

**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 26, 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. Snyder, Mr. Soules, Mr. Zydon and Council President Skellenger.

Absent: 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."

### **PRESENTATIONS**

Patti Carnes, Economic Development Vice Chair stepped forward. Ms. Carnes presented the Business of the Month Certificate for November to Café E Dolci. Mr. Keith Yodice, owner, stepped forward. Mr. Yodice commented Café' E Dolci will be providing a Christmas dinner to 6 needy families on Christmas Eve, Santa will be there to give out gifts. If anyone knows of a family that could use a nice dinner, submission forms are available on our website.

### **COMMITTEE REPORTS**

Mr. Limon reported the Recreation Committee met on Thursday, November 21, 2019. We discussed event dates for next year, 2020. A representative from the Scouts explained how the charter with Franklin Recreation works, their enrollment is up and expressed interest in helping with various events. We are looking into having a wreath making workshop for Seniors, more information to come. Also, there will be a house decorating contest for the holiday season coming up. This Saturday, November 30 is the tree lighting at the pond. Lastly, we are reviewing and updating the application for field use in conjunction with the Ordinance Committee.

Mr. Postas reported there was no Personnel Committee meeting, however the first round of CFO interviews was completed this past Friday.

Mr. Snyder commented there is no report for Buildings and Grounds, but would like to report he attended the League Conference in Atlantic City attending several classes on Hiring/Firing, Recycling and Ethics. All the classes were very informative and gave a website regarding recycling issues, republic services. Mr. Snyder also commented he, Mr. Postas and Mr. Skellenger met with the grant writers at the conference, stating it was also a very informative meeting.

Mr. Soules reported Public Works Committee met on November 21, the paving of Newton Street, Scott Road, Paddock Road and Susquehanna Street will now be done in the spring. The McCann Street project will be re-bid out for the paving and sewer in the spring. The well rehab cameraing bid came back and will be moving forward. The LED lights for Main Street are on back order and a formal damn inspection and report will need to be completed in 2020.

Mr. Postas commented he received an email from Mr. Knutelsky informing him the Borough received \$175,000 grant from NJDOT for Scott Road.

Administrator McHose commented the purchase order for the well rehab has been processed and sent out to the vendor for signature.

Mr. Zydon reported the Ordinance Committee met on Tuesday, November 19. The Zoning Officer, Debra Card was in attendance reporting on some issues, such as

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RV's parked at homes, sandwich signs, open zoning permits for extended periods of time and stream lining the zoning permit fees. Also, we discussed the "No Turn on Red" sign on Route 23 northbound at the Walmart intersection.

Mr. Skellenger reported he attended the League Conference and met many vendors that could benefit us (the Borough) regarding equipment. Mr. Skellenger commented he attended 4 classes, one was taught by a CFO on budgeting and procurement, another was on social media, causing me to realize our Facebook page is lacking in some areas.

Administrator McHose reported on the CFO interviews. The temporary CFO is doing well. We are in the process of sending out letters to survey the residents of Hemlock Drive on the sidewalks. After attending a class at the League Conference, we decided to look into a website redesign, to address some improvements for website ADA compliance requirements.

### OPEN PUBLIC SESSION

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

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina asked where the Mayor is. Mr. Durina stated "let's all improve our town". Mr. Durina handed out a copy of an old pin he found that says "Yay Franklin". Mr. Durina commented he is heart-broken with all the negative comments, we need positive changes. Mr. Durina requested an update on the Robert Moss vs Franklin Borough lawsuit. Mr. Durina wished everyone a Happy Thanksgiving.

Tamara Contrerus, 121 South Rutherford Avenue, Franklin stepped forward. Ms. Contrerus commented Forward Franklin Alliance donated to the Borough a banner for the Council Chamber wall and a tent with the Borough logo on it. Ms. Contrerus encouraged everyone to participate more with the Forward Franklin Alliance meetings.

Bob Allen, 24 Jenkins Road, Franklin stepped forward. Mr. Allen commented on the demolition of the Hospital building, leaving just an empty space. Mr. Allen suggested everyone to visit the Morley Shirt Factory building, explaining a vision for a future facility for housing mentally and senior challenged people.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe requested the status of the ADA compliant equipment for the playground.

Administrator McHose explained the process and stated it is moving forward.

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. Soules. 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.

Council President Skellenger asked to pull bill number 50097 from the consent agenda and vote on that item separately.

### CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated November 13, 2019, from Sandyston Township, Mayor George B. Harper, Jr. to Herbert Yardley, Freeholder Director, Re: Countywide Mutual Aid and Assistance Agreement.
2. Sandyston Township resolution R-78-2019, resolution calling for study commission to review the Open Public Records Act.

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3. Memo dated November 19, 2019, from Melissa Rockwell, CTA, Sussex County Board of Taxation in regard to the 2019 Abstract of Ratables.

**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Report – October 2019
2. Sussex County Board of Health Report – October 2019

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. Application for use of Senior Center from Forward Franklin Alliance for the year 2020, on January 22, February 26, March 25, April 22, May 27, June 24, July 22, August 26, September 23, October 28, November 25 and December 23 for the hours of 5:00PM-9:00PM.
2. Application for use of Senior Center from the Franklin Historical Society for the year 2020, at 7:00PM on January 8, February 12, March 11, April 8, May 11, June 10, July 8, August 12, September 9, October 14, November 11 and December 9.

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING):

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

Mr. Soules made a motion to approve the consent agenda of November 26, 2019 with the removal of bill number 50097. Seconded by Mr. Zydon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Zydon made a motion to accept bill number 50097. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: Skellenger

**OLD BUSINESS**

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

**NEW BUSINESS**

Council President Skellenger read a statement pertaining to the absence of Mayor Giordano for the past three Council meetings. It is unfair to the tax payers and those who are expected to fill in for the Mayor's duties. Under New Jersey law the office of Mayor of the Borough of Franklin should be declared vacant. Council President Skellenger then stated he is "calling on the Mayor to make the right decision for the good of Franklin and its' residents by resigning his office immediately".

Mr. Postas made a motion to add Council President Skellenger as a signer on Borough documents. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: Skellenger

**Approval of Meeting Minutes**

Mr. Postas made a motion to approve the regular meeting minutes and executive session meeting minutes for November 12, 2019. (Absent: Mayor Giordano, Snyder and Soules) Seconded by Mr. Limon

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Zydon

Nays: None Absent: None Abstentions: Snyder, Soules

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Resolution #2019-94

Mr. Postas made a motion to adopt resolution 2019-94 authorizing submission of a Strategic Plan, grant year FY2021, for the Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2021-June 2025. Seconded by Mr. Zydon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2019-95

Mr. Postas made a motion to adopt resolution 2019-95 requesting permission for the dedication by rider for donations for the renovation of the Hungarian Church. Seconded by Mr. Limon.

Administrator McHose explained resolution 2019-95.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Ordinance #16-2019

Mr. Snyder 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". Seconded by Mr. Postas.

(Please note: There was a typographical error on the agenda, ordinance 16-2019 was introduced on November 12, 2019 and is up for adoption tonight.)

Mr. Soules made a motion to open to the public ordinance 16-2019. Seconded by Mr. Postas. All were in favor.

No one from the public stepped forward.

Mr. Zydon made a motion to close to the public ordinance 16-2019. Seconded by Mr. Postas. All were in favor.

Upon roll call vote:

Ayes: Postas, Skellenger, Snyder, Soules, Zydon

Nays: Limon Absent: None Abstentions: None

Ordinance #17-2019

Mr. Soules 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.

(Please note: There was a typographical error on the agenda, ordinance 17-2019 was introduced on November 12, 2019 and is up for adoption tonight.)

Administrator McHose stated the WVFAS was asked if they were interested in making any changes to their portion of the LOSAP program. They had no changes.

Mr. Postas made a motion to open to the public ordinance 17-2019. Seconded by Mr. Skellenger. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina requested to have this ordinance tabled for 30 days. There are other benefits available to firefighters and their families from a fund designed to support them in times of tragedy and financial hardship. Mr. Durina asked what the reason for the changes were.

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Mr. Postas commented this changes the points required to certain members and is adding “firefighters” to the list that wasn’t included when originally drafted. This has helped the rescue squad recruit new members and hopefully this will be a little more incentive to help recruit new members for the fire department.

Mr. Zydon asked Mr. Durina if he is in favor of the LOSAP program.

A discussion continued on the pros and cons of the point system of schedule 3 in ordinance 17-2019 and recruitment.

Mr. Durina asked for a chance to meet with a Council member and a member of the fire department to explain his short comings.

Council President Skellenger stated the LOSAP program can’t be removed.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka asked for clarification of the point system qualifications.

Mr. Snyder expressed his opinions as to the importance and the need for LOSAP.

Mr. Soules made a motion to close to the public ordinance 17-2019. Seconded by Mr. Postas. All were in favor.

Administrator McHose commented on volunteer fire departments disappearing and the causes that contribute to it.

Mr. Snyder made a motion to table adoption of ordinance 17-2019 to the next Council meeting. Seconded by Mr. Soules.

Upon roll call vote:

Ayes: Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: Limon

**Hillside Estates Mobile Home Park License Renewal**

Mr. Snyder made a motion to approve the renewal of the 2020 Mobile Home Park License for Hillside Estates at Franklin, LLC. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Senior Center Attendant Hire**

Mr. Snyder made a motion to approve to hire Lyta Soto, as senior center attendant at a rate of \$10/hr. for 20 hours per week, effective December 2, 2019 as recommended by Administrator McHose and the Personnel Committee. Seconded by Mr. Postas

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**DPW Salary Step Increase**

Mr. Zydon made a motion to approve a DPW salary step increase for John Rome to Grade Step 11 \$30.73/hr., as per the DPW contract, as recommended by Brian VanDenBroek, DPW Director and Alison McHose, Administrator. Seconded by Mr. Postas.

Mr. Skellenger commented both items 8 and 9 (salary step increases) are also recommended by the full Personnel Committee.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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### DPW Salary Step Increase

Mr. Zydon made a motion to approve a DPW salary step increase for Ray Smith to Grade Step 9 \$27.52/hr., as per the DPW contract, as recommended by Brian VanDenBroek, DPW Director, Alison McHose, Administrator and the Personnel Committee. Seconded by Mr. Soules.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Application for a Social Affair Permit

Mr. Zydon made a motion to approve the application for a social affair permit submitted by the Franklin Fire Department, premises for the social affair permit is 137 Buckwheat Road, Franklin, on December 7, 2019 and authorize the clerk to endorse the application. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: Limon

## EXECUTIVE SESSION

There was no executive session requested.

## OPEN PUBLIC SESSION II

Mr. Soules 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 thanked the Council for listening to his concerns on the LOSAP ordinance amendment. Mr. Durina explained his understanding of the point system.

Mr. Snyder commented Mr. Durina is correct, last year the required amount for the LOSAP program that had to be budgeted for was \$50,000, but only \$16,000 was used. There is a necessity to review the certifications required of each rank and the points each officer receives.

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

## MISCELLANEOUS COMMENTS

## ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:10p.m., seconded by Mr. Skellenger. All were in favor.

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Stephen Skellenger, Council President

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Darlene J. Tremont, Municipal Clerk