2019-90

Mr. Zydon made a motion to adopt resolution 2019-90 authorizing the tax collector to refund tax sale deposits totaling \$3,000.65. Seconded by Mr. Limon

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Resolution #2019-91

Mr. Zydon made a motion to approve Resolution 2019-91 Appointing Wayne Dietz, Skylands Risk Management, Inc. Franklin Borough's Risk Management Consultant and the Franklin Administrator, Alison Littell McHose, as the authorized representative of the public entity is hereby authorized to execute the Risk Management Consultant's Agreement for the year 2020. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Risk Management Consultant's Agreement

Mr. Skellenger made a motion to approve the 2020 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Resolution #2019-92

Mr. Skellenger made a motion to adopt resolution 2019-92 appointing Alison Littell McHose, as Fund Commissioner for the Local Unit calendar year 2020 and Darlene Tremont, as Alternate Fund Commissioner for the Local Unit calendar year 2020. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Ordinance #16-2019

Mr. Skellenger made a motion to introduce ordinance 16-2019 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SECTION 259-13, TURN RESTRICTIONS" with amendments to fix the wording to read no left turn on to Walsh Road from Route 23 North and No left turn onto North Rutherford Ave. from Route 23 North. Seconded by Mr. Limon.

Public Hearing will be held on November 26, 2019.

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 12, 2019

Mr. Ursin explained the turn restrictions and Mr. Zydon explained the ordinance. Ms. McHose commented on requests for audible signs and no turn signs to come at Walmart light. She explained the progress of the NJDOT requests.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Ordinance #17-2019

Mr. Skellenger made a motion to introduce ordinance 17-2019 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING THE LENGTH OF SERVICE AWARDS PROGRAM SCHEDULE FOR MEMBERS OF THE BOROUGH OF FRANKLIN VOLUNTEER FIRE DEPARTMENT". Seconded by Mr. Postas.

Public Hearing will be held on November 26, 2019.

Mr. Ursin explained the ordinance and the point schedule.

Upon roll call vote:

Ayes: Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: Limon

Forward Franklin Grant Acceptance

Mr. Skellenger made a motion to accept a grant in the amount of \$1,435 from the Forward Franklin Alliance for materials for the Hungarian Church roof repair. Seconded by Mr. Zydon.

Ms. McHose explained the grant acceptance for the church repairs.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Discussion of Trademark of the Borough slogan

At this time there was a discussion of trademark of the Borough slogan.

Mr. Ursin explained the trademarking of the Borough Slogan.

Mr. Postas asked if the slogan could be licensed out.

Mr. Ursin stated that if the slogan is trademarked then we have control of it.

Ms. McHose stated that there is money in the administrative budget to cover the cost.

Mr. Postas made a motion to approve to trademark the "Fluorescent Mineral Capital of the World". Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Approval of Equity Environmental Engineering Proposal

Mr. Skellenger made a motion to approve the Equity Environmental Engineering proposal for environmental services at the R&R Rifle Range located at 10 Buckwheat Road, Franklin, estimated in the amount of \$4,430. Seconded by Mr. Limon.

Ms. McHose explained the formal agreement between the Borough and R&R Rifle Range that included a requirement to have the Borough investigate potential environmental issues and have it cleaned, if needed.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 12, 2019

Approval of Phoenix Consulting Group Proposal for temporary CFO & QPA positions

Mr. Postas made a motion to approve the Phoenix Consulting Group Proposal for the temporary CFO position in the amount of \$150/hr. for up to 18 hours per week and the temporary QPA position in the amount of \$150/hr., hours TBT. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Part Time DPW Laborer New Hire

Mr. Postas made a motion to approve hiring Matthew Kuperus as part time DPW laborer at the rate of \$13.50 per hour (probationary) for 29 hours per week effective 11/18/2019, as recommended by Administrator McHose, DPW Supervisor Brian VanDenBroek and Personnel Committee. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

Part Time Custodian Hire

Mr. Postas made a motion to approve hiring Shannon VanTassel as part time custodian at the rate of \$14 per hour (probationary) for 20 hours per week effective 11/18/2019, as recommended by Administrator McHose and Personnel Committee. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: Snyder, Soules Abstentions: None

OPEN PUBLIC SESSION II

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

Rachel Heath, 7 Hemlock Drive Franklin stepped forward. Ms. Heath asked about the status of the sidewalks on Hemlock Drive and who is responsible for the them.

Joanne Tatka, 151 Maple Road Franklin stepped forward. Ms. Tatka asked if blacktopping is going to happen on streets.

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. Postas. All were in favor.

MISCELLANEOUS COMMENTS

Mr. Postas congratulated Councilman Skellenger, Councilman Elect Formica and Mayor elect Sowden.

Mr. Skellenger congratulated Mayor elect Sowden and Councilman elect Formica as well as the School Board members Stephen Koger, Suzanne Ross and by write-in John Friend Sr.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:15 p.m., seconded by Mr. Postas. All were in favor.

Stephen Skellenger, Council President

Darlene J. Tremont, Municipal Clerk