

**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
AUGUST 28, 2018**

Council President Fantasia 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. Postas and Mr. Skellenger,

Absent: Mr. Limon, Mr. Snyder and 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."

COMMITTEE REPORTS

Mr. Skellenger commented the Board of Public Utilities met discussing bidding for outside contracting for mowing services of municipal properties for next year and scheduling interviews for second round applicants for the DPW positions.

Mr. Crabb commented on an interior walk through of the Hungarian Church. Mr. Crabb explained the condition of the building which is in good shape including the basement which is dry. Mr. Crabb also commented on obtaining information for the historical relevance of the building and grants that might be available. Mr. Crabb stated some great suggestions have come in for the project.

Mr. Postas commented the Recreation Commission met 2 weeks ago with their focus now on the carnival; volunteers are needed. Mr. Postas announced the pond will be closing at 7pm until it closes for the season on September 3, 2018.

Ms. Fantasia commented Public Safety Committee met last week with the Chief (McInerney), Lt. Cugliari and Alison also in attendance, some items discussed were personnel issues and police coverage for upcoming Borough events. Ms. Fantasia stated the Finance Committee hasn't met since our last Mayor and Council meeting. Ms. Fantasia commented on information from Vernon Twp. that was listed on the last consent agenda regarding the Rural Enterprise Zone which only benefits 3 areas and explained she reviewed the Urban Enterprise Zone and was informed by Senator Oroho of pending legislation.

Administrator McHose commented she was the sponsor of legislation to create the Rural Enterprise Zone explaining it gives certain towns tax breaks, similar to the Urban Enterprise Zone which gives a reduced tax rate to encourage sales and generate business in a community. Administrator McHose commented water/sewer bills and tax bills can now be paid with credit or debit cards at the window in Borough Hall, service fees apply. Administrator McHose stated the tax sale is scheduled for October 10, notices have been sent out to the property owners. Administrator McHose commented she and Brian VanDenBroek have made their recommendations to the Public Utilities Committee for the second-round candidates for the DPW positions.

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.

Jackie Espinoza, JCP&L representative, 56 Hampton House Road stepped forward. Ms. Espinoza commented on a program they filed for in July with the Board of Public Utilities called Reliability Plus. The program is aimed at enhancing the distribution system, meaning less outages and shortening the duration of outages. Ms. Espinoza explained the features of the program. Ms. Espinoza commented on additional tree trimming in Sussex County and the effects of Emerald Ash Borer on

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ash trees causing the need to remove ash trees. Ms. Espinoza also commented the program once implemented will cause a rate increase in the amount of approximately .25 cents per month for the average homeowner.

Administrator McHose questioned if trees located on homeowners' properties pay for the trimming or removal of trees by JCP&L. Ms. Espinoza commented there is not cost and JCP&L will not remove trees on homeowners' properties without owners' permission.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented on standing water on Newton Street and the status on correcting the problem. Mr. Durina commented on water lines running from various wells to various water tanks, the functions of the water system and drinking water supplies in Franklin Borough. Mr. Durina commented on the needs of professional engineers to review the water system for the Munsonhurst project. Mr. Durina questioned if there is an active Board of Public Works in Franklin and if they are aware of the Munsonhurst project.

Mr. Durina stated his disappointment with procedures regarding the public comments portion that take place at the Planning Board meetings. Mr. Durina commented on voting of the JCM project at the last Planning Board meeting. Mr. Skellenger clarified the voting and commented on a draft resolution to provide more concise information for the project prior to any formal approvals being voted on.

Mr. Gunderman, 22 Jenkins Road, Franklin stepped forward. Mr. Gunderman commented on the continuing deteriorating road condition of Edsall and Jenkins Road. Mr. Gunderman also commented on the dangers of accidents and potential lawsuits if the road conditions aren't addressed.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented on the dangers during garbage collection on Munsonhurst Road. Ms. Rowe also commented on motions and voting at the last Planning Board meeting.

Mr. Skellenger explained the motions and voting of the Planning Board meeting.

Sheryl Krause, 160 Munsonhurst Road, Franklin stepped forward. Ms. Krause commented on the hazards of the dump trucks on our roads, the speeds they travel through the town and near accidents that have occurred.

Mr. Crabb commented the Public Safety Committee has discussed moving some speed limit signs along Church Street.

Administrator McHose suggested to file a complaint with the Police Department when an incident occurs.

Beverly Winters, 18 Alpine Circle, Hillside Estates, Franklin stepped forward. Ms. Winters commented on residents in the trailer park feeding stray cats, the number of cats now causing racoons to appear during the day and fear of rabies. Ms. Winters also commented on steps that she has taken to try to correct the situation including contacting animal control.

Mr. Ursin explained the Borough's feral cat ordinance and the need for filing complaints with animal control and or police department.

Lilly Lackie, 8 Alpine Circle, Hillside Estates, Franklin stepped forward. Ms. Lackie commented on her concerns for the safety of the residents at Hillside Estates due to the stray cat problem there.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on tree cutting at Susquehanna Road and the power outages resulting from downed trees during storms. Ms. Tatka again questioned the paint markings on Wildcat Road. Ms. Tatka commented on the scheduling for the Freeholder meeting being held here at Borough Hall next month and Franklin Borough curfews. Mr. Ursin commented no ordinances on curfews exist in the Borough. Ms. Tatka also commented on the Planning Board Chairman's procedures during Planning Board

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meetings. Ms. Takta questioned the status of the Police Department's contract. Mr. Ursin commented progress is being made and should be on an upcoming agenda. Ms. Tatka questioned the figures spent for the re-opening of the pond and limited parking signs for Main Street. Administrator McHose explained after action meetings when events have concluded and new ordinances for parking limits is still needed prior to getting the signs installed.

Mr. Skellenger commented the markings on Wildcat Road are utility markings.

Ms. Tatka commented on a public apology to Mrs. Ayala and a lawsuit from her. Mr. Ursin commented on the apology and explained no lawsuit has been filed, a tort claim is all the Borough has received.

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 Mr. Postas. 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 Sandyston Township supporting assembly bill 2534 and senate bill 1707 which exempts governmental entities acquiring lands for open space located in a deed-authorized common interest from paying community fees, if, at the time of acquisition, a community has never been formed or has been dissolved or discontinued.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court Report – July 2018
2. County Board of Health Report – July 2018

APPLICATIONS (APPROVAL OF THE FOLLOWING):

None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of August 28, 2018.

Mr. Crabb made a motion to approve the consent agenda of August 28, 2018. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Crabb, Fantasia, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: Postas

OLD BUSINESS

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

NEW BUSINESS

Resolution 2018-79 Accepting the Main Street Project as complete

Mr. Postas made a motion to adopt resolution 2018-79 accepting the project complete for proposed improvements to Main Street. Seconded by Mr. Crabb.

Administrator McHose explained resolution 2018-79

Upon roll call vote:

Ayes: Crabb, Fantasia, Postas, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

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Resolution 2018-80 Temporary Closure of County Rt. 631

Mr. Postas made a motion to adopt resolution 2018-80 authorizing the temporary closure of County Route 631 for fireworks displays on September 28, 2018 and September 29, 2018. Seconded by Mr. Crabb.

Upon roll call vote:

Ayes: Crabb, Fantasia, Postas, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Approval of Catering Permit

Mr. Skellenger made a motion to approve the application for a catering permit, for the Franklin Carnival, from the Irish Cottage Inn for September 27, 2018 through September 30, 2018. Seconded by Mr. Crabb.

Ms. Fantasia stated the application is requesting the sale of beer and wine in a tent at the carnival, explaining the hours, the layout, the requirements and responsibilities. Ms. Fantasia commented this was discussed at a Public Safety Committee meeting where Chief McInerney and Lt. Cugliari were present. Ms. Fantasia stated she received information from Lt. Cugliari that he obtained from the Center for Prevention and Counseling urging against it and reasons why.

Administrator McHose commented on the applicant's (the Irish Cottage Inn) experience, being a plenary consumption liquor license holder, running an establishment in Franklin for many years. Administrator McHose explained the process for getting approvals from various departments and the requirements from ABC (Alcoholic Beverage Control).

Mr. Skellenger commented on percentages of the sales being provided to the Borough.

Mr. Crabb commented on the great reputation of the applicant. Mr. Crabb also commented his concerns lie with the Council going against the recommendations of the police department.

Mr. Postas expressed his concerns with the procedures in serving patrons in the tent, but also realizes most of the liability will be with the applicant. Mr. Postas commented on thinking outside the box for new possibilities for our town and stated he would like to give it a try this year.

Ms. Fantasia commented on both sides of the issue and the possibility to change the hours of operation.

Mr. Crabb invited Mr. Ryan to step forward.

Mr. Ryan, Managing Partner of the Irish Cottage Inn stepped forward. Mr. Ryan stated he was approached by the Recreation Commission who asked if the Irish Cottage would be interested in participating at the carnival by running a "beer tent". Mr. Ryan commented on costs, quantity of patrons, staffing, supplies and hours of operations. Mr. Ryan also commented he is willing to work with the Council, his relationship with the Franklin Police Department and the need to discuss whatever transpires with his partner.

Ms. Fantasia requested modifying the hours of operation on the catering permit.

There was a discussion on changing the hours of operation on the catering permit.

Mr. Skellenger amended his motion to approve the catering permit from the Irish Cottage Inn reflecting evening hours of operation for Thursday through Saturday from 6:00pm-10:00pm and Sunday 5:00pm-8:00pm. Seconded by Mr. Crabb.

Upon roll call vote:

Ayes: Crabb, Fantasia, Postas, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

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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.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented on posting of information to the Borough's website.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on the catering permit and the Mildred Harden trust.

Lilly Lackie, 8 Alpine Circle, Hillside Estates, Franklin stepped forward. Ms. Lackie reiterated her concerns regarding the abundance of stray cats at Hillside Estates. Ms. Lackie explained the difficulties she has had with getting help fixing the problem. Ms. Fantasia suggested options in addressing the problem.

Mike Gunderman, 22 Jenkins Road, Franklin stepped forward. Mr. Gunderman commented the rooster problem still exists on Jenkins Road.

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

MISCELLANEOUS COMMENTS

Mr. Crabb commented on the celebration of the arrival of a new ambulance on August 30, 2018, at 7:30pm at the Wallkill Valley First Aid Squad building on Corkhill Road.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 8:08pm. Seconded by Mr. Postas. All were in favor.

Dawn Fantasia, Council President

Darlene J. Tremont, Acting Municipal Clerk