

**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 12, 2020**

This meeting is being held through a virtual meeting platform called ZOOM. The public has been notified and instructed on how to join the meeting and participate during the public session.

Councilman Snyder used a phone-in link from the website.

Mayor Sowden 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. Formica, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder, Mr. Zydon and Mayor Sowden.

Absent: None

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden 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, 2020, and posted on the Borough website, which adequate notice has been certified by the Clerk."

### **EXECUTIVE SESSION**

Mayor Sowden announced there was an executive session prior to this meeting to discuss a personnel settlement agreement.

Please note: Mr. Snyder did not attend the executive session.

### **PRESENTATIONS**

There were no presentations this evening.

### **COMMITTEE REPORTS**

Mr. Limon had nothing to report.

Mr. Postas had nothing to report.

Mr. Formica reported Buildings and Grounds has begun some work at the playground, they have cleared trees from the area. The Finance Committee is continuing to wait for more updates from the State related to the budget.

Mr. Skellenger had nothing to report.

Mr. Zydon reported the Ordinance Committee is still working on cleaning up ordinances, a few have been held up with the Planning Board. We will work on scheduling a meeting. Mr. Zydon commented he received an email from Debbie Bonanno regarding personnel.

Administrator McHose had nothing to report.

Mr. Snyder reported he also received the email from Debbie Bonanno on a personnel issue and would like to try to schedule a personnel meeting soon.

Ms. Bonanno, CFO reported she is continuing to work on the budget and working on transitioning with Alison (McHose) on the day to day business of the office.

John Ursin, Borough Attorney, had nothing to report.

**MAYOR & COUNCIL MEETING MINUTES MAY 12, 2020**

Mayor Sowden reported he received a letter from NJDEP regarding a proposed project to construct a pumping station and force main extension from Sussex County Municipal Utilities Authority (SCMUA) Landfill to the SCMUA Franklin Regional Pump Station located in Franklin Borough. Mayor Sowden briefly explained the project. Mayor Sowden also reported on a letter he received from SCMUA on the paths related to the "Rails to Trails" project, he is looking forward to working on other projects related to the trails. He will send more detailed information on both items to the Council.

**CONSENT AGENDA**

Mayor Sowden 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. Franklin Boro 2020-2021 School District Budget Statement – Tax Levy Certification Form A.
2. Wallkill Valley Regional H.S. District Taxes for School Year 2020-2021.
3. Wallkill Valley Regional H.S. 2020-2021 School District Budget Statement – Tax Levy Certification Form A.

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

1. Municipal Court Report – April 2020
2. Construction Permit Activity Report – April 2020
3. COH Report – April 2020
4. Construction Report – April 2020

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

1. None filed.

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

1. Payment of bills for the meeting of May 12, 2020.

Mr. Limon made a motion to approve the consent agenda of May 12, 2020. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

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

**NEW BUSINESS**

**ADDENDUM**

**PERSONAL PROTECTIVE EQUIPMENT (PPE) DECONTAMINATION SERVICES AGREEMENT**

Mr. Postas made a motion to approve the personal protective equipment (PPE) decontamination services agreement authorizing Battelle Memorial Institute to operate the Battelle Critical Care Decontamination System (CCDS) for use in decontaminating compatible N95 or N95-equivalent respirators at no cost. Seconded by Mr. Skellenger.

Mayor Sowden explained the benefits of the decontamination services agreement.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Approval of Meeting Minutes**

Mr. Limon made a motion to approve the regular meeting minutes for April 28, 2020. (Absent: None) Seconded by Mr. Postas.

**MAYOR & COUNCIL MEETING MINUTES MAY 12, 2020**

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Ordinance 01-2020**

Mr. Postas made a motion to adopt ordinance 01-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 218-6 REGARDING SIGNS". Seconded by Mr. Skellenger.

**Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 01-2020.**

Mr. Skellenger made a motion to open to the public ordinance 01-2020. Seconded by Mr. Postas. All were in favor.

No one from the public raised their hand.

Mr. Postas made a motion to close to the public ordinance 01-2020. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Ursin commented Mayor Sowden should request an open public session for any comments they may have.

**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.

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

**Ordinance 02-2020**

Mr. Zydon made a motion to adopt ordinance 02-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING CHAPTER 259, VEHICLES AND TRAFFIC". Seconded by Mr. Limon.

**Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 02-2020.**

Mr. Formica made a motion to open to the public ordinance 02-2020. Seconded by Mr. Skellenger. All were in favor.

No one from the public stepped forward.

Mr. Postas made a motion to close to the public ordinance 02-2020. Seconded by Mr. Snyder. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Ordinance 03-2020**

Mr. Postas made a motion to adopt ordinance 03-2020 entitled "ORDINANCE 03-2020 CALENDAR YEAR 2020 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)". Seconded by Limon

**MAYOR & COUNCIL MEETING MINUTES MAY 12, 2020**

**Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 03-2020.**

Mr. Postas made a motion to open to the public ordinance 03-2020. Seconded by Mr. Limon. All were in favor.

No one from the public stepped forward.

Mr. Skellenger made a motion to close to the public ordinance 03-2020. Seconded by Mr. Postas. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Personnel Settlement Agreement**

At this time there was a discussion on the possible approval of a personnel settlement agreement.

Mr. Ursin announced Mr. Snyder is recusing himself from this matter and requested he be moved to an attendee as a way to show this has taken place. Ms. Bonanno was not able to move him to an attendee; he has been muted.

Mayor Sowden requested to have any member of the Council comment on the personnel settlement agreement at this time.

No one from the Council commented.

Mr. Limon made a motion to accept the personnel settlement agreement as presented. Seconded by Mr. Postas.

Mayor Sowden requested again to have any member of the Council comment on the personnel settlement agreement at this time.

No one from the Council commented.

Upon roll call vote:

Ayes: Limon, Postas, Zydon

Nays: Formica, Skellenger Absent: None Abstentions: Snyder

**Discussion on Property Maintenance Lease Agreement**

At this time there was a discussion for the property maintenance lease agreement for 172 Maple Road, Block 1901, Lot 30.

Mr. Zydon asked if the building on that property will be knocked down.

Mayor Sowden commented there are no plans to demolish the building. We [the Borough] are working on plans to auction off this property in the coming months. Also, this will relieve the DPW from needing to mow the lawn weekly, saving them many hours in maintenance.

Administrator McHose commented the demolition costs are high.

Mr. Formica explained building restrictions on the property that include wetlands. If the building is removed there may not be an opportunity to build a new one. The Borough would then be auctioning off an empty lot limiting the number of potential buyers.

Mr. Snyder commented on insurance liability responsibilities of the Borough if the building remains.

Mayor Sowden commented as a safety measure we will be boarding up the building.

## **MAYOR & COUNCIL MEETING MINUTES MAY 12, 2020**

Mr. Skellenger made a motion to approve the property maintenance lease agreement with Terry Babcock. Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### **American Legion Post 132 Request to Waive Raffle License Fees**

At this time there was a discussion on the possible approval for the request from Commander Robert Lawler, American Legion Post 132, to waive (3) three raffle license fees to the Borough as follows:

\$20.00 - Tricky Tray raffle license fee event date October 4, 2020

\$700.00 - 50/50 Boat raffle license fee - May 24, 2021

\$750.00 - Pull Tab raffle license fee - April 1, 2020 - March 31, 2021

Mayor Sowden commented on the need to help everyone in Franklin Borough during this difficult time and recommends moving forward with this request.

Mr. Skellenger made a motion to approve the American Legion Post 132 request to waive the Raffle License fees as stated. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Postas, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: Limon

## **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. Skellenger. All were in favor.

Joanne Tatka, 151 Maple Road, Franklin was granted permission to join the meeting after raising her hand. Ms. Tatka questioned what the personnel agreement was about.

Mr. Ursin commented the personnel agreement contents remain private until the Council approves the agreement, now that they voted on it, it's now a public document. The agreement involves police officer Jeffrey Snyder, a suspension, a return to the force and back pay and can now be obtained through an OPRA request submitted to the Clerk for more detailed information.

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.

## **MISCELLANEOUS COMMENTS**

Mr. Zydon commented he was very pleased about the letter from Tammie Horsfield [Sussex County Chamber of Commerce President] to Governor Murphy regarding restarting our economy. Mr. Zydon encouraged municipalities to work together to push that message to the Governor. Mr. Zydon also commented we as elected officials need to get involved to help get people back to work.

Mayor Sowden commented some councilmen have sent their own letters and suggested drafting a similar letter from the Mayor and Council as a whole to Trenton.

Mr. Limon commented on the stay in place order in effect to June 6 and the reopening our Municipal park. Mr. Limon asked if we are looking into ways to save the Borough money. Is it possible to look into reducing our police force at night since it is slow and nothing is going on during that time or maybe we should look into reducing other department staff hours, it's important to look at all options. Mr. Limon voiced his concerns on how the Borough will be affected financially when this is all over.

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Mayor Sowden commented the park has never been closed through this, we just ask that everyone maintain social distancing. He has kept in contact with Debbie, Alison, Department Heads and other officials to aide in making decisions as well as sending as much information received through emails to the Council.

Mr. Postas explained employee schedules, salaries and contract obligations to those various departments that have them. Mr. Postas commented he is concerned about our small businesses and how mental and financial problems are going to be much worse than the virus itself if we can't get back to work.

Administrator McHose thanked Police Chief Cugliari and the Police Department for doing a great job during this difficult situation that they are in. She is fully confident that the Chief is making all staffing decisions as is expected as part of his job. The public also has shown their appreciation by bringing cards, signs and food for the officers. The DPW is working full time doing their normal duties as well as catching up on other projects that need attention.

Mayor Sowden commented the Mayor and Council does not Govern the day to day operations of the Police Department. Mayor Sowden stated the hours and patrols have changed because the manpower is not the same.

Mr. Limon commented that was all he was asking and thanked Mayor Sowden.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 7:50p.m., seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk