

**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
JUNE 26, 2018**

Council President Fantasia stated that Mayor Giordano was unable to attend the meeting this evening and 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. Crabb, Ms. Fantasia, Mr. Limon, Mr. Postas, Mr. Skellenger (Arrived at 7:03), and Mr. Snyder. Absent: Mayor Giordano.

Council President Fantasia led the assembly in the flag salute.

Council President Fantasia 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 no EDC meeting due to no quorum, therefore had nothing to report.

Mr. Postas complimented the Recreation Commission and all the volunteers that have helped prepare for Franklin Day, June 30, 2018 and the pond opening. Mr. Postas commented the dock has been placed, the second air rater was installed, the ropes are in and the water testing continues to come back well under the parameters of what the state requirements are. Mr. Postas stated volunteers are still needed not only for Franklin Day, but for after that as well, to help make this a great summer for all. Mr. Postas also commented on the 5K route including requesting residents along the route to decorate and or cheer the runners along.

Mr. Snyder had nothing to report.

Mr. Crabb commented there was a meeting with the BPW along with Mr. Postas, Mr. Skellenger and Brian VanDenBroek, discussing the ability to provide a dump truck and one of the two 350 pickup trucks originally requested. They have scheduled a meeting on July 11, 2018 to discuss a 5 year strategic plan. There was no Public Safety meeting, it will take place after Franklin Day, we would like to have Chief McInerney there to discuss a strategic plan for the Police Department. Mr. Crabb complimented the Recreation Commission and expressed his pleasure with the results that have taken place at the pond. Mr. Crabb also commented on some additional ideas the Recreation Commission is thinking about for the future, such as a walking path, a boardwalk along the shore and maybe even a patio near the falls. Mr. Crabb stated the Historical Commission has been contacted by the Mineral Museum, they are very interested in working together with the Borough Council to bring new ideas to the Borough.

Mr. Skellenger had nothing to report.

Mr. Ursin had nothing to report.

Administrator McHose commented on parking controls for June 30, 2018, stating there will be overflow parking at the Franklin Elementary School. After Franklin Day there will be some parking controls so that beach goers won't be interfering with the seniors that are there attending the Senior Center activities. Administrator McHose explained the different activities and contests that will be taking place on Franklin Day and there will be some glow items for sale. Administrator McHose informed everyone flyers were sent out to residents along the 5K run route encouraging them to possibly decorate their homes and cheer the runners on. The Franklin Band as well as other bands will be playing all day, the Recreation Commission will be selling

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hot dogs, hamburgers and other foods out of the concession stand. The finale will be the fireworks starting around 9:30P.M.

Ms. Tremont, Acting Clerk had nothing to report.

Ms. Fantasia commented Chief McInerney stated there will be a meeting with Public Safety and the Recreation Commission after Franklin Day to discuss security needs for the Carnival in the fall. Ms. Fantasia stated tonight Ordinance 10-2018 is being introduced regarding the capital budget.

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.

Joann Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka questioned if employees given substantial raises last year are included in the resolution awarding raises to at will employees. Ms. Fantasia commented all at will employees are receiving a 1.5% raise.

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

CONSENT AGENDA

Council President Fantasia 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. Resolution from the County of Sussex amending dates and time of meetings of the Board of Chosen Freeholders.
2. Notice from the County of Sussex regarding an adoption of an ordinance amending the previously established regulations governing road opening and access permit issued by the Division of Engineering for work within the Sussex County rights of way and work impacting transportation infrastructure owned or maintained by the County and augmenting the Sussex County Land Development.
3. Resolution from the Township of Hampton in support of the "Campaign to Change Direction" initiative in Sussex County to Raise awareness that there can be no health without mental health, provide an effective way to eliminate stigma associated with mental illness and encourage those who are affected to seek services and feel supported by their community.
4. Notice from Sparta Township dated June 14, 2018, regarding an amendment to their Master Plan and an update of the Land Use Element.
5. Letter dated June 15, 2018 from Lt. Governor Sheila Y. Oliver to Mayor Giordano in regards to Ordinance No. 1-2018 adopting the "Hospital Site" Redevelopment Plan, dated October 6, 2017.
6. Save the date notice from the Board of Chosen Freeholders for a Municipal Breakfast forum on September 7, 2018 at 9:30am.
7. Email dated June 21, 2018 from Kerry Pflugh of the NJDEP announcing the swearing in of the Department Commissioner Catherine R. McCabe.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Monthly Report - May 2018.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

None

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of June 26, 2018.

Mr. Limon made a motion to approve the consent agenda of June 26, 2018. Seconded by Mr. Postas.

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Ms. Fantasia stated item 1 under correspondence, the resolution from the County of Sussex amending dates and times of meetings of the Board of Chosen Freeholders listed Franklin Township and should be listed as Franklin Borough. Ms. Fantasia commented the Council had discussed at a previous meeting police vehicles inventory, for information related to that, under reports item 1 Police Department Monthly Report it includes an update of all current police vehicles used and the mileage of each.

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Ms. Fantasia asked Mr. Postas to please review the sign ordinance at the next ordinance committee meeting.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for June 12, 2018. (Absent: Limon) Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Crabb, Fantasia, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Adoption of Ordinance 07-2018

Mr. Skellenger made a motion to adopt Ordinance 07-2018, entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Mr. Limon.

Mr. Skellenger made a motion to open Ordinance 07-2018 to the public. Seconded by Mr. Snyder. All were in favor.

Joann Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka questioned the advertising for the Planning Board Secretary and Recreation Secretary and the process for placing new positions on the ordinance, specifically if resolutions are required when changing or updating titles of positions within the Borough. Mr. Ursin explained the process.

There being no one else present who wished to address Ordinance 07-2018, Mr. Postas made a motion to close Ordinance 07-2018 to the public. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Adoption of Ordinance 08-2018

Mr. Skellenger made a motion to adopt Ordinance 08-2018, "AN ORDINANCE TO AMEND CHAPTER 161, THE LAND DEVELOPMENT ORDINANCES OF THE BOROUGH OF FRANKLIN REGARDING THE MIXED ACTIVE ADULT (MAAH) HOUSING DISTRICT." (Which version reflects the comments received from the Planning Board dated November 9, 2017.)

Mr. Ursin recommended to table Ordinance 08-2018 to July 10, 2018. The Planning Board is required to have an opportunity to comment on this ordinance, which they didn't do at their last meeting. The Planning Board's next meeting is July 5, 2018. The appropriate thing to do is to table the second reading and public hearing including all notices that go with Ordinance 08-2018 to July 10, 2018.

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Mr. Crabb made a motion to table Ordinance 08-2018 to July 10, 2018 as recommended by Mr. Ursin. Seconded by Mr. Skellenger.
Ms. Fantasia clarified the Planning Board will be meeting on July 5, 2018 to review Ordinance 08-2018.

Administrator McHose confirmed the next Planning Board meeting is Thursday, July 5, 2018, to consider the memo to them (Planning Board) from the Mayor & Council regarding Ordinance 08-2018.

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Mr. Ursin commented for the public's knowledge, the second reading, public hearing and all the notices that went with Ordinance 08-2018 is now scheduled for July 10, 2018.

Introduction of Ordinance 09-2018

Mr. Crabb made a motion to introduce Ordinance 09-2018 "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY CANCELING THE SAFE ROUTES TO SCHOOL GRANT".

Mr. Ursin commented there is a revision to Ordinance 09-2018.

Mr. Crabb read the revisions to Ordinance 09-2018.

Paragraph 3 "**WHEREAS**, by letter dated March 3, 2015, the Borough of Franklin received a \$330,000 grant in aid financing for the project;"

Paragraph 4, "**WHEREAS**, by Ordinance 15-2016, the Borough Council appropriated the funds of \$315,000 expected to be received from the Safe Routes to School as a grant in aid financing in Section 3(d);"

Paragraph 7, "**WHEREAS**, the Administrator and the CFO have recommended canceling the project and rejecting the unfunded grant money of \$300,000;"

Monica Miebach, CFO confirmed the revisions to Ordinance 09-2018 are correct as read.

Mr. Crabb made a motion to introduce Ordinance 09-2018 with the included revisions as stated. Seconded by Mr. Skellenger.

Ms. Fantasia explained Ordinance 09-2018 including the demographic changes that have taken place since the Catholic School has closed and the potential cost to the Borough of up to \$800,000, if we were to proceed with the project.

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Public hearing will be held July 10, 2018.

Introduction of Ordinance 10-2018

Mr. Crabb made a motion to introduce Ordinance 10-2018 entitled, "BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$493,140 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$336,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION." Seconded by Mr. Skellenger.

Public hearing will be held July 10, 2018.

Monica Miebach, CFO commented the finance committee met discussing a long list of items. This Ordinance 10-2018 is primarily for roads for years 2018 and 2019.

Ms. Fantasia explained Ordinance 10-2018.

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Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2018-68

Mr. Crabb made a motion to adopt Resolution 2018-68 place to place transfer of liquor license 1906-44-006-005 issued to MINDIP, LLC for premises located at 190 Munsonhurst Road, Unit 1-4, Sterling Plaza, Franklin, NJ (Application and documents filed with the Borough for the place to place transfer provided in the Council packets). Seconded by Mr. Limon.

Ms. Fantasia explained Resolution 2018-68.

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2018-69

Ms. Fantasia made a motion to adopt Resolution 2018-69 awarding raises for at will employees at the rate of 1.5%. Seconded by Mr. Limon.

Ms. Fantasia suggested the Mayor and Council instead of keeping their increases, to use them (increases) to purchase beach badges for residents who are less fortunate.

Mr. Ursin commented on procedures for various options.

A discussion continued on the Mayor and Council increases, donations and procedures.

Ms. Fantasia made a motion to open Resolution 2018-69 to the public. Seconded by Mr. Postas. All were favor.

No one from the public stepped forward.

Mr. Crabb made a motion to close Resolution 2018-69 to the public. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2018-70

Mr. Snyder made a motion to adopt resolution 2018-70 authorizing the Borough Clerk to renew the following liquor license for the 2018-2019 licensing term. Seconded by Mr. Skellenger.

Plenary Retail Consumption:

1906-33-010-008 Franklin Grill & Tavern, LLC, T/A Brick & Brew

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2018-71

Mr. Snyder made a motion to adopt resolution 2018-71 authorization to purchase a security system for the DPW garage, water building and police department. The contractor is required and must produce a Public Works Contractors Certificate. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Crabb, Fantasia, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

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Ms. Fantasia commented Mayor Giordano has made the following appointments to the Planning Board.

Richard Knop as Member (Class IV), term expires 12/31/20.
Ted Bayles as Alternate #1, term expires 12/31/18.
Michael Raperto as Alternate #2, term expires 12/31/18.
Steve Definis as Alternate #3, term expires 12/31/2019.
Sharon Schultz as Alternate #4, term expires 12/31/2019

EXECUTIVE SESSION

None

OPEN PUBLIC SESSION II

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.

Joann Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on bidding for the security equipment company as referred to in Resolution 2018-71.

Ms. Fantasia commented bidding was done and the contract was awarded to the lowest bidder, Information Systems Group, LLC located in Hamburg, NJ.

Dawn Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented on public input for Resolution 2018-68 MINDIP, LLC place to place transfer.

Mr. Ursin explained Resolution 2018-68.

Ms. Rowe commented on the 2017 Planning Board minutes on the website. Ms. Rowe also commented about procedures for proof reading information in the Borough.

Sheryl Krause, 150 Munsonhurst Road, Franklin stepped forward. Ms. Krause commented who dropped the ball on the proof reading of Ordinance 08-2018 and when will we be provided answers.

Mr. Ursin explained the reason for Ordinance 08-2018, as it reinforces what the Council voted on on November 28, 2017.

Ian Sherwood, 189-193 Corkhill Road, Franklin stepped forward. Mr. Sherwood spoke about past votes, proof reading of ordinances and commented someone isn't doing their job. Mr. Sherwood stated all of this is frustrating, why do we need a new ordinance now.

Mr. Ursin commented it (Ordinance 20-2017) wasn't done correctly on November 28, 2017. The purpose of Ordinance 08-2018 is to fix the problem that was identified as quickly as can be done. The ordinance (08-2018) that is pending on first reading and is headed towards second reading, is exactly the ordinance the council intended to pass on November 28, 2017.

Mr. Crabb explained reasons for tabling Ordinance 08-2018.

Mr. Sherwood expressed his concerns for potential litigation and how this project could impact his business.

Ms. Fantasia clarified conflict procedures when certain items are discussed at Planning Board meetings.

Dawn Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe confirmed Ordinance 08-2018 is tabled to July 10, 2018 and the Planning Board is meeting on July 5, 2018 to review it. (Ordinance 08-2018)

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Mr. Ursin commented "correct".

Joann Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka spoke about comments made at the last Planning Board meeting.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented on procedures when ordinances are opened and closed to the public.

There being no one else present 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.

MISCELLANEOUS COMMENTS

Mr. Crabb thanked the Franklin Police Department for their handling of a tragic situation. Mr. Crabb also thanked Chief McInerney for the work in getting additional coverage for the 5K run.

Ms. Fantasia thanked Administrator McHose and the Recreation Commission for finding certified lifeguards, it was a big undertaking and is much appreciated.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 7:54p.m., seconded by Mr. Postas. All were in favor.

Dawn Fantasia, Council President

Darlene J. Tremont, Acting Municipal Clerk