

**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
JULY 16, 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. Zydou 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

Cheryl Krouse, EDC Chair and Patti Carnes, EDC Vice Chair stepped forward. Ms. Carnes congratulated and announced the Business for the Month for July 2019, is SB One Bank, they are the ideal partner to do business with in our town. They have sponsored many activities in the community, such as the air balloon at our carnival last year, the walking school bus, microchipping for our pets and our fluorescent 5K run coming up in August this year.

Keri Marino, SB One Bank stepped forward and thanked everyone.

Mayor Giordano congratulated Keri Marino from SB One Bank and gave a brief history on the bank.

COMMITTEE REPORTS

Mr. Limon commented he did not attend the Recreation Committee meeting. Mr. Limon requested Concetto Formica, Recreation Committee Co-chair who is in the public tonight to come up during public session to give a report on the meeting.

Mr. Postas commented there was a Personnel Committee meeting last week but wasn't able to attend, there is a hiring for zoning officer on the agenda this evening as a result of that meeting.

Mr. Snyder had nothing to report other than there will be a Buildings and Grounds Committee meeting next week.

Mr. Soules had nothing to report.

Mr. Skellenger commented on a trip he took to Warwick this past Sunday with a group of concerned citizens that included our Mayor, John Postas and the chair and vice-chair of every committee. We met with their Mayor, Economic Development group and Historical Society representative. It was a great learning experience. Mr. Skellenger requested in the future to have monthly Borough meetings with those who went to keep communication open between us all. Specifically, the chair and vice-chair of planning, recreation, EDC, Mayor Giordano and John Postas.

Mr. Zydou had nothing to report.

Administrator McHose thanked the Personnel Committee for their work on updating the Employee Handbook that is on the agenda tonight for approval. Administrator McHose commented she had the honor of attending a funeral on Friday at Arlington National Cemetery, for Brigadier General Jim Shelton who grew up on Fowler Street, both he and his wife Joan were interred at a mass there. Administrator McHose stated it was a proud day for Franklin.

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Mr. Ursin had nothing to report, other than to request an executive session for litigation.

Mayor Giordano stated the meeting with the representatives from Warwick was very productive we learned it takes a lot of hard work, coordination and communication. Mayor Giordano commented their model is something that could work in relation to Franklin with the idea of reviving Main Street using a working group. Mayor Giordano also commented he agrees with Mr. Skellenger on creating a group to work on that, we can possibly call it the "Main Street Working Group". Mayor Giordano congratulated the Franklin Fire Department for coming in first place (best overall department) in Port Jervis. Mayor Giordano recommended to everyone to visit the Franklin Police Department Facebook page and applauded the Chief (Greg Cugliari) and the department for the outstanding job of becoming more community oriented in such a short amount of time. Mayor Giordano informed everyone of a situation he was alerted to regarding the State of New Jersey not allowing ballot questions from being placed on ballots for this general election coming up in November. Mayor Giordano read a resolution he is adding to tonight's agenda in support of the Sussex County Board of Chosen Freeholder position on the suppression of certain ballot questions by the State of New Jersey on election ballots.

Mr. Limon requested additional information prior to putting the resolution to a vote.

Mayor Giordano explained this resolution isn't about the content of the question being suppressed, but the act of suppression as a whole. Ballot questions are a way of seeking public opinion and this keeps that from happening.

Mr. Soules commented he supports the resolution and the rights of Municipalities and Counties to place questions on ballots without direction from the State.

Mr. Soules made a motion to adopt resolution 2019-71 supporting the County of Sussex Board of Chosen Freeholders and expresses its displeasure that the State of New Jersey has interfered with local government by preventing a vote on an issue of public interest and consequence. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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.

Cheryl Krouse, 160 Munsonhurst Road, Franklin stepped forward. Ms. Krouse thanked the Franklin Police Department, Franklin Fire Department and the First Aid Squad for their quick response to an incident at her house this past weekend. Ms. Krouse requested on behalf of CKO, May's Business of the Month, to have the Mayor and Council prepare a proclamation supporting September as Muscular Dystrophy Awareness Month. CKO is sponsoring a fundraiser to support Muscular Dystrophy on Friday, July 22, 2019, 5:30PM to 7:30PM, additional information is available at CKO's website.

Mayor Giordano requested a roll call vote to prepare a proclamation proclaiming September as Muscular Dystrophy Awareness Month.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Patti Carnes, 289 Rutherford Ave., Franklin stepped forward. Ms. Carnes commented on the status of the LED lights for Main Street.

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Administrator McHose commented JCP&L has contacted us and we are ready for the next step, determining the locations with regard to light disturbance.

Robert Winter, Food Pantry Trustee, Prince of Peace Lutheran Church, Hardyston stepped forward. Mr. Winter commented they would like to clear up some confusion regarding the food pantry in Franklin. They don't want to take it out of Franklin, they are only asking for help to either expand or revise the current space, additional storage area and better accessibility for the people we are trying to help, lastly having a liaison from the Council would be very helpful. Mr. Winter made a request for the use of the Franklin Police Department Humvee for a fundraiser they are planning.

Mayor Giordano requested they send in a written request that can be forwarded to the Franklin Police Department.

A discussion continued on the Franklin Food Pantry space.

Concetto Formica, 157 Maple Road, Franklin Recreation Committee Co-Chair stepped forward. Mr. Formica commented at the Recreation Committee meeting they discussed finalizing the Fluorescent 5K run and the fall festival.

Tamara Contreras, 121 South Rutherford Avenue, Franklin stepped forward. Ms. Contreras commented on the status of the playground equipment and replying to Forward Franklin. Ms. Contreras also commented if there is any information on the community garden that she can respond with to residents who ask, nothing really seems to be happening with it.

Mr. Snyder commented he was hoping the (YMCA) stations would have been further along than they are, explaining the difficulties with selecting the locations for the stations.

Administrator McHose commented definitive information on the community garden isn't available at this time. The County has decided to do something different than originally expressed to us (the Borough). Administrator McHose explained some garden options that were discussed at the last Forward Franklin Steering Committee meeting.

Mr. Postas commented he thought the Borough received authorization from the County to use space at the Senior Housing for the gardens.

A discussion continued on the community garden.

Mr. Limon questioned the cost of excavating the playground area to accommodate the new equipment.

Ms. Contreras concluded by stating the Miners Arts and Crafts Camp is awesome, every day the tables are always filled and thanked the Recreation Committee.

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. Resolution from Sussex County Board of Chosen Freeholders in regards to the submittal of a Sussex County Wastewater management plan amendment, entitled appendix G: septic system management plan, to the New Jersey Department of Environmental Protection for preliminary approval.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Report – June 2019

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2. Monthly Program Report for Littell Community Center – Year to date 2019
3. Monthly Program Report for Littell Community Center – June 2019
4. Construction Permit Activity Report – June 2019
5. COH Report – June 2019
6. Construction Report – June 2019

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of July 16, 2019.

Mr. Postas made a motion to approve the consent agenda of July 16, 2019.
Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Zydon commented on an ordinance that was revised recently which removed vending machine licensing. Mr. Zydon questioned refunding vendors who already paid the (licensing) fees for this year; if they haven't been refunded, they should be.

Mayor Giordano explained the licensing cycle and how the refund process would work.

Mr. Snyder commented on the status of the letter to NJDOT on Route 23 and Taylor Road. Mr. Snyder also commented on adding to our request to NJDOT regarding other left-hand turn issues with crossing over double yellow lines along Route 23.

Administrator McHose commented Senator Oroho's office is helping her with the best way to draft the letter and voiced her concerns with bringing these additional issues to NJDOT at this time.

Mr. Postas commented if any information has been received with regard to the reopening of Rutherford Avenue.

Administrator McHose commented she has no additional information except that the decision making process for that has been moved to the commissioner's level.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Limon made a motion to approve the regular meeting minutes for June 25, 2019.
Seconded by Mr. Postas. (Absent: Skellenger)

Upon roll call vote:

Ayes: Limon, Postas, Snyder, Soules, Zydon

Nays: None Absent: None Abstentions: Skellenger

Mayoral Appointment

Mayor Giordano made the following appointment.

Patti Carnes as member of Recreation Committee effective immediately. (term expires 12/31/2020)

Mr. Skellenger made a motion to accept the appointment made by Mayor Giordano.
Seconded by Mr. Postas. All were in favor.

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Recreation Committee Request

Mr. Limon made a motion to approve a request from the Recreation Committee to spend \$2500.00 donated by the SB One Bank for the fluorescent 5K run to purchase T-shirts, medals and misc. items for the event. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Application for a Social Affairs Permits

Mr. Postas made a motion to approve the applications for a social affair permit submitted by the American Legion Post #132, premises for the social affair permit is 1 Sgt. Francis M. Glynn Road, Franklin on August 18, 2019 and September 29, 2019, and authorize the clerk to endorse the application. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Postas, Skellenger, Soules, Zydon

Nays: None Absent: None Abstentions: Limon, Snyder

Application for Extension of Premises Permit

Mr. Soules made a motion to approve the application for an extension of premises permit submitted by Franklin Grill & Tavern, LLC, premises for extension of premises permit is 27 State Highway Route 23, Franklin, on August 24, 2019 and authorize the clerk to endorse the application. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Employee Handbook Updates

Mr. Soules made a motion to adopt the updated Employee Handbook. Seconded by Mr. Postas.

Mr. Ursin explained the updated employee handbook.

Mr. Zydon commented will all employees be required to receive the handbook.

Mr. Ursin explained all Borough employees will be required to receive the handbook; the process is for all employees to sign the signature page to acknowledge they have received a copy. If an employee chooses not to sign the acknowledgement page it would then become a disciplinary issue.

Mayor Giordano commented there are some employees that have bargaining units.

Mr. Ursin explained the employee handbook as it relates to employee bargaining unit agreements and employment in general.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2019-65

Mr. Soules made a motion to adopt resolution 2019-65 approving the submittal of grant application and authorizing the Mayor and Municipal Clerk to submit the electronic grant application identified as MA-2020-Scott Road Resurfacing-00367 to NJDOT on behalf of Franklin Borough. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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Resolution 2019-66

Mr. Snyder made a motion to adopt resolution 2019-66 approving the submittal of grant application and authorizing the Mayor and Municipal Clerk to submit the electronic grant application identified as MA-2020-Evans Street Resurfacing-00373 to NJDOT on behalf of Franklin Borough. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2019-67

Mr. Snyder made a motion to adopt resolution 2019-67 authorizing the tax collector to release a tax lien and that the Mayor and Clerk endorse the original certificate for the property located at 323 Rutherford Ave, also known as Block 607 Lot 46. Seconded by Mr. Soules.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2019-68

Mr. Snyder made a motion to adopt resolution 2019-68 authorizing the tax collector to release a tax lien and that the Mayor and Clerk endorse the original certificate for the property located at 323 Rutherford Ave, also known as Block 607 Lot 32. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2019-69

Mr. Snyder made a motion to adopt resolution 2019-69 authorizing sale of surplus property owned by the Borough of Franklin through Municibid.com pursuant to State approved contract. Seconded by Mr. Limon.

Mayor Giordano explained resolution 2019-69.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance #13-2019

Mr. Snyder made a motion to adopt 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.

Mr. Skellenger made a motion to open to the public ordinance 13-2019. Seconded by Mr. Postas. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented this ordinance is not business friendly explaining why he doesn't support it.

Mr. Skellenger made a motion to close to the public ordinance 13-2019. Seconded by Mr. Soules. All were in favor.

Mayor Giordano explained the reasons for ordinance 13-2019.

Mr. Skellenger commented on how ordinance 13-2019 aided in moving the escrow process more smoothly during the last Planning Board meeting.

Upon roll call vote:

Ayes: Skellenger, Snyder, Soules, Zydon

Nays: Postas, Limon Absent: None Abstentions: None

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Discussion on Zoning Officer Hire

Mr. Skellenger made a motion to approve hiring Debra Card for the Zoning Officer position at a rate of \$27/hr. for 8 hours per week, effective August 1, 2019 as recommended by Mayor Giordano, Administrator McHose and the Personnel Committee. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger

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

ADDENDUM:

Resolution #2019-70

Mr. Zydon made a motion to adopt resolution 2019-70 memorializing the police department vehicles fleet maintenance and replacement plan. Seconded by Mr. Limon.

Mr. Zydon explained resolution 2019-70.

Upon roll call vote:

Ayes: Limon, Postas, Skellenger, Soules, Zydon

Nays: None Absent: None Abstentions: Snyder

OPEN PUBLIC SESSION II

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

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina questioned if Debra Card is a Franklin resident and if any of the other (zoning officer) applicants were Franklin residents. Mr. Durina commented on ordinance (05-2018) that created a Franklin resident hiring preference.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka commented how generous SB One Bank was to donate \$2500 for the 5K run along with other donations they have made in the past. Ms. Tatka questioned what is an extension of premises permit. Ms. Tatka also commented on that starting salaries for new employees seem high, why regular cars are located with the old Borough vehicles at the Borough garage, concrete dumped on Borough property, tax lien releases and employee training reimbursements to the Borough.

Rachel Heath, 7 Hemlock Drive, Franklin, 2016 Sussex County Senior of the Year and a member and secretary of the Franklin Board of Health stepped forward. Ms. Heath commented on the vending machine licenses revenue and the cost of refunding fees already received. Ms. Heath explained her concerns about inspections of food type vending machines that will no longer take place. Ms. Heath stated the Borough has cut services to save money and now we are losing revenue by removing these fees.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich requested if the DPW could make some repairs to the walking path by the gazebo towards the bridge, there are large ruts that make walking on it dangerous.

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

MISCELLANEOUS COMMENTS

Mr. Snyder commented on the scheduling of resurfacing of smaller roads that are in poor condition in Franklin Borough; Paddock Road and Newton Road. The costs are increasing, it is very important not to forget these roads.

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Mr. Soules commented on the status of hiring new employees for the DPW department.

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 litigation matters. Motion seconded by Mr. Zydon. All were in favor.

ADJOURNMENT

At 8:30PM, the Mayor and Council adjourned into executive session and did not return into open public session.

Nicholas Giordano, Mayor

Darlene J. Tremont, Municipal Clerk