

**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
NOVEMBER 13, 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

Mrs. Heath had nothing to report.

Mr. Skellenger had nothing to report.

Mr. Formica commented on the electronic sign rendering. The Council had no objections with moving forward with placing the order. Mr. Formica met with JCP&L last week and showed them the overhead wires and poles down by the pond. The cost to upgrade the lines would be split as it would benefit JCP&L. The electric to the concession stand would be run underground. Mr. Formica will contact the engineer for next year.

Mr. Snyder commented on the possibility of reorganizing the Department of Public Works. Met with Jesse Bogart regarding his future interests and we also met with Andrew Burd today regarding his future interests.

Mr. Postas commented that the purpose of these meetings, as Mr. Snyder stated, is so that we are proactive with the employees in the Department of Public Works.

Mr. Limon had nothing to report.

Mrs. Tremont commented that the best practices inventory is on the agenda tonight and with our score we will receive all our state aid. I was notified by AOC that the state was very impressed by Lori Mitchener's project she presented during her certification process and will be using it on a state level through the AOC. Kudos to Lori for all her hard work and dedication. There was a meeting with Hardyston regarding the shared service for court and we interviewed judges and prosecutors and I would like to ask the Mayor to request an executive session to go over the contract with Hardyston for the shared service with the Municipal Court.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

OPEN PUBLIC SESSION

Mr. Snyder made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Postas. All were in favor.

There being no one 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.

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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 October 20, 2023 from Sandyston Township to the Delaware river National Park & Lenape Preserve Alliance in re: proposal for redesignation of the Delaware Water Gap National Recreation Area to a National Park and Preserve.
2. Township of Montague resolution in support of assembly bill no 5546 prohibiting the state from imposing a mileage-based user fee.
3. Township of Hardyston ordinance amending certain portions of chapter 185, zoning of the revised general ordinances to address miscellaneous corrections and clarifications and to amend the standards for accessory uses in residential zones based upon a comprehensive review of the township's land use chapters.
4. Letter from NJDEP in re: Dam Safety Inspection Report for Franklin Pond Dam
5. Township of Hampton resolution in support of assembly bill no 5548 prohibiting the state from imposing a mileage-based user fee.
6. Franklin Fire Department By-Laws.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW report – September 25 – September 29
2. DPW report – October 2 – October 6
3. DPW report – October 9 – October 13
4. Construction Permit Activity Report – October 2023
5. COH Report – October 2023
6. Permit List – October 2023
7. Municipal Court report – October 2023

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. 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 3, 2024, to bring awareness and treatment for substance use disorder.
2. Social Affair Permit from the Franklin Fire Department for an event to be held on December 2, 2023 at the Franklin Fire House.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2023-127 – Budget Transfer Resolution
2. Payment of bills for the meeting of November 13, 2023.

Mr. Postas made a motion to approve the consent agenda of November 13, 2023 with the removal of purchase order #37312 and purchase order # 37381. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mrs. Heath made a motion to approve purchase order #37312 and purchase order #37381. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Snyder

Nays: None Absent: None Abstentions: Formica, Skellenger

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Formica made a motion to approve the regular meeting minutes for October 24, 2023. (Absent: None) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-128

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Mr. Postas made a motion to adopt resolution 2023-128 authorizing a disabled Veteran exemption on 15 Ridgewood Rd., Block 1006, Lot 18 and to refund taxes billed for 3rd quarter 2023 in the amount of \$934.20. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-129

Mr. Skellenger made a motion to adopt resolution 2023-129 authorizing the acceptance of property located at 25 Susquehanna Street, Block 803, Lot 4 from Sussex County Habitat for Humanity to the Borough of Franklin. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-130

Mr. Skellenger made a motion to adopt resolution 2023-130 authorizing the demolition and site safety protections after transfer of property located at 25 Susquehanna Street, Block 803, Lot 4. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-131

Mr. Formica made a motion to adopt resolution 2023-131 authorizing the acceptance of change order no.1 from AA Berms. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Heath

Resolution #2023-132

Mr. Formica made a motion to adopt resolution 2023-132 to authorize advertisement and solicitation of bids for electrical services work for a two-year period. Seconded by Mr. Skellenger.

Mr. Formica explained the reason for the need to go to bid for electrical services. Bid threshold is not by calendar year, but begins when services are first rendered.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of DPW Salary Step Increase

Mr. Formica made a motion to approve the salary step increase for Andrew Burd to grade step 9 \$28.30/hr. and Matt Kuperus to grade step 7 \$25.53/hr. as per the DPW contract, effective November 1, 2023, as recommended by Brian VanDenBroek, DPW Director and the Administrator. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Commodity Resale Agreement

Mr. Snyder made a motion to approve a Commodity Resale Agreement between the Township of Hardyston and the Borough of Franklin for a 5-year term, beginning January 1, 2024, ending December 31, 2028. (Agreement included in Council packets) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

2023 Best Practices Inventory

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Mr. Limon made a motion to accept the 2023 best practices inventory prepared by the CFO and Administrator/Clerk as required by the Division of Local Government Services. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mrs. Heath made a motion to approve the application for membership of Lawrence Castor, 38 Fowler Street Apt. 2 Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Discussion on Redevelopment Plan for 120 NJSH Route 23

Mr. Ursin explained the history of the property. The redevelopment of this property was already approved in the redevelopment plan. This would be an amendment to that plan for a housing project. This would be referred to the planning board to hold a public hearing and then it gets transmitted back to the Governing Body.

Mrs. Heath asked how long this will take.

Mr. Ursin commented that it should take approximately a month and half.

MISCELLANEOUS COMMENTS

Mrs. Heath congratulated the Mayor, Mr. Postas and Mr. Limon for their re-election.

Mr. Formica commented on changing the date of the reorganization meeting.

Mr. Formica made a motion to change the date of the reorganization meeting from January 1, 2024 to January 2, 2024 at 6pm followed by the regular meeting at 7pm. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Snyder asked if the Zoning Officer could go look at the Rowett building on Route 631.

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Postas made a motion to adjourn into closed executive session to discuss contract negotiations. Motion seconded by Mrs. Heath. All were in favor.

Mayor Sowden commented that there will be no official action taken after the executive session.

ADJOURNMENT

At 7:37pm, the Mayor and Council adjourned into executive session and did not return into open public session.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk