

**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
MAY 28, 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. Skellenger, Mr. Snyder, Mr. Zydon and Mayor Giordano.

Absent: Mr. Limon, Mr. Postas and Mr. Soules

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

Cheryl Krouse, EDC Chair and Patti Carnes, EDC Vice Chair stepped forward. Ms. Carnes thanked the Council for again providing the EDC the opportunity to announce their Business of the Month for May, 2019. This month's business has been involved in various community organizations, fundraisers, blood drives and volunteering within the community and schools. Ms. Carnes congratulated, CKO Kickboxing owner, Darlene Pallay as EDC's May Business of the Month. Ms. Pallay thanked everyone stating she lives here, owns a home here, her children go to school here and she loves it here.

COMMITTEE REPORTS

Mr. Zydon commented the ordinance committee had a meeting on May 21, 2019. Tom Knutelsky was in attendance to review our roadways; all roads can safely handle 10-ton vehicles. The committee went over chapter 259, titled Vehicles and Traffic page by page and chapter 86, known as the "chicken" ordinance, which is going to be changed to be more animal friendly.

Mr. Ursin commented the updated animal ordinance has been drafted and approved and will be on the next agenda for introduction.

Mr. Zydon also commented there was a public utility committee meeting, well rehab is underway, current repairs that have been done to some sewer systems are holding. There are some infiltration issues that will need to be addressed. Lastly, the BPW equipment inventory is going to be done.

Mr. Skellenger had nothing to report, a public safety meeting will be scheduled in the very near future.

Mr. Snyder commented the mulch has been delivered and will be spread as weather permits. The fitness stations and walking path will be installed over the next few weeks and other work is being done at the pond area and beach in preparation for Franklin Day, June 22, 2019.

Administrator McHose commented on the Memorial Day Parade, it was a very nice day with many wonderful tributes. Preparation is underway for the opening of the pond on Franklin Day, June 22, 2019. The Borough has received 7 lifeguard applications, we are working on scheduling those interviews. It is anticipated the beach badges will be sold at Borough Hall, wrist bands and day passes will be sold at the pond and the fees for the badges will be discussed later tonight. Inspections of the concession stand will be taking place in case the Borough wants to use it for special events.

John Ursin had nothing to report.

Mayor Giordano commented the police department can now get controlled items through the (Federal) 1033 Program that passed at the last Council meeting, through

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that program, with the help of our Lieutenant (Mattessich) we have acquired a bucket truck for the town. Mayor Giordano thanked the DPW for the wonderful job they did getting Main Street ready for the parade, the monument looked beautiful. Mayor Giordano also commented lines have been painted on Main Street.

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. Zydon. All were in favor.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on the missing flags on Main Street for the parade, the planting of flowers at the monument done by the DPW, licensing for what type of animals in the animal ordinance and is the WaWa still interested in coming to Franklin. Ms. Tatka also commented on the Millie Harden funds usage and the affect the certifications Karen Osellame received has on the current tax collector position.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented on the discussion tonight on fees for beach badges going to include consideration of lowering the fees from last year.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich commented she is thankful the lines have been painted on Main Street and expressed her pleasure with receiving a phone call from Alison (McHose) personally to tell her so. Ms. Bazelewich also commented on how the bucket truck will be used.

There being no one else present who wished to address the Governing Body, Mr. Snyder 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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Franklin Boro 2019-20 School District Budget Statement – Tax Levy Certification Form A
2. Wallkill Valley Regional H.S. District Taxes for School Year 2019-2020
3. Wallkill Valley Regional H.S. 2019-20 School District Budget Statement – Tax Levy Certification Form A
4. Letter to Municipal Clerk, from State of New Jersey Department of Education, Cindy Lee, Director, Office of State Aid Entitlements and Payments, re: 2019-2020 Municipal Percentage Shares for Tax Levies for Regional School Districts and Districts Merged Pursuant to P.L. 2009, c.78.
5. Montague Township resolution 2019-44 in support of senate bill no. 1683 and assembly bill 4267 a bill which would close loopholes in the state’s solid waste regulatory and oversight system.
6. Montague Township resolution 2019-48 proclaiming to local residents and businesses that the municipality will not collect new stormwater management or rain taxes.
7. Letter to Alison McHose, from John H. Moyle, P.E., Director, Division of Dam Safety & Flood Control, re: Dam Safety Inspection Report for Franklin Pond Dam, NJ Dam File No. 22-227.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Report – April 2019

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 28, 2019.

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Mr. Skellenger made a motion to approve the consent agenda of May 28, 2019. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

OLD BUSINESS

Mr. Snyder commented on placing an ad for the zoning officer position.

Administrator McHose commented the Department of Community Affairs has informed her there is no required certification to have a zoning officer. There has been no interest from other towns to do a zoning officer shared service.

A discussion on the zoning officer position continued and authorization was given to the administrator to place an ad.

Mr. Snyder also commented on a holding lane on Route 23 North to be able to turn left on to Taylor Road and to move ahead with gathering information from DOT for that.

Mr. Zydon commented to include gathering information from DOT on the opening of the north end of Rutherford Avenue.

Administrator McHose commented she will add that as well as getting an update on South Rutherford Avenue by Rumors Hair Salon.

Mr. Snyder stated he and Mr. Postas attended a (Sussex County) League of Municipalities meeting that included a presentation by Dr. Rossi, Sparta High School and (Sparta Police) Chief, Neil Spidaletto on school security. The Sussex County State Police Barrack's Commander also did a presentation informing us of services provided by the state police, such as how to properly install a baby car seat and having their dive team come out to help check the perimeter of the pond.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zydon made a motion to approve the regular meeting minutes for May 14, 2019. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Mr. Zydon made a motion to approve the executive session meeting minutes for May 14, 2019. (Absent: None) Seconded by Mr. Skellenger

Upon roll call vote:

Ayes: Skellenger, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: Snyder

Note: Mr. Snyder attended the first half of executive session and left prior to the discussion on the police matter.

Lyme Disease Proclamation

At this time Mayor Giordano read a proclamation from the Board of Chosen Freeholders proclaiming May 2019, Lyme Disease Awareness Month throughout Sussex County.

Mayor Giordano commented Lyme Disease Awareness is very important, if you find you have been bitten by a tick you should get checked.

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Adoption to Ordinance #06-2019

Mr. Zydon made a motion to adopt Ordinance 06-2019, 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. Skellenger.

Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 06-2019.

Mr. Skellenger made a motion to open to the public ordinance 06-2019. Seconded by Mr. Snyder. All were in favor.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented this ordinance will be followed by a resolution with the exact salaries.

Mr. Skellenger made a motion to close to the public ordinance 06-2019. Seconded by Mr. Zydon. All were in favor.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Adoption to Ordinance #07-2019

Mr. Zydon made a motion to adopt Ordinance 07-2019, entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING PORTIONS OF CHAPTER 10".

Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 07-2019.

Mr. Zydon made a motion to open to the public ordinance 07-2019. Seconded by Mr. Skellenger. All were in favor.

No one from the public stepped forward.

Mr. Zydon made a motion to close to the public ordinance 07-2019. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Resolution #2019-50

Mr. Skellenger made a motion to adopt resolution 2019-50 cancelling the water/sewer capital appropriation balance dedicated to water/sewer vehicle in the amount of \$265.35. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Resolution #2019-51 and Resolution #2019-52

Mr. Skelleger made a motion to adopt resolution 2019-51 cancelling the water/sewer capital appropriation balance dedicated to emergency sewer pump in the amount of \$2,190 and resolution 2019-52 cancelling the general capital appropriation balance dedicated to CR631 sidewalk in the amount of \$15,000. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

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Resolution #2019-53

Mr. Skellenger made a motion to adopt resolution 2019-53 authorizing the Mayor and Administrator execute the assignment document for certificate of sale #2018-004, Block 606 Lot 25, also known as 10 John Wilton Street. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Discussion on Main Street Redevelopment Plan

Mr. Zydon made a motion to table the discussion on the Main Street Redevelopment Plan to the next meeting agenda (June 11, 2019). Seconded by Mr. Skellenger.

All were in favor.

Resolution #2019-54

Mr. Skellenger made a motion to adopt resolution 2019-54 authorizing the tax collector to release a tax lien and that the Mayor and Clerk endorse the original certificate for the property located at 35 Church Street, also known as Block 2002, Lot 3. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Resolution #2019-55

Mr. Snyder made a motion to adopt resolution 2019-55 awarding raises for at will employees at the rate of two percent with the removal of the judge (Municipal Court Magistrate). Seconded by Mr. Skellenger.

Mr. Ursin commented prior to final roll call vote this type of resolution requires it be opened to the public.

Mr. Skellenger made a motion to open to the public resolution 2019-55. Seconded by Mr. Snyder.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented what are at will employees.

Mr. Ursin explained at will employees are employees that are not covered by collective bargaining agreement, not in a union.

Mr. Skellenger made a motion to close to the public resolution 2019-55. Seconded by Mr. Zydon. All were in favor.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Resolution #2019-56

Mr. Snyder made a motion to adopt resolution 2019-56 authorizing the hiring of Corry L. Chrobak as full-time accounting assistant in the finance department at the rate of \$26.00 per hour. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Mayor Giordano commented this is a replacement for an employee who is retiring.

Senior Center Attendant

Mr. Snyder made a motion to approve hiring Barbara Truan as part time senior center attendant at the rate of \$10.00 per hour, 20 hours per week, effective June 1, 2019. Seconded by Mr. Skellenger.

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Administrator McHose commented this hire is filling the vacant position of Anna Fischer who previously moved up to fill the position of retired employee, Cindy Space.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

W&S Collector/Tax Assistant Salary Adjustment

Mr. Zydon made a motion to approve the salary adjustment of \$2.00 per hour, effective June 1, 2019, for Karen Osellame, W&S Collector/Tax Assistant, as recommended by the Administrator McHose and Personnel Committee for achieving successful completion of Tax Collector classes I and II. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Deputy Court Administrator Salary Adjustment

Mr. Snyder made a motion to approve the salary adjustment of \$1.50 per hour, effective June 1, 2019, for Lauren Mitchener, Deputy Court Administrator, who has successfully completed POMCA segment 3 and is now conditionally accredited, as recommended by Lori Spirito, Court Administrator, Alison McHose, Administrator and Personnel Committee. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Discussion on Beach Badge Fees

At this time there was a discussion on beach badge fees. Mr. Skellenger suggested lowering the season passes, the other types of passes may not need to be lowered since the season passes would be dramatically lower; the family pass of up to 5 members \$50, individual pass \$10 and a senior pass \$5.

Mayor Giordano commented on who is eligible outside Franklin Borough residents to purchase passes, he believes it is open to all residents of the Walkkill Valley High School sending district.

Administrator McHose commented there is a timing issue with making changes to the fees prior to the opening of the pond and asked for an explanation on procedures to implement the changes if approved tonight.

Mr. Ursin commented an introduction to change the fee ordinance can be verbally made tonight and then placed on the agenda for second reading at the next meeting.

Mr. Skellenger made a motion to waive beach badge fees on Franklin Day, June 22, 2019. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

Mr. Zydon proposed a 25% reduction on all beach badge fees from last year and additional 25% decreases according to the projected scheduled pond opening and the actual date it does open. Mr. Zydon commented a final date for the pond opening needs to be set.

Mr. Ursin explained how to move forward temporarily by resolution, if the Council chooses to wait to introduce the changes by ordinance at the next meeting and then give the administration direction to collect a certain amount presuming it passes at the second reading.

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Mayor Giordano suggested waiting to the next meeting to introduce the fee changes to afford the council members not present this evening an opportunity to comment.

A discussion continued on the beach badge fees.

Mayor Giordano invited Christina Sanchez, Recreation Committee Chair to step forward to offer comments.

Christina Sanchez, Recreation Committee Chair stepped forward. Ms. Sanchez commented lowering the fees by 50% as proposed is reasonable. Ms. Sanchez also commented the ordinance that formed the Recreation Committee includes language giving the recreation committee authorization to make changes on certain fees. Ms. Sanchez supports opening the pond to Hardyston, Hamburg and Ogdensburg.

Mr. Skellenger made a motion to introduce an ordinance to lower the beach badge fees to \$50 for a season pass for a family up to 5 members, \$10 for an individual season pass and \$5 for a senior citizen season pass. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

Nays: None Absent: Limon, Postas, Soules Abstentions: None

EXECUTIVE SESSION

There was no executive session.

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. Snyder. All were in favor.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich commented on dredging of the pond prior to opening and the forming of a swim team.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on the salary for the new hire who is taking the place of Pam Crum.

Patti Carnes, 289 Rutherford Avenue, Franklin stepped forward. Ms. Carnes voiced her concerns on the possibility of opening up the north end of Rutherford Avenue.

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. Zydon. All were in favor.

MISCELLANEOUS COMMENTS

None

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 8:07p.m., seconded by Mr. Zydon. All were in favor.

Nicholas Giordano, Mayor

Darlene J. Tremont, Municipal Clerk