

**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  
OCTOBER 10, 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, 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 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**

Mr. Limon commented that last week he had a phone meeting with John Postas and Stephen Skellenger.

Mr. Postas commented that the water tower has been erected and they are starting to work on it. They are supposed to start this week on the test well off Lehigh Street. Regarding the gentleman who came last week regarding sewer repairs, I'm sure that Darlene sent a letter to him. It is in our ordinance that anything on the property is the responsibility of the property owner, and he does not think it is the onus of the town to take care of people's sewer lines on their own property.

Mr. Snyder had nothing to report.

Mrs. Heath commented that the gazebo has been placed at the pond. Kudos to everyone involved, especially Concetto who worked very hard.

Mr. Skellenger had nothing to report.

Mr. Formica commented that the sign should be ordered soon as he has quotes. He obtained prices for new holiday lights.

Ms. Little commented that Congressman Gottheimer's Office will be having mobile office hours on Tuesday, October 24, 2023 from 6-7pm at the Franklin Borough Municipal Building.

Mr. Ursin had nothing to report.

Mayor Sowden 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 Mrs. Heath. All were in favor.

Mr. John Christiano stepped forward. Mr. Christiano spoke regarding an article that the New Jersey Herald printed about how the Planning Board denied an application from Habitat for Humanity to renovate a property on Susquehanna Street. Mr. Christiano stated that there was no such denial for a number of reasons; the first

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being that no application was made, secondly at the TCC meeting that Habitat attended there was no quorum. Mr. Christiano handed out a form that the Planning Board uses for the TCC meetings.

Blanche House, stepped forward. Ms. House stated that she is unhappy about the sidewalk situation on Hemlock Drive and the residents were not notified. Ms. House commented on the school bus that is parked on Hemlock Drive.

Ward Dunnican, stepped forward. Mr. Dunnican commented about the school bus being parked on Hemlock Drive.

Dawne Rowe, stepped forward. Ms. Rowe commented on the issues with traffic in town and loud vehicles. Ms. Rowe asked for a second public session. Ms. Rowe commented that the gazebo looks great.

There being no one else present or on Zoom who wished to address the Governing Body, Mr. Postas 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. County of Sussex Ordinance amending the previously established regulations governing road opening and access permits issued by the Division of Engineering.
2. Township of Hardyston Ordinance amending certain portions of Chapter 185, Zoning.
3. FY2024 Proposed Rate schedule effective December 1, 2023 from SCMUA
4. Letter from NJDOT announcing that applications are now being accepted for NJDOT's Fiscal Year 2024 Local Freight Impact Fund.

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

1. DPW Report – September 4, 2023 – September 8, 2023
2. DPW Report – September 11, 2023 – September 15, 2023
3. Registrar Report – July through September 2023
4. Construction Permit List – September 2023
5. COH Report – September 2023
6. Construction Permit Activity Report – September 2023

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

1. Application for Peddler/Solicitor permit for Dale Purdy, 10 Sterling St. Franklin, NJ, for the solicitation/outreach for solar energy.

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

1. Payment of bills for the meeting of October 10, 2023.

Mr. Limon made a motion to approve the consent agenda of October 10, 2023 with the removal of PO 37007. Seconded by Mr. Formica.

Upon roll call vote:

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

Mrs. Heath made a motion to approve PO number 37007. Seconded by Mr. Postas.

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.

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**NEW BUSINESS**

Approval of the Minutes

Mr. Limon made a motion to approve the regular meeting minutes for September 26, 2023. (Absent: Snyder) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: None Abstentions: Snyder

Adoption of Ordinance #12-2023

Mr. Skellenger made a motion to adopt 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 requested a motion to open the meeting to the public for ordinance 12-2023. Mr. Postas made a motion to open to the public Ordinance 12-2023. Seconded by Mr. Skellenger. 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 12-2023. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance #13-2023

Mr. Postas made a motion to adopt 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. Formica.

Mayor Sowden requested a motion to open the meeting to the public for ordinance 13-2023. Mr. Postas made a motion to open to the public Ordinance 13-2023. Seconded by Mr. Formica. 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 13-2023. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance #14-2023

Mr. Postas made a motion to adopt 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. Skellenger.

Mayor Sowden requested a motion to open the meeting to the public for ordinance 14-2023. Mr. Postas made a motion to open to the public Ordinance 14-2023. Seconded by Mr. Skellenger. All were in favor.

There being no one present or on ZOOM who wished to address the governing Body, Mr. Skellenger made a motion to close to the public Ordinance 14-2023. Seconded by Mr. Postas. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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Introduction of Ordinance #15-2023

Mr. Formica made a motion to introduce ordinance 15-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE TO ADD NEW CHAPTER 164 ENTITLED, "LEAD-BASED PAINT INSPECTIONS" REQUIRING INSPECTIONS OF CERTAIN RENTAL DWELLINGS FOR LEAD-BASED PAINT HAZARDS AS MANDATED BY P.L. 2021, C.182." Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on October 24, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Postas

Introduction of Ordinance #16-2023

Mr. Skellenger made a motion to introduce ordinance 16-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY CREATING CHAPTER 215 – STORM SEWERS". Seconded by Mr. Limon.

Mayor Sowden announced that the public hearing will be held on October 24, 2023.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction of Ordinance #17-2023

Mr. Limon made a motion to introduce ordinance 17-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 234, REGARDING PRIVATELY-OWNED SALT STORAGE". Seconded by Mr. Formica.

Mayor Sowden announced that the public hearing will be held on October 24, 2023.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of Membership Application

Mr. Snyder made a motion to approve the application for junior membership of Derek Babcock, 75 High Street Franklin, to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Approval of NJ State Firemen's Association Membership Application

Mr. Snyder made a motion to approve the application for membership of Christopher DelSordi, 7 Fowler Street Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Mayoral Appointment

Mayor Sowden made the following appointment.

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### Crossing Guard Hire

Jacquelyn A. Kimmel as substitute crossing guard at the rate of \$15.36/hr. effective October 11, 2023, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

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

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Discussion on Hemlock Drive Curb and Sidewalks

Stefanie Williams from French and Parello stepped forward. Ms. Williams commented that the project is almost complete.

Mr. Snyder asked if notification was sent out to the homeowners.

Ms. Williams commented that there was some confusion on who was delivering the notices to the homeowners. Ms. Williams stated that she had written a letter and emailed it to the DPW Director and Administrator for approval. She received a phone call from a resident stating that they received a letter. The reason that the one resident received the letter is because he came into the borough hall.

Mr. Formica commented that we met last week to discuss and it seems that it was a communication breakdown from a few months ago. An idea was presented to French and Parrello and from then until now nothing else was presented to them. When they got the OK to go out to bid for the curbs and sidewalks; the last discussion they had was this idea.

Ms. Williams commented that the idea behind this was to make a safe routes to school. Safe routes to school requires construction from one end of the sidewalk to the last house available. As far as the curbing, the curbing was done with the idea that we are going to be milling and paving.

Mr. Formica commented that he and Mr. Postas went out and looked at the project. There is a lot of settlement on that road with the curbs. If we want to try and keep a uniform look, we need to go back and measure out what areas we want changed and then get a price on that.

Mr. Postas commented that he thinks our best course of action is to go through and mark out what we want and try to make it a uniform 3–4-inch curb and then after we can mill and pave.

Mayor Sowden asked if we also wanted to look at the driveways where the sidewalks were removed.

Mr. Formica commented that we should do a walk through and start measuring out what would need to be replaced and obtain a couple different quotes.

Mayor Sowden commented that members of the public utilities committee or buildings and grounds will meet with Stefanie to discuss and come up with a viable answer and we will make sure that the letters will be sent to the residents.

Mayor Sowden requested a motion to open the meeting to public for comments on Hemlock Drive curb and sidewalks. Mr. Limon made a motion to open the meeting to the public, seconded by Mr. Skellenger. All were in favor.

Ward Dunnican stepped forward. Mr. Dunnican commented that he was on the board of public works when the sewers started and the problem was there was no compaction done when the sewers were installed. Some of the curbing is lower than the road.

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Blanche House stepped forward. Ms. House commented that the street had different water breaks and then repaired which could be reason for the curbing the way it is.

Marianne Dunnican stepped forward. Ms. Dunnican commented that she hopes that in the future when this road project does finally come to fruition that we do have the communication that we're all hearing we are going to have and also to be sure that a supervisor is on site from the construction company to answer questions from residents.

Rachel Heath stepped forward. Ms. Heath commented that her concern is that the sidewalks were neglected and a few of the homes blacktopped their driveways and went over the sidewalks. Ms. Heath wants to know if all the driveways will be made uniform.

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

**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 7:49p.m., seconded by Mr. Postas. All were in favor.

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John M. Sowden IV, Mayor

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Colleen Little, Deputy Municipal Clerk