

**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  
JANUARY 8, 2019**

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: Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder, Mr. Zydor and Mayor Giordano.

Absent: None

Mayor Giordano led the assembly in the flag salute.

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 4, 2019, and posted on the Borough website, which adequate notice has been certified by the Clerk."

**PRESENTATIONS**

None

**COMMITTEE REPORTS**

Mayor Giordano explained the process for filling the vacant council seat left by Ms. Fantasia's resignation and informed the public if any registered republican is interested in submitting their name for consideration for the council seat they can contact Mr. Skellenger or himself for information, the deadline to submit names to the republican county committee is this Friday, January 11, 2019.

Mr. Limon commented the EDC will be meeting here at Boro Hall at 7:00PM on Thursday, January 10, 2019.

Mr. Postas commented Recreation Commission met last Thursday, voting in a new Chair, Christina Sanchez, Co-Chair, Concetto Formica and Treasurer, Tony Marino.

Mr. Snyder had nothing to report.

Mr. Skellenger commented Planning Board reorganization meeting will be held on January 14, 2019 at 7:15PM.

Mr. Zydor had nothing to report

Administrator McHose had nothing to report.

Mr. Ursin commented he attended the Recreation Commission meeting discussing assistance and procedures to make it run as smoothly as possible. The one thing that the Council has been informed of is the ordinance as is currently in our code book is in conflict with the State statute in a number of ways and recommends addressing the conflict and needs direction from the Council at some point whether we are fixing the Recreation Commission statutes to be more consistent with the State statute or to move to a Recreation Committee format. Mr. Ursin explained the differences between a Commission and a Committee.

**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.

There being no one 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.

**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.

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**CORRESPONDENCE** (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated November 29, 2018 from Mayor Giordano in support of Project Self-Sufficiency's application for Early Head Start Expansion funding.
2. Letter dated December 10, 2018 from Marianne Smith, Manager from Hardyston Township, to Alison McHose, Administrator in regards to Construction Office Services 2018.
3. Resolution from Blairstown Township in support of New Jersey State League of Municipalities Conference Resolution No. 2018-09 which calls for the consent of stockholder municipalities for New Jersey Department of Transportation projects.
4. Resolution from the Township of Green supporting Assembly Bill A4037 and Senate Bill S2650 amending N.J.S.A.40A:14-96, N.J.S.A.40A:14-98 and P.L. 1940, c.153 allowing members of junior firefighters' auxiliaries to perform certain fire support duties.
5. Moody's Investors Service Annual comment on Franklin Borough in regards to Franklin Borough's credit position.
6. Letter dated January 1, 2019 from Michael Krupa in regards to the retirement of Cindy Space and naming a replacement.
7. Final NJDEP Recycling Tonnage Grant Payout for Sussex County Municipalities for the year 2016.
8. Resolution from the Township of Byram in support of path to progress recommendations made by New Jersey Economic and Fiscal Policy Workgroup.
9. Resolution from the Township of Byram supporting Assembly Bill A4037 and Senate Bill S2650 amending N.J.S.A.40A:14-96, N.J.S.A.40A:14-98 and P.L. 1940, c.153 allowing members of junior firefighters' auxiliaries to perform certain fire support duties.
10. Resolution from the Town of Newton in support of path to progress recommendations made by New Jersey Economic and fiscal Policy Workgroup.

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

1. Construction Permit Activity Report – December 2018
2. COH Report – December 2018
3. Construction Report – December 2018

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

1. None filed.

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

1. Payment of bills for the meeting of January 8, 2019.

Mr. Postas asked to remove check #46895 from the bills list of the consent agenda and vote on it separately.

Mr. Skellenger questioned the phone at the pond still being on the Centurylink bill. Administrator McHose explained the cost benefits of changing the line to a vacation mode during the winter months rather than removing and re-activating the line.

Mr. Postas commented on the internet line access at the pond.

Mr. Skellenger made a motion to approve the consent agenda without check #46895 of the bills list of January 8, 2019. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Postas, Skellenger, Zydon

Nays: Limon, Snyder Absent: None Abstentions: None

Mr. Skellenger made a motion to approve check #46895 of the bills list of January 8, 2019. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: Postas

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### OLD BUSINESS

Mr. Postas commented he spoke with Walkkill Valley Softball Recreation treasurer and a parent who informed him they received a grant from the Forward Franklin Alliance in the amount of \$16,000 for new infield clay for the girls softball field at the pond. Forward Franklin Alliance has asked the Borough to draft a letter stating the Borough will be responsible for any drainage issues that may be found. Mr. Ursin commented if there are costs associated with work the Borough may do a motion to that effect should be made. Mr. Postas commented he is in communication with Mr. VanDenBroek regarding the work and or materials that may or may not be needed.

A discussion continued on the materials and costs for the softball field.

Mr. Postas made a motion to authorize Administrator McHose to draft a letter to the Forward Franklin Alliance regarding the softball field at the pond. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: None

Mr. Limon commented on the condition of the outfield of the softball field. Mr. Postas commented it is in good condition it is only the infield that has become like playing on cement.

### NEW BUSINESS

#### Approval of Meeting Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for December 21, 2018. (Absent: Limon, Snyder) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Postas, Skellenger

Nays: None Absent: None Abstentions: Limon, Snyder, Zydon

#### Resolution 2019-07

Mr. Zydon made a motion to designate the New Jersey Herald and the New Jersey Sunday Herald of Newton, N.J. to be the official newspapers of the Borough of Franklin for the year 2019, as per the attached resolution. (Tabled from 01/01/19 meeting) Seconded by Mr. Skellenger.

Mayor Giordano commented the council received quotes in their packets for rate comparisons, they weren't even close, there is no contest.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: Limon, Postas Absent: None Abstentions: None

#### Resolution 2019-14

Mr. Limon made a motion to adopt resolution 2019-14 regarding the intention to revise Master Plan and Development regulations for plan conformance for land in the planning area. Seconded by Mr. Snyder.

Mr. Skellenger read a letter received from the Franklin Planning Board dated December 19, 2019, regarding the Highland Council Conformance Plan.

Mr. Ursin commented the Highlands Conformance process is a multi-step process where you examine your existing zoning, doing a series of studies. The resolution before the council tonight is to start the process to explore plan conformance with the letter from the Planning Board recommending initiating the process so we can explore what is available. Conforming issues are complicated, mentioning past recommendations, concerns and designated areas. Mr. Ursin explained the resolution, options, grants available and funding.

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Mr. Skellenger commented on concerns of possible requirements of the Borough to return funds back to the Highlands Council received from them during the process. Mr. Zydon commented on his past knowledge when being a member of the Planning Board, he does not recommend getting involved.

Mr. Snyder commented he still recommends attempting the process since we can opt out at anytime.

Mayor Giordano commented in the past he was not excited to get involved, however after hearing the Highlands Council speak, it may be worth taking a look at.

Mr. Ursin commented his primary reason for recommending to move forward is all of the major permits for all of Franklin Borough's developments all go through Trenton through the DEP, working with the Highlands Council major permits will go through the Highlands Council in Chester, NJ and if the Borough has a very good working relationship with them it could help make the tasks easier.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder

Nays: Zydon Absent: None Abstentions: None

### Resolution 2019-15

Mr. Snyder made a motion to adopt resolution 2019-15 authorizing the retention of Jessica Caldwell as a Consulting Planner for the Highlands Plan Conformance Process. Seconded by Mr. Limon

Mr. Ursin commented the consultant in this resolution has a lot of recent experience with the Highlands Council and would work with our current Planner together during the process.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder

Nays: Zydon Absent: None Abstentions: None

### Congregate Nutrition Program Shared Service Agreement

Mr. Snyder made a motion to approve the Shared Service Agreement between the County of Sussex and the Borough of Franklin for the Franklin Congregate Nutrition Programs from January 1, 2019 to December 31, 2019. Seconded by Mr. Skellenger

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: None

### Municipal Software Inc. (MSI)

Mr. Postas made a motion to approve 2019 Services with Municipal Software Inc. (MSI) for annual support in the amount of \$21,480.84 and annual maintenance in the amount of \$3,600.00. (Increase of \$24.00 over the 2018 Annual Support invoice) Seconded by Mr. Limon

Mayor Giordano explained the services provided by MSI.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: None

### Discussion on Temporary Zoning Officer Shared Service

At this time there was a discussion on a temporary zoning officer shared services agreement with the Borough of Hamburg. (Tabled from 12/21/2018 meeting)

Administrator McHose commented Joe Drossel, Zoning Officer, the Hamburg Clerk and the Hamburg Mayor met to discuss what the zoning needs were of the Borough of Hamburg. After a discussion she had with Joe Drossel it seems Hamburg doesn't

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seem to be very flexible on the cost and it's hard to measure how the time would be allocated to Hamburg.

Mr. Postas commented on the amount of time Hamburg is asking for. Mr. Snyder commented what would the council be willing to offer as far as the time they need or want. Administrator McHose commented at this time we could start on a temporary basis to give us time to evaluate if this will be beneficial on a permanent basis.

A discussion continued on the zoning officer shared services.

Mr. Skellenger made a motion to provide zoning officer services to the Borough of Hamburg for 60 days starting January 15, 2019, ending March 15, 2019, for 20 hours a month at the rate of \$900/month, anytime over 20 hours per month is at the rate of \$45 per hour. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: None

Mayor Giordano commented he will offer his committee member selections.

Mr. Limon – Recreation Liason, Personnel, Finance

Mr. Snyder – Personnel, Board of Public Utilities, Ordinance, Buildings & Grounds

Mr. Postas – Finance, Public Safety, Personnel, Buildings & Grounds

Mr. Zydon – Personnel, Board of Public Utilities, Ordinance, EDC

Mr. Skellenger – Finance, Public Safety, Buildings & Grounds, Board of Public Utilities alternate

Vacant seat - Ordinance

### **EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Skellenger made a motion to adjourn into closed executive session to discuss labor attorney issues concerning pending disciplinary matters. Motion seconded by Mr. Postas. Action may or may not be taken.

All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 8:20p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

Mr. Zydon made a motion to return from executive session. Seconded by Mr. Postas. All were in favor.

Mayor Giordano stated for the record Councilman Snyder did not attend the executive session and left the building.

Mr. Skellenger made a motion to retain Arthur Thibault, Esq. as Labor Attorney through the pending disciplinary matters. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Postas, Skellenger, Zydon

Nays: Limon Absent: None Abstentions: None

Note: Mr. Snyder left the meeting prior to going into executive session and did not return to the regular portion of the meeting.

### **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.

There being no one who wished to address the Governing Body, Mr. Postas made a motion to close the meeting to the public, seconded by Mr. Zydon. All were in favor.

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**MISCELLANEOUS COMMENTS**

There were no miscellaneous comments.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:25p.m., seconded by Mr. Postas. All were in favor.

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Nicholas Giordano, Mayor

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Darlene J. Tremont, Municipal Clerk