

**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
MARCH 26, 2024**

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, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

Lorraine Hentz, Deputy County Administrator and Director of Senior Services for Sussex County, Local Efficiency Achievement Program (LEAP). Ms. Hentz spoke about LEAP Grant opportunities. Ms. Hentz spoke regarding the possibility of creating a county recreation program for seniors by doing a shared service agreement with five to seven towns. The grant amount would be for \$400,000 for a course of a year for five municipalities (Franklin, Vernon, Frankford, Lafayette and Stillwater). There is a match to the grant of \$133,333, the county has \$80,000 of that covered. Monthly calendars would be created to show activities that are going on. This grant would be for a one-year term and applications are due April 15, 2024. It could bring a potential of \$50,000 to \$60,000 to each town that joins.

Mrs. Tremont commented that there will be a resolution of support on the next meeting of the Mayor and Council.

COMMITTEE REPORTS

Mr. Limon commented that he had to cancel the public works meeting that was supposed to be yesterday. There is a water well meeting tomorrow at 5:30 and we need to discuss the new wireless water meters.

Mr. Postas commented that the EDC Committee met last week and will be adding a link to the website that would include businesses in Franklin. EDC is also working on having a pondside market this summer (June – October) once a month.

Mr. Snyder had nothing to report.

Mrs. Heath commented that Saturday March 30th is the Easter Egg Hunt at the pond.

Mr. Skellenger commented that the mobile unit from motor vehicle will be coming to Sussex Vo-Tech on April 3, 2024, from 10am until 2pm. Mr. Skellenger is hoping to do another property auction this year.

Mr. Formica commented that he spoke to Chief Cugliari and he needs to start a new list for police officers as there is no one left on the current list.

Mrs. Tremont had nothing to report.

Mr. Ursin had nothing to report.

Mayor Sowden commented that the rails to trails is tentatively starting sometime next week clearing out some of the lines. Some of you may have noticed that in the borough calendar our lineage of trails that are over along Cork Hill Road. They will be working those areas over towards Ogdensburg and working their way down to the junction area. As the program expands, the mayor has been doing some investigating with the tax assessor and we do own a rail line that goes from down in

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the junction toward Hamburg and it involves one of the well areas that we will be discussing tomorrow night and this may be something we want to entertain with the state as far as selling it or being in partnership with it. This trail does require a bridge, the abutments are there but the bridge is long gone. Josh from the state has asked if occasionally the DPW could assist with the road mower with the cutting back of the bushes on the trails. The mayor wanted a consensus of the Governing Body with the DPW helping to clear some bushes, the Governing Body had no issues with DPW helping if they are available.

Mrs. Heath asked if the trail would run from Cork Hill Road all the way down to Ogdensburg.

Mayor Sowden commented that is correct.

Mayor Sowden commented that at the Historic Preservation Meeting the other night there was discussion on the roof for the Hungarian church and a quote was obtained in the amount of \$175,000.

Mrs. Heath asked where the money will come from.

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 Mrs. Heath. All were in favor.

Thomas Prol stepped forward. Mr. Prol commented that he is the attorney for the Zinc Mine property, and he hopes the Council supports the resolution to refer it [the Zinc Mine Redevelopment Plan] to the Planning Board.

Joanne Tatka stepped forward. Mrs. Tatka thanked the council for the no parking signs at the Senior Center. Mrs. Tatka commented when clearing the trails to not forget about the ticks. Mrs. Tatka commented that the management is great at the senior center and the programs are great, it is well operated. Mrs. Tatka asked how buildings are being approved with no water allocations and where are the guiderails going on Taylor Road and Rutherford Avenue. Mrs. Tatka asked the total amount of tax collected from Ascend.

Mrs. Tremont commented that we received approximately \$1.2 million for 2023.

Mrs. Tatka asked where the money is kept from the cannabis sales.

Mr. Postas commented that the money will offset any increases. We are looking at a zero increase in taxes this year.

Mrs. Tatka asked who is at fault for the problems on Hemlock Drive.

Mr. Formica commented that the \$100,000 is the paving that we didn't finish last year.

Patti Carnes stepped forward. Mrs. Carnes commented that the egg hunt is this Saturday at 11am at the pond and the easter bunny is coming too. There will be an additional hiding of 5 eggs throughout the town for people to find for various gift cards.

Michael Raperto stepped forward. Mr. Raperto asked why porta johns are not offered year round at the pond.

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.

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CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

None Filed

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Report – February 2024
2. DPW Report – February 12 – February 16
3. DPW Report – February 19 – February 23
4. DPW Report – February 26 – March 1
5. County Board of Health Report – February 2024

APPLICATIONS (APPROVAL OF THE FOLLOWING):

None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of March 26, 2024.

Mr. Limon made a motion to approve the consent agenda of March 26, 2024 with the removal of PO #37977. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Postas made a motion to approve PO #37977. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Snyder

Nays: None Absent: None Abstentions: Skellenger

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mrs. Heath made a motion to approve the regular meeting minutes for March 12, 2024. (Absent: Snyder) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: None Abstentions: Snyder

Discussion of Zone Change for 520 Route 23, Block 104, Lots 1 & 2

Mr. Ursin explained the history of the property. The developer has provided schematics to the council. The Council, if it wanted to facilitate this type of development on this type of property, there is a number of different things you can do. The request from the property owner is to submit this property to the planner for consideration for recommendation for a zone change.

Mr. Michael Silver addressed the Governing Body regarding the entrance to the property which will be by route 23 and Mountain Road. This project would most likely be an owner-occupied project.

Mr. John Hansen, Engineer, came forward with site plans for 200 units in total.

Mr. Ursin commented that this is an initiative taken by the property owner to ask to refer to the planner to permit this development or something similar.

Mrs. Heath asked what the zone of the property is now.

Mr. Hansen commented that the property is zoned R-1.

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Ms. Jessica Caldwell commented that the property is vacant which shows there isn't a need for redevelopment therefore a rezone would be a better option.

Mr. Skellenger made a motion to direct the planner to review the zone change.
Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-35

Mr. Formica made a motion to adopt resolution 2024-35 to approve referring the 120 NJSH Route 23 Redevelopment Plan to the Borough of Franklin Planning Board.
Seconded by Mr. Skellenger.

Mr. Ursin explained the procedure.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-36

Mr. Formica made a motion to adopt resolution 2024-36 to approve referring the Zinc Mine Redevelopment Plan to the Borough of Franklin Planning Board.
Seconded by Mr. Skellenger.

Mayor Sowden commented that the three historic buildings should stay.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

Resolution 2024-37

Mr. Limon made a motion to adopt resolution 2024-37 to accept the project as complete for proposed resurfacing of various roads (Taylor/Kane/Premock/Hillside/Brick Row/Mountain View).
Seconded by Mr. Skellenger.

Mr. Formica commented that there was no second core sample done. The engineer needs to provide a report for the second core sample.

Mr. Formica made a motion to table resolution 2024-37 until a report is provided by the engineer for the second core sample. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-38

Mr. Limon made a motion to adopt resolution 2024-38 to accept the project as complete for proposed installation of guiderail on Taylor Road and Rutherford Avenue. Seconded by Mr. Formica.

Mr. Postas made a motion to table resolution 2024-38. Seconded by Mr. Skellenger

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-39

Mr. Postas made a motion to table resolution 2024-39 to accept the project as complete for proposed line painting of Premock Road. Seconded by Mr. Skellenger.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-40

Mr. Postas made a motion to adopt resolution 2024-40 to approve a coin toss fundraiser for the year 2024 on May 24th. Seconded by Mr. Skellenger

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-41

Mr. Skellenger made a motion to adopt resolution 2024-41 authorizing the award of a non-fair and open contract appointing Community Grants Planning and Housing LLC as affordable housing administrative agent not to exceed \$10,300.00. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-42

Mr. Postas made a motion to adopt resolution 2024-42 authorizing a budget transfer in the amount of \$5,000. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-43

Mr. Skellenger made a motion to adopt resolution 2024-43 to authorize participation in self-examination program of the Municipal Budget for the 2024 budget year. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-44

Mr. Postas made a motion to adopt resolution 2024-44 for the introduction of 2024CY Budget. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-45

Mr. Snyder made a motion to adopt resolution 2024-45 authorizing the hiring of full time laborers for the Department of Public Works. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance 04-2024

Mr. Skellenger made a motion to adopt ordinance 04-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING CHAPTER 259, VEHICLES AND TRAFFIC". Seconded by Mr. Formica.

PRIOR TO FINAL ROLL CALL MAYOR SOWDEN WILL REQUEST A MOTION TO OPEN THE MEETING TO THE PUBLIC. Mr. Skellenger made a motion to open the

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meeting to the public for Ordinance 04-2024. Seconded by Mr. Postas. All were in favor.

There being no one present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public for ordinance 04-2024. Seconded by Mr. Postas. All were in favor.

Mr. Limon commented that he doesn't feel it's necessary and doesn't support it.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

Rules of the Mayor and Council

Mr. Skellenger made a motion to adopt the Rules and Regulations of the Mayor and Council of the Borough of Franklin for the calendar year 2024. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: Limon, Snyder Absent: None Abstentions: None

Mutual Aid and Assistance Agreement with the County of Sussex

Mr. Skellenger made a motion to approve the Mutual Aid and Assistance Agreement between the County of Sussex and Franklin Borough to provide services in emergency situations through December 31, 2028. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on Ordinance 03-2024

Mayor Sowden stated that everyone should have received the memo from him.

Mr. Formica made a motion to override the veto of Ordinance 03-2024. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

American Legion Post 132 Request

Mr. Snyder made a motion to waive the Municipal Pull Tab Instant Raffle License Fee in the amount of \$750.00 for the period of April 1, 2024 through March 31, 2025. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

American Legion Post 132 request

Mr. Snyder made a motion to approve the request for permission to hold their Memorial Day Parade on May 27, 2024; parade line up will start at the Legion Post at 10:15AM, parade starts at 10:45AM. 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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Mayoral Appointment

Mayor Sowden made the following appointment.

Board of Health

Judith Williams Member (4-yr. unexpired term) expires 12/31/2025

Mrs. Heath made a motion to confirm the mayor's appointment. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

There were no miscellaneous comments.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:26p.m., seconded by Mr. Skellenger.

All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk