

**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
JANUARY 25, 2022**

This meeting is being held in person adhering to the CDC guidelines and through a virtual meeting platform called ZOOM. The public who attended through ZOOM has been notified and instructed on how to join the meeting and participate during the public session.

EXECUTIVE SESSION

Mr. Skellenger made a motion to adjourn out of Executive Session, seconded by Mr. Postas. All were in favor.

Mr. Ursin stated that there was a closed executive session held beginning at 6:00pm to discuss attorney client privilege matters and a litigation personnel matter and closed executive session ended at 7:00pm.

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, Mrs. Heath, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder 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 7, 2022, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

There were no presentations.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Postas had nothing to report.

Mr. Snyder had nothing to report other than the ordinances on the agenda.

Mr. Formica had nothing to report other than the personnel items on the agenda.

Mr. Skellenger had nothing to report other than the personnel items on the agenda.

Mrs. Heath commented that she will be meeting with the Police Chief tomorrow so that he can give her a briefing of the police department and updated information.

Clerk Tremont had nothing to report.

Administrator Bernath commented that we are working on the Annual Financial Statements and that should be completed by the end of the week and then we will continue to work on the budget.

Mayor Sowden had nothing to report.

Mr. Ursin 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.

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Joanne Tatka, 151 Maple Road Franklin, stepped forward. Ms. Tatka questioned the resolution for Phoenix Consulting and asked if we were still using their services. Administrator Bernath commented that we are still using Phoenix Consulting for Police and DPW negotiations. Ms. Tatka asked if a grant writer has been hired. Ms. Tatka asked if the filtration system has been installed at the senior center and asked if a safety switch was installed. Ms. Tatka questioned the police overtime costs. Mr. Postas commented that \$183,723.94 was spent in general police overtime and combined in general sick, holiday and personal overtime we are nearing \$300,000 for the year. Ms. Tatka asked if the Chief, Captain or Lieutenant patrolled. Mayor Sowden commented that the day-to-day operations of the police department are run by the police department. Ms. Tatka asked if the police officer that is out on disciplinary charges is being paid. Ms. Tatka asked if the Cannabis Company is recycling the water they used and if armed guards are being used there.

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

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. Email dated January 9, 2022 from Richard Knop to Michelle Babcock, Planning Board Secretary informing that he is resigning from the Planning Board.
2. 2022 Towing List for the Police Department

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Permit Activity Report – December 2021
2. Construction Permit List – December 2021
3. COH Report – December 2021
4. Municipal Court Report – December 2021
5. Board of Health Report – December 2021
6. Registrar Report – October through December 2021

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of January 25, 2022.

Mr. Postas made a motion to approve the consent agenda of January 25, 2022. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Postas made a motion to approve the regular meeting minutes for January 11, 2022. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointments:

School Crossing Guard for the year 2022.

Rebecca Babcock

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Mr. Postas made a motion to confirm the Mayor's Appointments. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

A Discussion on Application for Special Events Permit

At this time there was a discussion on the possible approval of the application for Special Events Permit submitted by Gardens & Glass, LLC.

Mr. Chris Michalek of Gardens and Glass located at 124 C Main Street Franklin, stepped forward to discuss his application for Special Events Permit. Mr. Michalek commented that he is looking to have vendors, beer and wine, music and art festival and food. Mr. Ursin commented that a permit would be needed from the Division of ABC to have beer and wine at the event. Mr. Michalek commented that he would get a licensed a brewery to come in; Mr. Ursin commented that a license would still be needed. Mr. Ursin explained a special events permit is usually used for a one time event, not multiple events over a period of time. Something of this magnitude would generally require possible zoning approval. Mr. Ursin suggested modifying the application.

Mr. Postas made a motion to approve the Special Event Permit for Gardens and Glass to hold their event on Saturdays and Sundays for the month of May 2022. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Shared Municipal Court Services Agreement

Mr. Postas made a motion to approve the shared municipal court services agreement between the Township of Hardyston and the Borough of Franklin in an amount of \$75,000 annually. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-18

Mr. Formica made a motion to approve resolution 2022-18 accepting the project as complete for proposed rehabilitation of the McCann Street Sewer Line. (Letter of recommendation included in Council packets) Seconded by Mr. Snyder.

Mr. Formica asked if there was any feedback from the engineer. Brian VanDenBroek recommends that the line have a camera inspection before passing and making final payment. Mayor Sowden commented that there has been no feedback from the Engineer.

Mr. Postas made a motion to table this resolution until the next meeting and ask Mr. Knutelsky for a report. Seconded by Mr. Skellenger.

Upon roll call vote to table:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-19

Mr. Skellenger made a motion to approve resolution 2022-19 governor's council on alcoholism and drug abuse fiscal grant cycle FY2023. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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Resolution #2022-20

Mr. Formica made a motion to approve resolution 2022-20 authorizing the hiring of a laborer for snow removal in the Department of Public Works as needed at the rate of \$25.00 per hour. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-21

Mr. Limon made a motion to approve resolution 2022-21 authorizing the Borough's Certified Recycling Professional to submit the 2021 recycling tonnage grant application to NJ Department of Environmental Protection. Seconded by Mr. Postas.

Resolution #2022-22

Mrs. Heath made a motion to approve resolution 2022-22 authorizing amending the responsibilities and compensation for the Municipal Court Administrator at the rate of \$80,000 per year. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-23

Mr. Formica made a motion to approve resolution 2022-23 authorizing the hiring of Suzann Brush as violations clerk for 25 hours per week at the rate of \$15.00 per hour. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-24

Mr. Postas made a motion to approve resolution 2022-24 transfer resolution in the amount of \$4,600. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-25

Mrs. Heath made a motion to adopt resolution 2022-25 to approve the coin toss Fundraisers for the Franklin Fire Department for the year 2022 on February 26th and 27th, April 16th and 17th, July 16th and 17th, and November 19th and 20th. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: None Absent: None Abstentions: Limon, Snyder

Resolution #2022-26

Mr. Postas made a motion to adopt resolution 2022-26 authorizing additional funds in the amount not to exceed \$10,000 for additional professional consulting services through Phoenix Consulting. Seconded by Mrs. Heath.

Mr. Postas commented that we have had no communication with Phoenix Consulting in regards to negotiations.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: Postas Absent: None Abstentions: None

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Introduction Ordinance #01-2022

Mrs. Heath made a motion to introduce Ordinance 01-2022, entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY REPLACING SECTION 259-8, SPEED LIMITS". Seconded by Mr. Snyder.

Public hearing to be held on February 8, 2022.

Mrs. Heath commented that she supports the 25 mph for the entire length [of Corkhill Rd].

Mayor Sowden commented that there was recommendation from the DPW Assistance Supervisor to install blinking speed limit signs and that he approached Braen about purchasing the signs and they are willing to provide the signs.

Mr. Limon commented why can't the current speed limits be enforced instead of lowering the speed.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

Introduction Ordinance 02-2022

Mr. Formica made a motion to introduce Ordinance 02-2022, entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY MODIFYING SECTION 259-2 REGARDING PARKING". Seconded by Mr. Snyder.

Public hearing to be held on February 8, 2022.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

Agreement for Certified Recycling Professional

Mr. Formica made a motion to approve the agreement between the Borough of Franklin and SCMUA to retain the services of SCMUA for a Certified Recycling Professional that will be responsible for executing the mandatory annual 2021 municipal recycling tonnage report in the amount of \$300.00 annually. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

MISCELLANEOUS COMMENTS

Mrs. Heath commented that she is happy that the traffic ordinance passed because I think for the safety of the public it is very important.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:00p.m., seconded by Mr. Skellenger.

All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk