

**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
APRIL 12, 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.

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. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Postas

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

Mr. Ray Sarinelli Jr., Municipal Auditor commented on the CY2022 Municipal Budget. Mr. Sarinelli commented that the 2022 current budget is in good condition and that the 2022 budget is still being affected by the pandemic. Mr. Sarinelli explained included with the budget is the capital budget, the capital budget is a plan and it includes 14 projects in total. You can choose to do either all or some or even none of the 14 projects that are in there. The capital budget is flexible, unlike the rest of the budget that is set in stone and can't be changed.

Mr. Limon asked if we have heard anything from the schools as far as their rate. Mr. Sarinelli stated that the schools on a fiscal year and the municipality runs on a calendar year.

Mr. Formica questioned the use of the fund balance to help balance the budget and if we [Council] should concentrate on reversing it. Mr. Sarinelli commented the fund balance is strong for the size of your budget. Even though the amount used isn't great, it wouldn't be detrimental to the future.

Mr. Sarinelli commented in looking at the expense side of the budget there isn't much that can be cut. There are some items that can't be controlled such as pension costs and you will need to be aware those are set to increase in the future.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Snyder commented that there was an ordinance committee last week with Rachel Heath and Andrew Bernath and we spoke about ordinances regarding hiring procedures, amount of police officers and the jake brake ordinance.

Mr. Formica commented that the planning board is discussing the Housing Plan. The old playground has been removed and the field goal posts have been removed. There was a meeting regarding the wells and information was sent to the council.

Mr. Skellenger commented that a real estate committee meeting will meet to finalize the auction list.

Mrs. Heath commented that on April 1st, she, Darlene and Councilman Formica attended the kickoff for the Walkkill Valley Coalition. Mrs. Heath commented that the Recreation Committee is ordering 4 eagle scout plaques and Recreation is planning

MAYOR & COUNCIL MEETING MINUTES APRIL 12, 2022

to hold the 5k race in the fall. Mrs. Heath commented on replacing the banners for Christmas.

Mrs. Tremont had nothing to report.

Mr. Bernath had nothing to report.

Mr. Ursin had nothing to report.

Mayor Sowden commented that he would like to start working on the Historic Plan and to bring in a professional to talk about it.

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. Formica. All were in favor.

Mrs. Joanne Tatka, 151 Maple Road, Franklin stepped forward. Mrs. Tatka voiced concerns regarding the good and welfare of Franklin Borough.

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. 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. Letter dated March 22, 2022, from Darlene J. Tremont, Franklin Borough Municipal Clerk, to Lynn Prtorich, Re: resignation, cc: Mayor and Council.
2. Township of Andover resolution #2022-58 in support of amending title 35 of the New Jersey revised statutes to permit the publication legal notices by Government entities on official Government websites instead of in newspapers.
3. Sandyston Township resolution R-26-2022 opposing a proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve until a formal plan is presented for public review and comment.
4. Letter from Lorraine Hentz, Director, Division of Senior Services, Sussex County Department of Health and Human Services to Anna Fischer, Site Manager, Re: Congregate Nutrition Program-Franklin, cc: Darlene Tremont, Clerk, John Sowden, Mayor.
5. Township of Vernon resolution #22-83 opposing a proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve until a formal plan is presented for public review and comment.
6. Borough of Ogdensburg ordinance 02-2022 amending and supplementing chapter 30 of the Borough code entitled "Land Development" amending chapter 30 section 508.
7. Township of Hampton resolution opposing a proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve until a formal plan is presented for public review and comment.
8. Township of Hampton resolution in support of amending title 35 of the New Jersey revised statutes to permit the publication legal notices by Government entities on official Government websites instead of in newspapers.
9. Borough of Hamburg resolution #2022-48 designating the month of May as "Bag Up NJ" month.
10. Lafayette Township resolution 2022-24 in support of amending title 35 of the New Jersey revised statutes to permit the publication legal notices by Government entities on official Government websites instead of in newspapers.

MAYOR & COUNCIL MEETING MINUTES APRIL 12, 2022

11. Letter dated March 23, 2022 from Howard L. Burrell, Mayor, Vernon Township to Ed Mindlin, cc: Mayor John M. Sowden IV, Franklin, re: Your Upcoming Honor Flight.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report - March 7, 2022 through March 25, 2022
2. Construction Permit Activity Report - January 2022
3. Construction Permit List - January 2022
4. COH Report - January 2022
5. Registrar Report - January 2022 through March 2022
6. Municipal Court Report - March 2022
7. Animal Control Report - January 2022 through March 2022

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2022-46 – accepting project as complete for the proposed resurfacing of Scott Road and Evans Street as per the Municipal Engineer’s letter of recommendation.
2. Resolution #2022-47 – accepting project as complete for the proposed resurfacing of Woodland/Fairway/Gooseberry/Jenkins/Edsall as per the Municipal Engineer’s letter of recommendation.
3. Resolution #2022-48 – accepting project as complete for the proposed line painting of Scott Road and Evans Street as per the Municipal Engineer’s letter of recommendation.
4. Resolution #2022-49 – accepting project as complete for the proposed line painting of Woodland/Fairway/Gooseberry/Jenkins/Edsall as per the Municipal Engineer’s letter of recommendation.
5. Resolution #2022-50 – accepting project as complete for curbing of Scott Road and Evans Street as per the Municipal Engineer’s letter of recommendation.
6. Payment of bills for the meeting of April 12, 2022.

Mr. Limon made a motion to approve the consent agenda of April 12, 2022. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

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 22, 2022. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Adoption of Ordinance 04-2022

Mr. Snyder made a motion to adopt ordinance 04-2022 entitled “BOROUGH OF FRANKLIN SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) 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 04-2022.

Mr. Formica made a motion to open to the public ordinance 04-2022. Seconded by Mr. Skellenger. All were in favor.

MAYOR & COUNCIL MEETING MINUTES APRIL 12, 2022

Mr. Michael Raperto, 13 South Street Franklin stepped forward. Mr. Raperto asked if this was the capital projects that were talked about earlier.

There being no one else who wished to address to governing body, Mr. Limon made a motion to close to the public ordinance 04-2022. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Public Hearing on the 2022 CY Municipal Budget

Mayor Sowden requested a motion to open the meeting to the public for public comments on the 2022 CY Municipal Budget.

Mr. Formica made a motion to open to the public CY2022 Municipal Budget. Seconded by Mr. Snyder. All were in favor.

Ms. Patti Carnes, 289 Rutherford Avenue Franklin stepped forward. Ms. Carnes stated that there is potentially going to be a tax hike from what she heard from discussions earlier and from prior meetings regarding the multi-year assessment plan.

Mr. Ursin explained the reassessment and its effects on individual properties.

Mr. William VanTassel, 28 Nestor Street Franklin was granted permission to join the meeting after raising his hand on ZOOM. Mr. VanTassel asked at what point do we stop raising taxes. Mr. VanTassel commented that the capital improvement costs should be looked at.

Mr. Michael Raperto, 13 South Street Franklin stepped forward. Mr. Raperto asked if any year in the past the municipality has not increased taxes. Mr. Raperto asked what the capital projects are for the year.

Mr. Limon commented that short of letting employees go there is nothing more we can do.

Mr. Snyder commented that consolidation is key.

Mayor Sowden commented that we have to start developing shared services.

Mr. Limon made a motion to close to the public CY2022 Municipal Budget. Seconded by Mrs. Heath. All were in favor.

Resolution #2022-44

Mr. Limon made a motion to adopt the 2022 CY Municipal Budget. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Limon

Nays: Formica, Heath, Skellenger, Snyder Absent: Postas Abstentions: None

Motion Failed

Mr. Sarinelli explained the options that the Governing Body has as to the adoption of the budget. There are amendments that can be done tonight or the budget will have to be readvertised if changed materially and take about a month to formally adopt the budget. There is potential for the loss of state aid, which is \$620,000, if the budget is not adopted within the statutory deadline.

Mrs. Heath made a motion to amend the budget to remove \$25,000 capital improvement for the school house. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Heath, Skellenger, Formica

Nays: Limon, Snyder Absent: Postas Abstentions: None

MAYOR & COUNCIL MEETING MINUTES APRIL 12, 2022

Motion Failed

Resolution #2022-45

Mr. Snyder made a motion to approve resolution 2022-45 in support of amending Title 35 of the New Jersey revised statutes to permit the publication of legal notices by Government entities on official Government websites instead of in newspapers. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2022-51

Mr. Formica made a motion to authorize Aquaclear LLC to provide pond weed management for 2022 and 2023 in the amount of \$12,877 annually. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2022-52

Mr. Formica made a motion to authorize Prism Sweeping Services, Inc. to provide street sweeping services in an amount not to exceed \$6,800. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

American Legion Post 132 request

Mrs. Heath made a motion granting permission to the American Legion Post 132 to hold their Memorial Day Parade on May 30, 2022; parade line up will start at the Legion Post at 10:15AM, parade starts at 10:45AM. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: Limon

Discussion on Franklin Pond

Mr. Formica commented that as of now we have received one application for a lifeguard.

Mrs. Heath commented that there is a memo from Recreation stating not to open the pond unless more lifeguard applications are received.

Mr. Skellenger made a motion to extend the application deadline for lifeguards until April 26, 2022 and to cover the cost for certification, if necessary. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Ursin commented that the Council should schedule a special meeting to introduce the budget.

Mr. Snyder made a motion to schedule a special meeting on April 20, 2022 to discuss the budget. Seconded by Mrs. Heath.

MAYOR & COUNCIL MEETING MINUTES APRIL 12, 2022

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mr. Snyder commented on the paving on various streets in the Borough.

Mrs. Heath commented that she would like to see a change in how motion procedures are done.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:27p.m., seconded by Mr. Skellenger.

All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk