

**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 25, 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. Snyder, Mr. Soules, Mr. Zydon and Mayor Giordano.

Absent: Mr. Skellenger

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 stepped forward. Ms. Krouse announced TJ's Pizza as June 2019 Business of the Month. Ms. Krouse commented on the many amazing things they (TJ's Pizza) does for the community; fundraisers, giving back, supporting other local businesses and discounts to school groups. TJ's Pizza's motto on their Facebook page is to "impact their community".

Mayor Giordano commented on all the support TJ's Pizza has given to many issues.

TJ's manager thanked everyone, stating Franklin comes together when families are in need or something needs to be improved in town, it is a great town to be a part of and hopes to continue to be a part of for many more years to come.

### **COMMITTEE REPORTS**

Mr. Limon commented Recreation had a meeting on Thursday, most of it had to do with the organization of Franklin Day. The Recreation Committee worked very hard on Franklin Day and the fireworks went well. A total of 82 badges for the pond have been sold so far this year, on Franklin Day an average of 50 people were enjoying the beach and swimming. Mr. Limon also commented Movie Night has been such a big hit more dates will be added.

Mayor Giordano thanked the Police Chief for volunteering to enter the dunk tank on Franklin Day.

Mr. Postas thanked the Recreation Committee for both Movie Night and Franklin Day. Mr. Postas commented the Personnel Committee met last week, we are looking into hiring seasonal help, DPW is down a few men, therefore we will be hiring a full-time employee towards the end of the summer. Personnel has received a first draft of the employee handbook; some revisions will need to be made. One such item is adding the implementation of SOP (standard operation procedures) that would help to limit liability to the Borough.

Mr. Snyder commented on the cost estimate for the handicap equipment for the playground, geese deterrent will be getting applied to the grass surrounding the pond this week and tree trimming will be done in the next few weeks. Mr. Snyder also commented the bid openings for resurfacing of Buckwheat Road and Washington Ave./School Plaza took place Thursday, June 20, 2019. Mr. Snyder invited Mr. Tom Knutelsky, Borough Engineer to step forward to provide more information.

Mr. Tom Knutelsky, Borough Engineer stepped forward. Mr. Knutelsky commented 7 bids were received and opened for the repaving of Buckwheat Road and Washington Ave./School Plaza, American Asphalt and Milling Services was the low bidder at a cost of \$467,412.81 which was \$70,000 less than our estimate, their references were checked and they had solid recommendations. Mr. Knutelsky

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requested direction from the Council on which roads to apply for through the 2020 NJDOT Local Aid Grant. Mr. Knutelsky explained how the grants help offset a lot of the paving that is done in the Borough every year. Mr. Knutelsky stated the roads included in our 10-year capital plan is Scott Road, Taylor Road and Evans Road. Mr. Knutelsky recommended Scott Road as number 1 and Evans Road as number 2 adding NJDOT would look very favorably at those roads.

Mr. Postas questioned the compacting and settling of Buckwheat Road when the gas line is installed.

Mr. Knutelsky explained how the compacting is done and the material used. Mr. Knutelsky commented he, Mr. VanDenBroek and the roadway supervisor will be overseeing the work as it's done to confirm all compacting is done correctly. Mr. Knutelsky also explained effects to High Street resulting from a road opening permit received by Elizabethtown Gas.

Mayor Giordano informed the Council of purchases for traffic monitoring devices the Borough is hoping to make through our capital purchases tonight. Mayor Giordano asked Mr. Knutelsky with the help of the police department and DPW to start to gather traffic flow data to create what will need to be done in the short and long term future.

Mayor Giordano requested confirmation of the Council to start gathering the traffic data information. The Council agreed.

Mr. Knutelsky requested confirmation from the Council to proceed to apply for the 2020 NJDOT Local Aid Grant for the paving of Scott Road as number 1 and Evans Street as number 2. The Council unanimously agreed.

A discussion continued on the paving of various streets within the Borough.

Administrator McHose informed the Mayor and Council she and Mr. Knutelsky will be driving through the town with a calibrated light meter to assess the street lights to afford the best type and best location of them.

Mayor Giordano commented Main Street lighting is the priority.

Mr. Soules commented there was a Public Works meeting on June 20, 2019, the DPW has repaired catch basins and the pipes under Buckwheat Road and School Plaza so paving can begin and discussed a multi-year vehicle replacement plan.

Mr. Zydon commented EDC has been discussing the status of a marketing brochure, status of highlighting Franklin businesses, a potential business moving into the old Staples building and doing surveys of owners of local current businesses. Mr. Zydon also commented there was an Ordinance Committee meeting, currently we are reviewing the language in Chapter 270, Water, or maybe consolidating it into another ordinance.

Mr. Ursin had nothing to report.

Administrator McHose commented on the status of NJDOT items, it was suggested to her to combine all requests into a letter and work through the 24<sup>th</sup> Legislative District. Administrator McHose also commented she would like to drive around town with the EDC chair to see where to place the banners being donated by the Forward Franklin Alliance. Administrator McHose informed the Council she is working on code enforcement issues relating to properties in need of attention. The first round of interviews for the zoning officer position has started, there will be second round interviews to follow. Administrator McHose explained the pond water testing and how the conformance results affect the opening and closures of the pond. DPW has cut the grass (around the pond) in preparation of the goose deterrent application. The pond will be re-opened tomorrow (June 26, 2019) from 12 (noon) to 6:00PM. Lastly, Administrator McHose explained reducing the size of the swim area of the beach reduces the number of required lifeguards needed, it's all about the staffing.

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Mayor Giordano commented the fireworks at Franklin Day were great as always. Mayor Giordano also commented the budget for the State of New Jersey may not pass causes the state government to shut down in some areas, the Borough however will be open. On June 28, 2019 it will be the 50<sup>th</sup> anniversary of the Stonewall riots, many people don't know what that is, it was a very significant event in the United States history. It marked the start of the civil rights movement for the LGBT movement. Mayor Giordano explained the historic events that took place at the Stonewall Inn on June 28, 1969 and how it affected him and his family personally.

Mayor Giordano proclaimed "Franklin is a place that welcomes everyone" requesting the Council to "voice their affirmation that Franklin is a place that welcomes all and there is no place for hate here".

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

Mayor Giordano thanked the Council for their support.

### OPEN PUBLIC SESSION

Mr. Soules 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.

Susan Gunderman, 22 Jenkins Road, Franklin stepped forward. Ms. Gunderman commented on property maintenance issues in Franklin, some have grass 2-3 feet high, the roads in her area are not being maintained and are terrible, Edsall Road is washing out and moving into Maple, patching isn't working. Catch basins on Corkhill Road have barriers placed on top of them but nothing is being done to them.

Mayor Giordano commented on the Franklin Borough property ordinance.

Administrator McHose explained the steps that must be followed relating to the property ordinance; DPW mowing lawns and then filing a lien on the property.

Mr. Ursin commented that procedure should be used as a last resort when there is something that really impacts health safety and welfare, there are other ways of enforcement.

Ms. Gunderman also commented on sick wild life roaming in our neighborhoods.

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. 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. Borough of Ogdensburg resolution 47-2019 supporting "Franklinite" as the official mineral of the State of New Jersey.
2. Township of Vernon resolution 19-133 requesting the resignation of Kerry Pflugh, Michael Hastry and Commissioner Catherine R. McCabe from the New Jersey Department of Environmental Protection.

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

1. County Board of Health Report – May 2019
2. Police Department Report - May 2019

### APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

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

1. Payment of bills for the meeting of June 25, 2019.

Mr. Soules made a motion to approve the consent agenda of June 25, 2019. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

**OLD BUSINESS**

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

**NEW BUSINESS**

Resolution 2019-64

Mr. Soules made motion to adopt resolution 2019-64 awarding contract for proposed resurfacing of various streets (Buckwheat Road & Washington Ave./School Plaza) to American Asphalt & Milling Services, LLC, 96 Midland Avenue, Kearny in the amount of \$467,412.81. (Thomas Knutelsky letter of recommendation dated June 20, 2019, included in the Council packets.) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: Snyder

Adoption of Ordinance #12-2019

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

**Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 12-2019.**

Mr. Soules made a motion to open to the public ordinance 12-2019. Seconded by Mr. Zydon. All were in favor.

Keri Marino, 45 Mabie Street, Franklin stepped forward. Ms. Marino read a statement thanking the Ordinance Committee, town attorney and the Council for taking the time to investigate and to create the animal ordinance up for adoption this evening. Ms. Marino commented she supports this ordinance as presented.

Susan Gunderman, 22 Jenkins Road, Franklin stepped forward. Ms. Gunderman commented on a few issues with the animal ordinance regarding any limitation for licensing newly acquired dogs and cats.

Mr. Ursin commented he encourages the Council if they so choose to create ordinances and legislate to solve problems.

Ms. Gunderman also commented on acreage limits for various types of animals, restrictions, accessory structure requirements, nuisance issues and animal control enforcement and costs associated with that service.

Mr. Postas made a motion to close to the public ordinance 12-2019. Seconded by Mr. Soules. All were in favor.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

Approval of Meeting Minutes

Mr. Limon made a motion to approve the regular meeting minutes and executive session meeting minutes for June 11, 2019. (Absent: None) Seconded by Mr. Postas.

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Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

**Discussion on Ogdensburg Resolution #47-2019**

At this time there was a discussion on Ogdensburg resolution 47-2019 supporting "Franklinite" as the official mineral of the State of New Jersey.

Mayor Giordano commented we (Franklin Borough) has a vested interest in seeing this happen. Mayor Giordano requested the Clerk to send via email a copy of our resolution (2018-87) previously passed to all surrounding municipalities and legislative offices asking for support.

**Resolution #2019-61**

Mr. Limon made a motion to adopt resolution 2019-61 authorizing the issuance of not exceeding \$2,193,099 Bond Anticipation Notes of the Borough of Franklin, in the County of Sussex, New Jersey. Seconded by Mr. Soules.

Mr. Ursin explained bond anticipation notes, stating "it is existing debt that rolls over and is renewed".

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

**Resolution #2019-62**

Mr. Limon made a motion to adopt resolution 2019-62 authorizing fireworks display in the Borough of Franklin on September 27, 2019 and September 28, 2019 at the Franklin Pond Recreation Area. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

**Resolution #2019-63**

Mr. Zydon made a motion to adopt resolution 2019-63 authorizing the Borough Clerk to renew the following liquor license for the 2019-2020 licensing term. Seconded by Mr. Postas.

**Plenary Retail Consumption:**

1906-33-004-006 Sullivan's Inn

1906-33-005-008 Franklin Silver Ducat II LLC

1906-33-010-008 Franklin Grill & Tavern LLC

Upon roll call vote:

Ayes: Postas, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: Limon, Snyder

**Adoption of Ordinance #09-2019**

Mr. Zydon made a motion to adopt 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. Limon.

**Prior to final roll call Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 09-2019.**

Mr. Soules made a motion to open to the public ordinance 09-2019. Seconded by Mr. Postas. All were in favor.

No one from the public stepped forward.

Mr. Soules made a motion to close to the public ordinance 09-2019. Seconded by Mr. Postas. All were in favor.

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Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

### Adoption of Ordinance #10-2019

Mr. Zydon made a motion to adopt 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. Snyder.

**Prior to final roll call Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 10-2019.**

Mr. Zydon made a motion to open to the public ordinance 10-2019. Seconded by Mr. Soules. All were in favor.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented on ordinance 10-2019 and 11-2019, these are for two new pickup trucks and asked if we (the Borough) are getting rid of old vehicles.

Mr. Postas made a motion to close to the public ordinance 10-2019. Seconded by Mr. Soules. All were in favor.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

### Adoption of Ordinance #11-2019

Mr. Zydon made a motion to adopt 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 \$57,837.91 THEREFOR, CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE BOROUGH HERETOFORE ISSUED". Seconded by Mr. Soules.

**Prior to final roll call Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 11-2019.**

Mr. Zydon made a motion to open to the public ordinance 11-2019. Seconded by Mr. Postas. All were in favor.

No one from the public stepped forward.

Mr. Soules made a motion to close to the public ordinance 11-2019. Seconded by Mr. Postas. All were in favor.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

### DPW Laborer Promotion

Mr. Snyder made a motion to promote Jesse Bogart, DPW laborer to DPW foreman at the rate of an additional \$2.00/hr. effective July 1, 2019, as recommended by Brian VanDenBroek, Administrator McHose and the Personnel Committee. Seconded by Mr. Postas.

Mayor Giordano commented Jesse (Bogart) has displayed a lot of leadership skills and this (promotion) is well deserved.

Mr. Zydon commented Brian (VanDenBroek) runs a very tight ship and Jesse (Bogart) follows many of his examples.

Mr. Postas commented this will help us (the Borough) follow a chain of command not only in our police department but the DPW as well. Jesse has been well trained by

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his supervisors to help him be able to run the department in future years to come. Mr. Postas informed everyone this was already added into the budget at the beginning of the year in anticipation that this promotion might happen.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

### Introduction to Ordinance #13-2019

Mr. Snyder made a motion to introduce ordinance 13-2019, entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 161 LAND DEVELOPMENT". Seconded by Mr. Soules.

### **Public Hearing will be held July 16, 2019.**

Mr. Ursin explained ordinance 13-2019.

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: Skellenger Abstentions: None

Mayor Giordano explained how ordinance 13-2019 will help the escrow process structure within the office related to paying professional invoices and potential appeals from developers.

### Discussion on Grace's Pantry/Franklin Food Pantry

At this time there was a discussion on Grace's Pantry/Franklin Food Pantry. (Letter from Rev. Stephen Vogt, Pastor for Prince of Peace asking for help included in Council packets.)

Administrator McHose explained the correspondence received from Prince of Peace. Administrator McHose commented they (Prince of Peace) are the lead agency with Grace's Food Pantry located at the Senior Center and are asking to have an exploratory meeting to discuss options for looking for other space. She and Mr. Postas will contact the minister to get more details.

Mayor Giordano commented he would hate to see them leave.

Administrator McHose commented on board of health regulations with the kitchen at the Senior Center that must be adhered to because they are a Sussex County Nutrition Site. Administrator McHose explained improvements and options she is trying to implement and will provide more information at the next council meeting.

A discussion continued on Grace's Pantry/Franklin Food Pantry.

### **EXECUTIVE SESSION**

There was no executive session.

### **OPEN PUBLIC SESSION II**

Mr. Limon made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Soules. All were in favor.

Anthony Patire, Zinctown Properties stepped forward. Mr. Patire informed the Council Zinctown Properties has retained EcoSciences to do environmental studies in an attempt to get his property (on Main Street) back into the sewer service area.

Rachel Heath, 7 Hemlock Drive, Franklin stepped forward. Ms. Heath apologized for her outburst regarding the food pantry improvements. Ms. Heath commented on zoning permit requirements for chicken coupes.

Cheryl Krouse, 160 Munsonhurst Road, Franklin stepped forward. Ms. Krouse thanked the Mayor and Council for the proclamation that took place at the beginning

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of the meeting, many will appreciate it. Ms. Krouse commented we (Franklin Borough) needs the food pantry and maybe even expand what we do have.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich commented on the liquor licenses that were renewed.

Mayor Giordano explained the types, locations and business names associated with the renewed liquor licenses listed on resolution 2019-63.

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. Zydon. All were in favor.

### MISCELLANEOUS COMMENTS

Mr. Limon commented on the proclamation support legality passed this evening.

Mr. Zydon read an essay by Thomas Pane, a pamphleteer, entitled "Common Sense" published on January 10, 1776. Mr. Zydon commented in recognition of Independence Day that is next week he encourages everyone to read the "Declaration of Independence".

Administrator McHose thanked Emily Bazelewich and Sally McGrath for volunteering their time to be beach attendants on Sunday, (June 23, 2019).

Mr. Limon commented on the possible State Government shut down and the effect it would have on us (Franklin Borough).

Mayor Giordano commented it shouldn't affect us, other than State Aide being delayed, residents might be affected because some State Government agencies may close such as New Jersey Division of Motor Vehicle, parks will remain open.

Mayor Giordano asked the Council if they would approve a request from Congressman Josh Gottheimer's office to hold a satellite meeting here at Borough Hall on July 16, 2019 prior to our Mayor & Council meeting from 6:00pm – 7:00pm and on July 30, 2019, from 6:00pm-7:00pm.

The Council authorized Congressman Josh Gottheimer's office to hold their satellite meeting on July 16, 2019 at 6:00pm – 7:00pm and since there is no Mayor and Council meeting on July 30, 2019, they can hold their satellite meeting anytime during regular Borough office hours.

Mr. Snyder commented on the status of the left turn lane from Route 23 onto Taylor Road.

Administrator McHose commented she is drafting a letter to NJDOT including in it all three issues, the left turn lane, South Rutherford and North Rutherford. Administrator McHose also commented she is requesting adding audible crossing at the intersection of McDonald's and Walgreens and getting information on no turn on red during certain hours signs there as well.

Mayor Giordano commented he wants to have information for the auction of old equipment on the next meeting.

### ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:35p.m., seconded by Mr. Soules. All were in favor.

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Nicholas Giordano, Mayor

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Darlene J. Tremont, Municipal Clerk