

**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
SEPTEMBER 26, 2023**

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. Postas (via ZOOM), Mr. Skellenger and Mayor Sowden.

Absent: Mr. Snyder

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 6, 2023, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

There were no presentations for tonight's meeting.

COMMITTEE REPORTS

Mrs. Heath had nothing to report.

Mr. Limon had nothing to report.

Mr. Skellenger thanked the Police Department for their response to the bomb threats at the school and those threats are still being investigated.

Mr. Posts commented that the curbing and sidewalks are progressing on Hemlock Drive. We have movement on the painting of the sphere and we have a scheduled date of October 10th for the test well located off Lehigh Street.

Mrs. Tremont commented that the seconded quarter taxes received from Ascend was \$285,886.33. Mrs. Tremont also commented that she received an email from Stephanie of French and Parrello in regards to road opening permits for the gas lines. The contractor that the gas company uses it not repairing the roads to the proper condition. Stephanie from French and Parrello is asking to hold off on issuing new permits until the road openings are repaired to the conditions, they were prior to the road opening.

Mr. Ursin commented that a letter should be put together asking Elizabethtown Gas to come to a face-to-face meeting so that there can be no misunderstanding about what the Borough and our engineer expect and a timeline put in place for compliance.

Mrs. Tremont commented that she will talk with Stephanie to set up the meeting.

Mr. Formica commented on the recreation grant. The gazebo work is just about complete. Mr. Formica spoke to a couple sign companies in regards to an electric sign. There is \$38,776.39 left in the grant; the current estimate that he has on a sign is \$36,911.07 which would leave \$1,865. The gazebo came prewired for electric and he has a quote from an electrician and we need a little more stone. Those two items together would end up costing \$4,280. We may need an additional \$2,500 for the electrical sign and electric.

The Council wants to move forward with both and use extra funds if needed.

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 26, 2023

Mr. Ursin had nothing to report.

Mayor Sowden commented that Habitat for Humanity is no longer interested in 25 Susquehanna Street and wants to give it back to the Borough. The property has wetlands and it would be difficult to put a house on the property and the house may need flood insurance. Mayor Sowden commented that he obtained a quote to demolish the house and it would cost \$14,750.

Mr. Postas commented on the liability to the town.

If the town takes the property back, the property would need to be made safe immediately.

There were discussions on various actions the Borough may want to go such as, do nothing and keep it in the hands of Habitat for Humanity, take title back, sell at auction, raise the house, or offer the property through auction to adjacent property owners.

Mr. Ursin recommended before the Borough decides to take any type of action it would be beneficial to have the property inspected first.

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.

Joanne Tatka stepped forward. Ms. Tatka commented that she is glad to see the planning board and recreation minutes are back on line. She questioned the fee for the tax collector shared service agreement. Asked who will be enforcing the new ordinances.

Jonathan Brett of Highlands Self Storage stepped forward. Mr. Brett commented that he had company replace a portion of the main sewer line that runs through his property because there was bulge in the top of the pipe. This issue was originally found in 2008 while we were under construction. We had to encase the sewer line where a back retaining wall ran across it. We videotaped the sewer after the repair and everything was fine however 85 feet down the line was where the bulge was found. Mr. Brett is selling this property and did his due diligence and alerted the buyer to the bulge in the pipe. Mr. Brett handed out pictures of the bulged pipe. Mr. Brett opted to have the pipe repaired as to not push back his closing on the property. Mr. Brett is asking for reimbursement of his costs (\$2,800) to repair the pipe.

Rachel Heath stepped forward. Mrs. Heath spoke regarding the sidewalk and curbing work on Hemlock Drive. Mrs. Heath commented that the perfectly good sidewalks were removed. There was no communication provided to residents in regards to the project. Both sides of the sidewalks were ripped out but only 1 side will be replaced. Residents should have been surveyed. Mrs. Heath would like to know who and when the decision was made to remove the one side and not replace it.

There being no one else present or on Zoom 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. Sandyston Township letter dated September 18, 2023 to the New Jersey Sierra Club in re: Delaware Water Gap National Recreation Area requesting a meeting
2. Sandyston Township letter dated September 21, 2023 to the Pinchot Institute for Conservation and Three Rivers Environmental Consulting in re: NJ & PA Sierra Club proposal for redesignation of the Delaware Water Gap National recreation Area to a National Park and Preserve.

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 26, 2023

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Permit Activity Report – August 2023
2. Permit List – August 2023
3. COH Report – August 2023
4. DPW Report – August 21 – August 25
5. County Board of Health Report – August 2023
6. Police Department Report – August 2023

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 26, 2023.

Mr. Limon made a motion to approve the consent agenda of September 26, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for September 12, 2023. (Absent: Limon) Seconded by Mr. Formica

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: Limon

Resolution #2023-116

Mr. Formica made a motion to adopt Resolution 2023-116 authorizing refunds of field use deposits. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Resolution #2023-117

Mr. Skellenger made a motion to adopt Resolution 2023-117 authorizing the Municipal Court to escheat interest balances in the General Account in the amount of \$74.14. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Resolution #2023-118

Mr. Skellenger made a motion to adopt Resolution 2023-118 authorizing the Municipal Court to cancel outstanding credit card balances in the amount of \$55.62. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Resolution #2023-119

Mrs. Heath made a motion to adopt Resolution 2023-119 to approve appointing Wayne Dietz, Skylands Risk Management, Inc. Franklin Borough's Risk Management Consultant and Darlene J. Tremont, Municipal Clerk as the authorized representative of the public entity and is hereby authorized to execute the Risk

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 26, 2023

Management Consultant's Agreement for the year 2024. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Risk Management Consultant's Agreement

Mr. Limon made a motion approving the 2024 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Resolution #2023-120

Mr. Limon made a motion to adopt Resolution 2023-120 to approve the amended Tax Collection Department Shared Service between Wantage Township and the Borough of Franklin beginning January 1, 2022, ending December 31, 2024 at the cost of \$15,000 for year 2024. (Agreement provided in Council packets) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Adoption of Ordinance #10-2023

Mr. Formica made a motion to adopt Ordinance 10-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-10 REGARDING YARD WASTE". Seconded by Mr. Skellenger.

Mayor Sowden requested a motion to open the meeting to the public for ordinance 10-2023. Mr. Postas made a motion to open to the public Ordinance 10-2023. Seconded by Mr. Limon. All were in favor.

There being no one present or on ZOOM who wished to address the governing Body, Mr. Postas made a motion to close to the public Ordinance 10-2023. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Adoption of Ordinance #11-2023

Mr. Formica made a motion to adopt Ordinance 11-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 86-17 REGARDING PET WASTE AND WILDLIFE FEEDING". Seconded by Mr. Skellenger.

Mayor Sowden requested a motion to open the meeting to the public for ordinance 11-2023. Mr. Skellenger made a motion to open to the public Ordinance 11-2023. Seconded by Mr. Formia. All were in favor.

There being no one present or on ZOOM who wished to address the governing body, Mr. Formica made a motion to close to the public Ordinance 11-2023. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Introduction of Ordinance 12-2023

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 26, 2023

Mr. Skellenger made a motion to introduce Ordinance 12-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 60-15 REGARDING POLICE ASSIGNMENTS FOR TRAFFIC CONTROL AND OTHER EVENTS." Seconded by Mr. Formica.

Mayor Sowden announced that the public hearing of Ordinance 12-2023 will be held on October 10, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Introduction of Ordinance 13-2023

Mrs. Heath made a motion to introduce Ordinance 13-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 168 REGARDING LITTER CONTROL." Seconded by Mr. Limon.

Mayor Sowden announced that the public hearing of Ordinance 13-2023 will be held on October 10, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Introduction of Ordinance 14-2023

Mr. Limon made a motion to introduce Ordinance 14-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-6 REGARDING DISPOSAL OF WASTE." Seconded by Mr. Formica.

Mayor Sowden announced that the public hearing of Ordinance 14-2023 will be held on October 10, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder 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. Limon made a motion to adjourn the meeting at 7:56p.m., seconded by Mr. Formica. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk