

**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 11, 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. Soules, Mr. Zydon 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."

Mayor Giordano commented he will be changing the order of the agenda tonight starting with a proclamation he would like to read, as many know former Mayor Bill Hodas passed away recently, he was 92 years old.

Mayor Giordano read the following Proclamation Honoring the life of Former Mayor William "Bill" Hodas.

*Borough of Franklin
Proclamation Honoring the Life of
Former Mayor William "Bill" Hodas*

WHEREAS, Mayor Bill Hodas was born on July 9, 1926, in Franklin Borough to Joseph and Irma Hodas and remained a lifelong resident until his death on May 28, 2019. Mayor Hodas dedicated his 92 years to public service by giving of his time and knowledge. His service included:

- volunteering to join the United States Navy during World War II, from 1944-1947 as part of the Hospital Corps;
- elected as a member of the Franklin Borough Council from 1962-1967; and elected as Mayor of the Borough of Franklin from 1968-1980 and again from 1984-1988;
- appointed as a member of both the Franklin Borough Board of Health and the Franklin Borough Economic Development Committee; and
- appointed by four New Jersey Governors and having the distinction of being the longest serving Commissioner of the Delaware River Joint Toll Bridge Commission, serving from 1979-1982 and again from 2003-2014;

WHEREAS, Mayor Hodas proudly served as the Chairman of the Sussex County Democrat Committee from 1976-1980. He also was the Franklin Borough Municipal Democrat Chair from 1976 until his death;

THEREFORE, BE IT RESOLVED that I, Nicholas Giordano, the Franklin Borough Mayor along with the Council, in recognition and thanks to Mayor Bill Hodas for his many years of tireless service to the Borough of Franklin, the County of Sussex and the State of New Jersey, and in honor of his life's work, we present this proclamation to his wife of 35 years Mrs. Gail Hodas.



Nicholas Giordano, Mayor

CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey, do hereby certify the foregoing is an original proclamation presented by the governing body of the Borough of Franklin at a regular meeting held on June 11, 2019.

Darlene J. Tremont, Municipal Clerk

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Mrs. Gail Hodas, Route 23, Franklin stepped forward. Mrs. Hodas thanked Administrator McHose, Mayor and Council for putting this together. Mrs. Hodas also thanked the entire town for all their support.

Mayor Giordano commented Mayor Hodas was always there to help me with any questions or concerns during my time on Council and as Mayor. What he wanted more than anything was the best for the town he was born in. Mayor Giordano thanked Mayor Hodas for his counsel and kindness.

Administrator McHose commented he will be greatly missed and thanked the Mayor and Council for the proclamation.

Mr. Snyder thanked Bill (Hodas) for all the years he dedicated to the town.

Mr. Limon commented he wasn't aware of the many terms he served, he put in a lot of work and he is looking down on us tonight.

PRESENTATIONS

At this time, Mayor Giordano requested the Recreation Committee Chairwoman, (Christina Sanchez) and the winners of the 2019 Royal Court of Franklin, Miss Franklin, Jr. Miss Franklin, Little Miss Franklin, Franklin Princess and Franklin Prince to step forward.

Mayor Giordano congratulated the winners announcing Miss Franklin, Alexandria Colfax, Jr. Miss Franklin, Rebecca Fedder, Little Miss Franklin, Addison Smith, Princess of Franklin, Salacia Fortuin and Prince of Franklin, Jackson Biamonte (who wasn't able to attend) while Administrator McHose presented their certificates. Mayor Giordano also congratulated their family members in the audience.

COMMITTEE REPORTS

Mr. Zydon had nothing to report.

Mr. Skellenger commented there was a Public Safety (Committee) meeting held last night with the Fire Department and Police Department to clear up a few items, all went well.

Glenn Soules had nothing to report.

Mr. Snyder commented Buildings and Grounds met last week with the administrator and Brian VanDenBroek regarding the playground equipment, the sales representative will be providing a schematic of the existing playground with options for expansions to be forwarded to the Forward Franklin Alliance for consideration on the grant for adding handicap accessible pieces. The locks at Borough Hall and the Senior Center are in the process of being upgraded. Borough Hall has a new process in place asking visitors to use the intercom system to access the elevator. A notice has been received regarding an upcoming meeting at the Prince of Peace Church in Hardyston to discuss food pantry options. Bid specs will be opened for the Buckwheat Road, Washington Avenue and School Plaza on June 20, 2019 at 10:00AM at Borough Hall.

Mr. Postas had nothing to report.

Mr. Limon commented Recreation Committee had a long meeting, Braen Quarry will again be sponsoring our fireworks display for both Franklin Day and the Carnival in September, they (Braen) may also provide additional sand if needed for the beach area. The Borough appreciates all they do for our town. Movie night was a big success, recreation has approved the purchase of a large movie screen to be used for future movie nights to come. Water testing of the pond is underway, the bubbler and lines will be installed for Franklin Day, June 22, 2019. The beach area is going to be reconfigured because the paddle boards/kayak rental company won't be there every day, they will only be available for special events this year. The lifeguard supervisor has been hired, there will be a dive team from the State Police coming to inspect the swim area of the pond and the raft will be placed. Repairs of the catch basin and fountain are being explored. Franklin Day will include vendors,

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entertainment, free swimming at the pond followed by fireworks at night. Kathleen Clohessey will be running the Arts & Crafts program this year, fingerprinting may be necessary for volunteers involved with it. Movie night will be showing The Goonies, on Friday, June 21, 2019, at 8:15PM on the beach. Mr. Limon thanked the 2019 Royal Court winners for representing the Borough and looks forward to Alexandria Colfax representing us (the Borough) at the Queen of Fair. Mr. Limon also commented meetings are on-going with Franklin Borough, Hardyston Township and Hamburg Borough should the Littell Center be sold at auction.

Administrator McHose commented she has received several applications for the Zoning Officer position and hopes to have a selection at the next meeting. The changes for the lighting throughout the Borough are being looked at by JCP&L, they will be sending out their technicians to assess all the poles we would like to upgrade or add new lights to. The DPW is working on cleaning up for summer. The concession stand will also be cleaned in anticipation of the health inspection that is needed so it can be used this summer in whatever capacity that is decided on.

Mr. Snyder commented on the YMCA fitness station placement locations, some issues that have come up is security, liability and people feeling uncomfortable exercising near the roadway. Mr. Snyder asked the Council to go down to review possible areas and offer their suggestions.

Administrator McHose commented there has been discussions on clustering the stations to afford people the ability to exercise in a small area.

A discussion on the YMCA station placement locations continued.

Mr. Ursin requested an executive session to discuss JCM litigation matters. Mr. Ursin suggested the Council vote on the Arts & Crafts program because of the expenditure of money and setting up a structure to supervise children.

Mr. Limon made a motion to approve the Arts & Crafts program up to \$1,000 and the cost of background checks as needed to be paid by Borough funds. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Mayor Giordano commented on Newton Street repairs, the need for filling a DPW full time position. Mayor Giordano also commented there was a Wet Down at the Fire Department on Saturday (June 8, 2019). Mayor Giordano questioned the status of the street lights process and the old fire truck title transfer to the Franklin Fire Department. Mayor Giordano congratulated the winners of the (primary) election. Mayor Giordano ended by commenting he will be appointing a garbage committee very soon.

Discussion on Main Street Redevelopment Plan

At this time there was a discussion on the Main Street Redevelopment Plan. (Tabled from 5/28/2019 meeting)

Ken Nelson, Franklin Borough Planner stepped forward. Mr. Nelson commented he is here tonight to answer any questions the Council may have on the Main Street Redevelopment Plan, specifically the lower portion of the ZincMine Property. The Planning Board and the committee that was formed to deal with the redevelopment plan had many discussions on the issues related to how it (lower portion of ZincMine property) should be treated in the plan. After the concerns of the Council was brought to the Planning Board, in a letter received from Mr. Ursin, they (Planning Board) don't have a problem with the Council going in a different direction, which provides as much flexibility as possible for that portion. The Planning Board understands allowing both residential or industrial, but not both together is reasonable. Mr. Nelson referred to a letter he sent that included a revised page 34 of the Main Street Redevelopment Plan that allows for the dual option of residential or industrial as the Council recommended.

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Mayor Giordano confirmed his understanding of the revision as either/or residential or industrial but not to be able to do both. Mayor Giordano commented if we don't do this it would restrict the uses and interest of certain developers.

Mr. Postas commented on restrictions that are included in the plan and the benefits to removing those restrictions.

Mr. Skellenger commented he supports Ken Nelsons recommendation; the revisions are exactly what he remembers the Council had discussed at previous meetings.

A discussion continued on the Main Street Redevelopment Plan.

The Council agreed to move forward with the revisions to the Main Street Redevelopment Plan.

Mr. Ursin commented he will review the information, confirm the referral process has been satisfied, and if the procedures have been found to be proper it will be put on the next agenda for a vote.

OPEN PUBLIC SESSION

Mr. Zydon 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.

Anthony Patire, Zinctown Properties, stepped forward. Mr. Patire commented on the history of the ZincMine property from when he acquired it in the early 1980's, the potential contracts that have come and gone and sewer service area issues on the lower portion of the property that exists. Mr. Patire thanked the Council stating he is doing his best to get something moving.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented on Mayor Hodas, he worked shoulder to shoulder with both democrats and republicans to get things done for the town. Mr. Durina also commented on some of the history he found within the Planning Board minutes he reviewed, some items he found were, in 1981 meetings took place on the ZincMine Property and in 1992 the Indian Ridge interconnect well project was started, in September 1993 the new wells were tested and in November 1993 those wells pumped 400,000 gallons of water in 24 hours. Mr. Durina stated sometimes we must look at the history to move forward.

Tamara Contreras, 121 South Rutherford Avenue, Franklin stepped forward. Ms. Contreras thanked the Council for getting the speed limit signs placed on South Rutherford Ave. and the continued presence of the police department. Ms. Contreras gave an update on the Forward Franklin Alliance. They had their second annual wellness expo, a walking bus event, which promotes walking to school that was well attended. Ms. Contreras commented Forward Franklin Alliance needs approval of the Council for a modification to the logo that was previously approved so that printing of the flags can be done, also they need the circumference size of the poles in which the flags will be placed so that the hardware can be ordered.

Mr. Skellenger made a motion to approve the new updated high-resolution Borough logo, seconded by Mr. Soules. All were in favor.

Ms. Contreras also commented on the need to move forward with completing the installation of the fitness stations. Ms. Contreras stated American Legion received funding to renovate their second floor bathrooms and please keep in mind Forward Franklin Alliance still has grant money available for anyone interested in applying.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich voiced her concerns about the Littell Center auction, can the towns bid on it. Ms. Bazelewich commented on placing the marble tables back in the gazebo by the pond and will the lawsuits the Borough is involved with be made public.

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There being no one else present who wished to address the Governing Body, Mr. Soules made a motion to close the meeting to the public, seconded by Mr. Postas. 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. Clean Communities Grant Distribution for FY2019.
2. Borough of Hamburg resolution 2019-45 proclaiming to local residents and businesses that the Borough will not collect new stormwater management or rain taxes.
3. Letter received June 7, 2019 from John J. Scheri, PE, Senior Vice President, Mott MacDonald LLC, in regards to Sussex County MUA Leachate Pump Station and Force Main Construction.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Permit Activity Report – May 2019
2. Construction report – May 2019
3. COH Report – May 2019
4. Municipal Court Report – May 2019

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of June 11, 2019.

Mr. Limon made a motion to approve the consent agenda of June 11, 2019. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Snyder commented on the status of the left turn lane on Route 23 (North) with NJDOT. Mr. Snyder also commented the Millie Harden Funds are able to be used for any recreational purposes and both interest and principal can be used at the discretion of the Council.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for May 28, 2019. (Absent: Limon, Postas, Soules) Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Skellenger, Snyder, Zydon

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

Garden State Fireworks Agreements

Mr. Soules made a motion to approve 2 Garden State Fireworks agreements with description of services for Fireworks for Franklin Day, June 22, 2019, and the Franklin Carnival, September 27, 2019 and September 28, 2019, from Garden State Fireworks conditioned upon receipt of funds from Braen Quarry. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

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Resolution #2019-57 Fireworks Display

Mr. Soules made a motion to adopt resolution 2019-57 authorizing fireworks display in the Borough of Franklin at the Franklin Pond recreation area. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Resolution #2019-58 Temporary Closure of County Rt. 631

Mr. Limon made a motion to adopt resolution 2019-58 authorizing the temporary closure of County Route 631 for fireworks displays on June 22, 2019, September 27, 2019 and September 28, 2019. Seconded by Mr. Soules.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Resolution #2019-59

Mr. Zydon made a motion to adopt resolution 2019-59 authorizing the Borough Clerk to renew the following liquor licenses for the 2019-2020 licensing term. Seconded by Mr. Skellenger.

Plenary Retail Consumption:

1906-32-013-008 Franklin 897 LLC. T/A Shop Rite Wines and Spirits

1906-33-009-012 Franklin Silver Ducat II LLC.

1906-33-008-007 Assembly Corp. T/A Black Bear Golf Course

1906-33-011-005 Kozs Korner

1906-33-014-006 Six Gee Corporation T/A Irish Cottage Inn

Plenary Retail Distribution

1906-44-003-010 Jersey Innovative Investments. T/A Wind Grand

1906-44-006-006 MINDIP LLC.

1906-44-007-007 WC Franklin LLC. T/A Wine Country Franklin

Club License

1906-31-017-001 Walkkill Golf Club

1906-31-015-001 Sgt. Francis M. Glynn Post 132 American Legion

Upon roll call vote:

Ayes: Postas, Skellenger, Soules, Zydon

Nays: None Absent: None Abstentions: Limon, Snyder

Adoption of Ordinance #08-2019

Mr. Skellenger made a motion to adopt ordinance 08-2019, entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 119 OF THE BOROUGH CODE ENTITLED "FEES". Mr. Skellenger amended his motion to add to ordinance 08-2019 the fees for veterans are free for the season upon providing proper identification. Seconded by Mr. Postas.

Prior to final roll call Mayor Giordano will open the meeting to the public for any comments regarding Ordinance 08-2019.

Mr. Skellenger made a motion to open to the public ordinance 08-2019. Seconded by Mr. Soules. All were in favor.

No one from the public stepped forward.

Mr. Soules made a motion to close to the public ordinance 08-2019. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

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Nays: None Absent: None Abstentions: None

Introduction of Ordinance #09-2019

Mr. Limon made a motion to introduce ordinance 09-2019, entitled "ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$45,300 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH". Seconded by Mr. Postas.

Public hearing will be held June 25, 2019.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Introduction of Ordinance #10-2019

Mr. Postas made a motion to introduce ordinance 10-2019, entitled "ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW EQUIPMENT BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$48,500 THEREFOR FROM THE WATER/SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH". Seconded by Mr. Skellenger

Public hearing will be held June 25, 2019.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Mayor Giordano explained ordinances 09-2019 and 10-2019.

Introduction of Ordinance #11-2019

Mr. Postas made a motion to introduce ordinance 11-2019, entitled "ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND PURPOSES TO BE UNDERTAKEN BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING \$57,827.91 THEREFOR, CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE BOROUGH HERETOFORE ISSUED". Seconded by Mr. Soules.

Public hearing will be held June 25, 2019.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: None

Introduction of Ordinance #12-2019

Mr. Snyder made a motion to introduce ordinance 12-2019, entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 86, ANIMALS.

Public hearing will be held June 25, 2019.

Mr. Postas commented there is a need to amend the motion within section 86-10.

Mr. Snyder amended his motion to remove from ordinance 12-2019 the 50 feet restriction from any building used either as a dwelling or for business in section 86-10, B, C, D and E. Seconded by Mr. Postas

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: 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.

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Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented on the Special Olympics run that took place Friday, June 7, 2019, former Police Chief McInerney was recognized with a plaque for running 35 years in that event. Mr. Durina also commented on the retirement of Cindy Space and Chief McInerney receiving plaques from the Borough. Mr. Durina stated June 6, 2019 was the 75th anniversary of "D" Day. Mr. Durina also stated he was saddened to see that flags were not out on Main Street for Memorial Day or "D" Day.

Administrator McHose announced the American Legion will be having a flag retirement ceremony on Flag Day, Friday June 14, 2019 at 7:00PM, the Boy Scouts, Cub Scouts and the Franklin Fire Department participate, it is a very moving ceremony to watch. If anyone has tattered flags, they can bring them to the American Legion.

Mayor Giordano informed the public we will not be returning to open public session, Mayor and Council will adjourn directly from executive session.

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

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Soules made a motion to adjourn into closed executive session to discuss JCM litigation matters. Motion seconded by Mr. Zydon. All were in favor.

ADJOURNMENT

At 8:45PM, the Mayor and Council adjourned into executive session and did not return into open public session.

Nicholas Giordano, Mayor

Darlene J. Tremont, Municipal Clerk