

**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 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.

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 asked for a moment of silence for Mr. Charlie 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

There were no presentations for tonight's meeting.

COMMITTEE REPORTS

Mrs. Heath commented that she did not attend the recreation meeting but all items for the Halloween event have been completed. On November 5, 2022 from 1pm-3pm there will be a free rabies clinic at the Borough Garage.

Mr. Skellenger commented that the auction for 35 Fowler Street is scheduled for November 10, 2022 and there will be previews on October 18 and October 27, 2022.

Mr. Formica commented that EDC met and discussed the signs. I met with the sign company today and should have a rendering for the new sign by the end of the week.

Mr. Limon had nothing to report.

Mr. Postas had nothing report. Mr. Postas commented that he understands that an email is circulating around from one our departments requesting for purchase of vehicles for next year and asked that whoever is getting these to please send them to the chairman of the finance committee.

Mr. Snyder commented that the ordinance committee met last week and we discussed the peddler's ordinance and a solar ordinance. There is a meeting on Thursday, October 27, 2022 at 10:00am with Bill Koppental regarding County Route 631 (Church Street).

Mrs. Tremont commented that the Planning Board has not sent anything official back to the Council yet regarding the vape shops but will be putting together a subcommittee to investigate. The property inventory list has been completed by Freddie Babcock and Suzann Brush and has been submitted to the zoning officer. The zoning officer is addressing the properties as needed. She was notified by the court administrator that since Maggie, who was technically the Deputy Court Administrator, left and according to the AOC we are required to have a Deputy Court Administrator. Suzann Brush has completed the POMCA 1 and 2 and has passed. The job has to be posted publicly.

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Mr. Bernath commented that he has been working on the 2022 best practices inventory and we have started on the 2023 budget requests from the department heads.

Mr. McBriar had nothing to report.

Mayor Sowden asked if the Council had any issues with the removal of the sign in front of Hardyston School.

Mr. Postas commented to keep the sign since the grass cutting season is ending and the location of the sign is where Franklin begins.

Mayor Sowden commented that the new police car was received and equipping the vehicle is being done. Mayor Sowden commented that he is very pleased that Franklinite is the state mineral of New Jersey and it now has to go through the assembly.

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 Mr. Skellenger. All were in favor.

Ms. Carol Truhan, 20 Nestor Street Franklin stepped forward. Ms. Truhan addressed the Governing Body with concerns regarding not being able to get her mobile home out of her gate of her property and parking issues and setbacks in that area.

Mayor Sowden commented that he will ask the town engineer to review the issues.

Ms. Emily Bazelewich, 1 Mill Street Franklin stepped forward. Ms. Bazelewich asked if the open session can be moved to the end of meeting. Ms. Bazelewich asked for updates on new businesses that open in town because the residents do not hear anything until the business is open and gone. She asked about the status of the restaurant across from Starbucks.

Mayor Sowden commented that there is a slow down with state approvals.

Ms. Bazelewich asked about doing a newsletter to alert residents of different things going on in the town.

Mayor Sowden commented that there is an EDC meeting the second Thursday of each month.

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. Sussex County Municipal Utilities Authority FY2023 proposed rate schedule effective December 1, 2022.
2. Resignation letter from Cynthia Lanham, Treasurer, Walkkill Valley First Aid Squad.
3. Email dated October 18, 2022, from Theresa Nahrwold, stating her resignation as Recreation Member.
4. Township of Green resolution 2022-161 in opposition to the reassignment by the New Jersey Department of Environmental Protection of all municipalities currently designated Tier B under the Municipal Separate Storm Sewer System Permit Program to Tier A designation.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health report – September 2022
2. DPW Report – September 19, 2022 – September 23, 2022
3. DPW Report – September 26, 2022 – September 30, 2022

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

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RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2022-103 authorizing the Municipal Court to cancel outstanding check balances in the General Account totaling \$363.00.
2. Resolution #2022-104 authorizing the Municipal Court to escheat interest balances in the General Account in the amount of \$35.05.
3. Resolution #2022-105 authorizing the Municipal Court to escheat interest balances in the Bail Account in the amount of \$30.35.
4. Resolution 2022-106 authorizing the Tax Collector to refund an overpayment of taxes for the property located at 44 Nestor Street, Block 607, Lot 44, in the amount of \$2,079.74.
5. Payment of bills for the meeting of October 25, 2022.

Mr. Postas made a motion to approve the consent agenda of October 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

Mrs. Heath made a motion to approve the regular meeting minutes for October 11, 2022. (Absent: Snyder) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: None Abstentions: Snyder

Resolution #2022-107

Mr. Skellenger made a motion to approve Resolution 2022-107 awarding the emergency purchase of one fully outfitted police patrol vehicle to Nielsen Ford., Inc. through the ECSNJ Purchasing Co-Op not to exceed \$55,000.00 and additional outfitting through Gold Type Business Machines not to exceed \$20,000.00. Seconded by Mrs. Heath.

Mr. Postas asked if we have heard from the insurance company yet and what will we be receiving from the insurance company.

Mr. Bernath commented that the insurance company has deemed the two vehicles a total loss. Mr. Bernath commented that we will be receiving \$24,000 for the SUV and for the Sedan it is approximately \$19,000.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-108

Mr. Postas made a motion to approve Resolution 2022-108 declaring its official intent to reimburse expenditures for equipment costs from the proceeds of tax-exempt debt obligations. Seconded by Mr. Formica

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-109

Mr. Limon made a motion to adopt Resolution 2022-109 authorizing the Water and Sewer Collector to remove the overbill from the First Presbyterian Church Water/Sewer Account for the property located at 13 Main Street, Block 908, Lot 27 in the amount of \$936.27. 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 #2022-110

Mrs. Heath made a motion to approve Resolution 2022-110 appointing Wayne Dietz, Skylands Risk Management, Inc. Franklin Borough's Risk Management Consultant and Andrew Bernath, CFO/Administrator as the authorized representative of the public entity is hereby authorized to execute the Risk Management Consultant's Agreement for the year 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Risk Management Consultant's Agreement

Mr. Snyder made a motion to approve the 2023 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-111

Mr. Snyder made a motion to approve Resolution 2022-111 appointing Andrew Bernath, as Fund Commissioner for the Local Unit calendar year 2023 and Darlene Tremont, as Alternate Fund Commissioner for the Local Unit calendar year 2023. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction of Ordinance #15-2022

Mr. Snyder made a motion to introduce Ordinance 15-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 259-2 REGARDING PARKING". Seconded by Mrs. Heath.

Mayor Sowden announced that the public hearing will be held on November 9, 2022.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

Introduction of Ordinance #16-2022

Mr. Skellenger made a motion to introduce Ordinance 16-2022 entitled "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NON-PASSENGER VEHICLES FOR THE POLICE DEPARTMENT IN AND FOR THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$225,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$214,285 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF". Seconded by Mr. Formica.

Mr. Postas asked Mr. Bernath to explain this ordinance and asked how many more vehicles are we purchasing.

Mr. Bernath commented that we purchased the demo vehicle and this ordinance is for two additional vehicles.

Mayor Sowden announced that the public hearing will be held on November 9, 2022.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: Postas Absent: None Abstentions: None

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Mayoral Appointments

Mayor Sowden made the following appointments.

Crossing Guard Hires

Mr. Limon made a motion to confirm the mayor's appointment of Holly Sollitto and Robin Saraceni as substitute crossing guards at the rate of \$15.02/hr. effective November 1, 2022, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

Crossing Guard Status Change

Michelle Grieco status change from substitute crossing guard to permanent crossing guard with no salary change, effective immediately, as recommended by Rebecca Babcock, Crossing Guard Captain. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Special Event Request

Mrs. Heath made a motion to approve a special event request from Elaine Tizzano and Mary Burns, for their ninth annual walk in conjunction with the Center for Prevention and Counseling to be held on August 5, 2023, to bring awareness and treatment for substance use disorder. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Application for a Social Affair Permit

Mr. Skellenger made a motion to approve the application for a social affair permit submitted by the Franklin Fire Department, premises for the social affair permit is Franklin Fire House, 137 Buckwheat Rd., Franklin on December 3, 2022, and authorize the clerk to endorse the application. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: None Absent: None Abstentions: Limon, Snyder

Discussion on Redevelopment

Mayor Sowden commented that we have two pieces of property in the Borough of Franklin that have been dormant and not used. One of them is the Zinc Mine site and the other is the school property. He would like the council's permission to enter into an agreement with J. Caldwell and Associates for the redevelopment [study] of these two lots. Mayor Sowden commented that the cost of doing this planning is \$9,850 for the Zinc Mine property and \$9840 for the school property.

Mr. Postas made a motion to approve the amount of \$9,850 to enter into an agreement with J. Caldwell and Associates for the redevelopment study of the Zinc company site (95 Main Street, 15 Sterling Street and 30 Junction Street) and that it will be memorialized at the next meeting by resolution. Seconded by Mrs. Heath.

Mrs. Heath asked if this was the same firm that gave a presentation and asked if they were going to refund the money to the Borough for the presentation.

Mr. Postas commented that he feels it is time for this Council to cut its ties with Ken Nelson as he submits the same plan every 5 years for redevelopment. Mr. Postas commented to have the Historical Commission use part of their budget to defer the costs.

Mr. Skellenger commented that there are three different cost proposals. The one you're referring to is just the first one.

Mr. Snyder commented that money is spent on projects that never move forward.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayor Sowden commented that the next property is 50 Washington Avenue for a redevelopment study and redevelopment plan.

Mr. Postas asked if the school owns this property and until it becomes the towns property, we should not be discussing it. Have the school deed it to the town and then we can do a redevelopment study.

Mayor Sowden commented that he would like to amicably work with the school to develop.

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Limon commented on business openings and asked when the announcements for new businesses were placed on the website.

Mayor Sowden commented that grand opening events for new businesses are placed on the website.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 8:03 p.m., seconded by Mr. Skellenger. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk