

**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 24, 2018**

Mayor Giordano 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: Ms. Fantasia, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder, and Mayor Giordano.

Absent: None

Mayor Giordano led the assembly in the flag salute.

Mayor Giordano requested a moment of silence in memory of Judy Postas, Councilman Postas's mother, a Franklin Borough resident and a former teacher for many years at the Franklin Borough Elementary School who passed away.

Mayor Giordano 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 5, 2018, and posted on the Borough website, which adequate notice has been certified by the Clerk."

**PRESENTATIONS**

None

**COMMITTEE REPORTS**

Mr. Limon commented there was a Joint EDC meeting with Hardyston Township that he wasn't able to attend. Ms. Judy Williams was at the EDC meeting to represent Franklin Borough.

Mr. Postas commented he was not at the last recreation meeting. This past weekend there was much going on down at the pond. The Spring Trout Derby with approximately 70 participants, a soft opening on the concession stand, the Community Garden and Forward Franklin Alliance were also running some activities as well. Lastly, the recreation is finalizing plans for Franklin Day on June 30, 2018.

Mr. Snyder informed everyone the concession stand is now open for business on weekends and will be open daily after June 30, 2018. The netting at the baseball field will be up before Saturday's opening day festivities. The YMCA has identified the equipment they will be providing to Franklin Borough through the Grant we received. Mr. Snyder commented preparations are underway for the Memorial Day Parade, the DPW will be cleaning the roads of gravel and repairing areas in need from damage done by the plows this past winter. Applications will be available for positions again through the Clean Communities Program.

Mr. Skellenger had nothing to report.

Ms. Fantasia commented the Budget is on tonight's agenda for adoption. The CFO has requested capital budget information from department heads. Ms. Fantasia commented the Public Safety Committee sub-committee is meeting with school board officials this Thursday, April 26, 2018 regarding school security. Ms. Fantasia also commented she had the pleasure of attending the Historical Society Cemetery Committee in Newton this weekend where they honored Private Matthew Davis who was a revolutionary war veteran. Ms. Fantasia informed the council and public this Sunday, April 29, 2018 from 12:00 noon to 3:00pm is the Miss America Organization Meet & Greet.

Administrator McHose commented this week has been very productive preparing for all the Recreation Commission festivities. Administrator McHose explained the preparation for the Community Garden and possible locations of the planters that will be placed throughout Franklin Borough. Administrator McHose reminded everyone about our own Miss Franklin Pageant, asking for participants to sign up. Administrator McHose commented there are many organizations that will be helping

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with the Fluorescent 5K run and also thanked the Council for their support. Administrator McHose explained various items on the agenda needing approval to help move forward with opening the pond. Administrator McHose also commented the Paddle Board/Kayak Rental company will be doing an evening paddle board demonstration wearing fluorescent accessories in conjunction with the 5K run event on June 30, 2018.

Mr. Ursin had nothing to report.

Mayor Giordano commented the concession stand was reopened this past Saturday for the first time in probably 20 years. Mayor Giordano thanked the Recreation Commission for exploring the options to open the concession stand and seeing it come to light. Mayor Giordano thanked Renee Hennings for her involvement with Earth Day and the Community Garden. Mayor Giordano also thanked the American Legion Post 132 for allowing Franklin Borough to use their facility for the Spring Fling. Mayor Giordano informed everyone the American Legion Post 132 does a Friday night dinner, the cost is very reasonable and encourages all to go and give it a try.

Mayor Giordano announced Councilman Michael Rathbun has moved out of Franklin Borough and formally resigned from the Council effective April 13, 2018. Mayor Giordano explained the process to fill the council vacancy.

Mayor Giordano commented he received a request in recognition of Eddy Mindlin's 92<sup>nd</sup> birthday who is the oldest living Fireman in Sussex County as well as in Franklin Borough. Mayor Giordano also recognized Mr. Bob Allen as the 2<sup>nd</sup> oldest Fireman in Sussex County and Franklin Borough. Mayor Giordano requested the Council's permission to declare May 8, 2018 Eddy Mindlin Day. The Council had no objections, therefore Mayor Giordano formally declared May 8, 2018, Eddy Mindlin Day.

### **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. Postas. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina asked about water testing at the pond. Administrator McHose explained the process. Mr. Durina requested if there is any information or records pertaining to the Hardyston School site. Mr. Durina commented on an article he saw entitled "Public Funding Off Limits for Church Repairs" and if it would affect any plans for the Hungarian Church.

Alfonso Caliendo, 81 Main Street, Franklin stepped forward. Mr. Caliendo commented on noise and disruptive residents living on Main Street causing problems for his tenants. Administrator McHose advised Mr. Caliendo the Borough is contacting the NJ Department of Community Affairs. Mayor Giordano commented the Mayor and Council is aware of the different issues along Main Street and they are doing their best to address those issues.

Matthew Hawryluk, 4 Alexander Lane, Franklin stepped forward. Mr. Hawryluk commented on a large balance on his water/sewer bill he believes is the result of a new water meter that was installed. Mayor Giordano explained the issues that have been caused by some of the new water meter installations. Mr. Hawryluk also commented Alexander Lane comes up as Alexandria Lane under google maps.

Joann Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka thanked the Recreation Commission for the Spring Fling. Ms. Tatka commented on the condition of the Rain Garden down at the Senior Center. Ms. Tatka commented on absentee landlords on Main Street. Ms. Tatka questioned the funding for the Fireworks and if the vacant council seat must be filled by a republican.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich commented on old pictures she has in her possession and explained a missing monument that was part of a dedication of the park that took place years ago.

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Mayor Giordano commented on other missing monuments he is aware of and agreed it would be nice to find some of them. Ms. Bazelewich questioned the line striping at the intersection of Mill Street and Main Street. Ms. Bazelewich also questioned the garbage ordinance.

Jennifer Giordano, 42 Mabie Street, Franklin stepped forward. Ms. Giordano commented if anyone has any old pictures of the pond or concession stand they would like to share, the Recreation Commission would like to hang them within the concession stand.

Joe Wyse, 104 Main Street, Franklin stepped forward. Mr. Wyse is with the National Badge of Honor. Mr. Wyse commented he is working with Habitat for Humanity in Sussex County, they are interested in building a new neighborhood house that could also be utilized as a hub for first responders. Mr. Wyse informed the council on a clothing bin program they have available that would generate revenue for the Borough. Mayor Giordano advised Mr. Wyse to give his contact information to the Administrator to discuss further.

Mr. Snyder commented he requested information on clothing bins from the last meeting. Ms. Fantasia commented in her opinion there is a clothing bin shortage in Franklin Borough and would like to have more bins placed throughout the Borough. Mr. Limon commented there is a clothing bin at the Franklin Fire Department which is very well maintained. Mayor Giordano recommended getting possible locations for the clothing bins placement from Mr. Wise and carry this item to the next Mayor and Council meeting.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public, seconded by Ms. Fantasia. All were in favor.

### **CONSENT AGENDA**

Mayor Giordano 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 April 9, 2018 from John Kopcsso of the American Legion Post 132 to Mayor Giordano requesting permission to hold their annual Memorial Day Parade on May 28, 2018.
2. E-mail from Marc Franco dated April 6, 2018 to the Recreation Committee stating that he is resigning as of April 6, 2018.
3. Email received April 13, 2018 from Michael Rathbun stating that he is resigning from the Franklin Borough Council effective April 13, 2018.
4. Sparta Elks Lodge #2356 flyer in regards to a celebration of the 150<sup>th</sup> anniversary of the founding of the Elks to be held on May 10, 2018.

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

1. Police Department report for March 2018.
2. Zoning Officer Monthly Report - March 2018.
3. Health Department report for March 2018.
4. Health Department report for January 2018.
5. Finance activity report as of April 1, 2018.

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

1. Application for the use of the Franklin Senior Center from Joseph Hendershot, Franklin Boy Scouts, for meetings on 5/6/18, 5/20/18, 5/27/18, 6/3/18, 6/10/18, 6/24/18, 4/26/18, 5/10/18, 5/17/18, 5/24/18, 5/31/18, 6/14/18, 6/21/18 and 6/28/18 from 7:00PM to 8:30PM.
2. Application for the use of the Franklin Senior Center from Joseph Hendershot, Franklin Boy Scouts, for an Eagle Scout Meeting on 4/29/18 from 7:00PM to 8:30PM.
3. Application for Peddler/Solicitor permit for Juan Zerna, 325 Main St. Ogdensburg, NJ, for the sale of ice cream.

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

1. Payment of bills for the meeting of April 24, 2018.

Mr. Snyder made a motion to approve the consent agenda of April 24, 2018. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

Mayor Giordano commented he would like to do "Mayor for the Day" as was done last year. This year however he would like to do it twice. Mayor Giordano advised his first choice is Benjamin Drum, who's dad is a Franklin Firefighter and believes it would be special to have him be Mayor for the Day for the Memorial Day Parade. Mayor Giordano asked anyone who has another candidate for the second Mayor for the Day to let him know.

Mr. Snyder questioned the status of the signage on 91 Main Street.

Mr. Postas requested the status on the equipment inventory he had requested.

**NEW BUSINESS**

Approval of Meeting Minutes

Mr. Limon made a motion to approve the regular meeting minutes for March 27, 2018. (Absent: None) Seconded by Ms. Fantasia.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Mr. Limon made a motion to approve the regular meeting minutes and executive meeting minutes for April 10, 2018. (Absent: Mr. Postas, Mr. Rathbun) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Limon, Skellenger

Nays: None Absent: None Abstentions: Postas

Mr. Snyder commented he wasn't at the executive session meeting, therefore he will split his vote as follows:

Regular meeting minutes: Aye: Snyder

Executive session meeting minutes: Abstain: Snyder

Rescind Resolution 2018-40

Mr. Postas made a motion to rescind resolution 2018-40 that approved items of revenue and appropriation NJSA 40A:4-87 in the sum of \$6,600.00 appropriated under the caption Distracted Driver Grant. This matter will be reviewed at a later date. Seconded by Mr. Limon.

Mayor Giordano explained why resolution 2018-40 was rescinded.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2018-43

Mr. Postas made a motion to adopt Resolution 2018-43, authorizing the Water and Sewer Collector to remove a 2nd quarter overbill of \$807.50 from the water/sewer account for the property located at 270 Route 23 also known as Block 1101, Lot 5. Seconded by Mr. Snyder.

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Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

### Resolution #2018-44

Mr. Postas made a motion to adopt Resolution #2018-44 to approve a coin toss fundraiser for the American Legion Post #132 for Saturday, May 12, 2018 and Sunday May 13, 2018 with rain dates of Saturday, May 19, 2018 and Sunday, May 20, 2018. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

### "Flight Control" 2018-2019 Goose Deterrent Proposal

Mr. Skellenger made a motion to approve the "Flight Control" 2018-2019 Goose Deterrent Proposal from Aquatic Technologies Inc. in the amount of \$1,353.00/treatment for 2 treatments as approved at the Recreation Commission meeting on April 19, 2018, certified by the CFO. Seconded by Mr. Postas.

Administrator McHose explained the treatments that Aquatic Technologies, Inc. will be using to deter the geese. A discussion on different options continued.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

### 2018 Otterbine Mixer Proposal

Mr. Skellenger made a motion to approve the 2018 Otterbine Mixer Proposal from Aquatic Technologies, Inc. as per attached proposal, Option "C" as approved at the Recreation Commission meeting on April 19, 2018. Seconded by Ms. Fantasia.

Mayor Giordano explained the uses of an Otterbine Mixer. Administrator McHose stated the Recreation Commission has recommended option "C" of the Aquatic Technologies, Inc. proposal in the amount of \$6,895.00 plus miscellaneous costs associated with the installation. Administrator McHose commented the mixer is not a decorative fountain it is strictly for circulating the water and advised where the mixer will be placed in the pond. Mr. Limon commented the Otterbine Mixer will be an addition to the pond and will not impact the current fountain which will stay the same.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

### Franklin Pond Hydro-Raking Management Proposal

Mr. Skellenger made a motion to approve the Franklin Pond Hydro-raking proposal from Aquatic Technologies, Inc. as per attached pricing schedule on the proposal as approved at the Recreation Commission meeting on April 19, 2018. Seconded by Mr. Limon.

Mr. Ursin commented the Council should add a maximum spending amount to the motion. Administrator McHose commented on the timing for scheduling the work. A discussion on the costs for the hydro-raking management continued.

Mr. Skellenger made a motion to approve the Franklin Pond Hydro-raking proposal from Aquatic Technologies, Inc. not to exceed \$10,000.00 as certified by the CFO. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

### Discussion on Vacant Properties Ordinance

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At this time there was a discussion on Vacant Property Ordinance. Mayor Giordano asked Mr. Ursin to explain vacant property ordinances.

Mr. Ursin commented on a memo that the Council received from the Franklin Borough Zoning Officer regarding foreclosed properties, some in a state of abandonment. There already is a Franklin Borough ordinance requiring out of state predators to register any properties that are under foreclosure in the Borough. Mr. Ursin made a recommendation to adopt the State Statute definition for abandoned houses, then give the Zoning Officer the authority to compile a list of abandoned houses. Mr. Ursin commented there are different types of abandoned houses, some may be just foreclosed and not being maintained properly and others are truly abandoned which should be broken down before proceeding with registrations. Mr. Ursin commented he will work with the Zoning Officer and the ordinance committee to help them decide whether or not to move forward.

Mr. Postas asked how the ordinance would be enforced. A discussion on vacant properties continued.

### Public Hearing on the 2018 CY Municipal Budget

Mr. Skellenger made a motion to open the meeting to the public on the 2018CY Municipal Budget. Seconded by Mr. Snyder. All were in favor.

Thomas Ferry, Auditor stepped forward for the presentation of the budget. Mr. Ferry handed out a 2018 Budget information pamphlet and explained each page in detail. Mr. Ferry commented on page 2 there is an almost 1.8 million decrease in net value taxable. This is significant, not sure what caused it, but the tax assessor should be able to explain the reason for it. Mr. Ferry commented the average assessed house in 2018 is \$174,441 dollars in 2017 was \$174,734 dollars, just the Municipal taxes, not County or schools for 2018 is \$2,046.94 and the taxes in 2017 was \$2,046.95 or a .01 cent decrease for the entire year, meaning the Borough came in flat. Mr. Ferry stated the water/sewer fund balance is looking good. Ms. Fantasia asked Mr. Ferry to confirm the current fund balance for the year 2018 started at \$1,984,000.00 just \$16,000.00 shy of 2 million. Mr. Ferry confirmed that is correct.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented on the interest for the fund balance, the debt service and if the Borough can pay down the interest. Mr. Ferry explained the process for paying off the interest. Mr. Durina commented he was disappointed there was no budget workshop meeting this year. Mr. Durina commented on salary and wages and the comparisons of Franklin Borough to other municipalities.

Mr. Skellenger made a motion to close the meeting to the public. Seconded by Ms. Fantasia. All were in favor.

### Resolution 2018-35 to adopt the CY 2018 Municipal Budget

Mr. Snyder made a motion to adopt the CY 2018 budget resolution 2018-35. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Ms. Fantasia thanked Mr. Ferry, Monica Miebach, CFO, and Alison McHose, Administrator, for their time, assistance and guidance.

### EXECUTIVE SESSION

None

### OPEN PUBLIC SESSION II

Mr. Limon 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.

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There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public. Seconded by Ms. Fantasia. All were in favor.

**MISCELLANEOUS COMMENTS**

Mayor Giordano commented on opportunities of additional consolidations or shared services within the Borough, those discussions will need to be handled through our committee structure first.

Ms. Fantasia commented on a local dance studio competition that took place resulting in a few participants being invited to the Nationals competition. Ms. Fantasia asked if the dance studio owner and the selected participants could be invited and recognized at the next Mayor & Council meeting.

Administrator McHose commented she was contacted by a Franklin Borough Elementary School teacher requesting to bring a group of students to observe our Municipal Court.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 9:00p.m. Seconded by Mr. Skellenger. All were in favor.

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Nicholas Giordano, Mayor

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Darlene J. Tremont, Acting Municipal Clerk