

**MINUTES OF THE RESCHEDULED MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
SEPTEMBER 30, 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."

PRESENTATIONS

There were no presentations for tonight's meeting.

COMMITTEE REPORTS

Mr. Limon commented there was a Recreation Committee meeting the Thursday before the last scheduled Mayor and Council meeting that focused mainly on the Carnival.

Mr. Postas had nothing to report.

Mr. Snyder had nothing to report.

Mr. Soules had nothing to report, but thanked the BPW for the great job they did over the summer even though they were short staffed.

Mr. Skellenger commented the Real Estate Committee met, we will be gathering more information and will meet again in the near future.

Mr. Zydon had nothing to report.

Administrator McHose commented on the 2019 pond costs, expenditures for salaries were \$8417, badge sales brought in revenues of \$2930, bringing our remaining pond balance for next year to \$19,512.

Mr. Zydon commented the total expenditures for the pond including materials and salaries were \$12,477.04, the revenues were as Alison said \$2930 which gives us a loss of \$9547 for the season.

Mr. Ursin had nothing to report.

Mayor Giordano had nothing to report.

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. Skellenger. All were in favor.

Joanne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka asked the following questions; is JCM getting the wells as part of one of the JCM lawsuit settlements. Is the town going to consider getting fiber optics when the cable contract ends. How many employees take Borough vehicles home. Does the Borough's insurance coverage cover their family members if they are in the vehicle if an accident happens. Ms. Tatka commented on discrimination towards her during

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the last Mayor and Council meeting. Ms. Tatka also commented on the date of the hearing for Jeff Smith.

Mayor Giordano commented the wells are deeded to the Borough they were never part of the settlement.

Mr. Zydon commented the Borough will need to look into the insurance coverage for vehicles that are being brought home.

Mr. Skellenger confirmed the Jeff Smith hearing is scheduled for October 2, 2019 at 10:00AM.

Judy Williams, 279 Wildcat Road, Franklin, Franklin Historical Society, stepped forward. Ms. Williams updated the Council on the Scarecrow Contest, there are approximately 90 participants registered already. Ms. Williams requested if the Council would be agreeable to allow residents who live in rental buildings that aren't able to use the outside space of the rental property to use the pond area and or 94 Main Street, the Hungarian Church property to place their scarecrows there for the contest.

The Council unanimously agreed to allow the use of the pond property and or the Hungarian Church property for placement of scarecrows for the scarecrow contest.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented the residents on Auché Drive are very happy to have the BPW working on trying to increase the water pressure there. Mr. Durina requested the Council to remove item 6 (removal of Planning Board member) off the agenda, it doesn't seem appropriate.

Mr. Ursin explained the reason it is on the agenda, the specific rules in statutes and regulations pertaining to the removal of a planning board member. The Planning Board requested the Council to address this issue. There is no flexibility, or the ability to grant an extension, the Council doesn't have any discretion on this.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented on the pond update, sometimes it takes a few years to build up something new and supports giving the pond more time.

Patti Carnes, 289 Rutherford Ave., Franklin stepped forward. Ms. Carnes commented if there is an update on the installation of lights on Main Street.

There being no one else present who wished to address the Governing Body, Mr. Zydon made a motion to close the meeting to the public, seconded by Mr. Soules. 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. Letter from Aimee Zschack, Franklin Borough BOH President to Carolyn Ryder dated September 10, 2019, re: resignation of Carolyn Ryder, BOH member.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

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

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 24, 2019.

Mr. Soules made a motion to approve the consent agenda of September 30, 2019. Seconded by Mr. Zydon.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mayor Giordano commented the Council will need to look into whether or not the value of keeping the pond open is worth more than the expenses of the pond. Mayor Giordano stated he hopes the Council keeps the pond open in the future.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for September 10, 2019. (Absent: Limon, Soules) Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Postas, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: Limon, Soules

Mr. Skellenger made a motion to approve the executive session meeting minutes for September 10, 2019. (Absent: Limon, Soules) Mr. Snyder did not attend executive session and left the building at 8:15PM. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Postas, Skellenger, Zydon

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

Resolution #2019-84

Mr. Skellenger made a motion to adopt resolution #2019-84 authorizing the Water and Sewer Collector to remove the overbilling of \$573.85 for the property located at 140-142 Main St., also known as Block 607, Lot 5. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance #15-2019

Mr. Skellenger made a motion to adopt ordinance #15-2019 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SECTION 56-1, EMPLOYMENT PRACTICES". Seconded by Mr. Postas.

Mr. Soules made a motion to open to the public ordinance 15-2019. Seconded by Mr. Zydon. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented he supports giving hiring preference to veterans and Franklin residents first.

Mr. Zydon made a motion to close to the public ordinance 15-2019. Seconded by Mr. Soules. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Bench donation request letter

Mr. Limon made a motion to approve a request from Charles F. Collver to donate a bench to Franklin Borough in memory of his daughter Devon Lee Collver Carbery. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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Discussion and Approval of the Garbage Bid Specs

Mr. Ursin commented the committee prepared the garbage bid specs, it was decided that a 3-year term was appropriate because of the recycling market uncertainty, the balance of the specs is basically the same as the services the Borough is already receiving. We have kept the specs simple to aid in getting multiple bids to get a competitive price.

Mr. Limon made a motion to accept the garbage bid specs as presented. Seconded by Mr. Skellenger. All were in favor.

Discussion on removal of Planning Board member

Mr. Ursin this comes from a written referral from the Planning Board to the Council to take action. Mr. Ursin explained the statute that appoints planning board members requires them to take a required class within 18 months, if they don't it is specifically stated in the statute the person should be removed from the planning board. Unfortunately, there is no provision for an extension or discretion or even flexibility with respect to the time frame to take the required class. It is very important to have a properly constituted planning board especially with some of the applications and matters that are before the planning board. Mr. Ursin recommended to the Council to consider taking this action.

Mr. Snyder commented was the planning board member able to produce the certificate showing evidence of completion of the required class.

Administrator McHose commented the Borough has worked hard to help to register this member for the required class on numerous occasions for longer than the required 18-month time frame. The required class is a one-day class at one location for approximately 4 or 5 hours.

Mayor Giordano commented he would prefer not to remove this member, but if this is the law, we must follow the law.

Mr. Postas commented the Borough doesn't need another added liability.

Administrator McHose commented he (Ted Bayles) hasn't complied with the law and chose not to resign causing the situation we are at now.

Mr. Zydon made a motion to remove him (Ted Bayles) from the (Franklin) Planning Board. Seconded by Mr. Soules.

Upon roll call vote:

Ayes: Postas, Skellenger, Snyder, Soules, Zydon

Nays: Limon Absent: None Abstentions: None

Discussion on grant writing services

Mr. Skellenger commented he and Alison has met with three different grant writing service companies that were all good. Triad, unlike the other two companies, doesn't require a yearly retainer, they offer us to see what we can budget for in terms of grant writing services up to a not to exceed number. They have processed many grants, historical, infrastructure, water, economic development and have been very successful with USDA grants as well. They are willing to come in to meet with everyone, to learn about what our community needs to help us to succeed. The finance committee has found some money that can be used for this.

Mr. Skellenger made a motion to approve not to exceed \$10,000 for grant writing services with Triad Associates as per the recommended changes by Mr. Ursin. Seconded by Mr. Soules.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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EXECUTIVE SESSION

There was no executive session.

OPEN PUBLIC SESSION II

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.

Dick Durina, 23 Lozaw Road, Franklin stepped forward. Mr. Durina commented he doesn't support the procedure to have someone removed to be done in public.

Emily Bazelewich, 1 Mill Street, Franklin stepped forward. Ms. Bazelewich commented she doesn't support the renaming of the Franklin Police Department building. Ms. Bazelewich also doesn't support letting the pond go, it would be a big mistake.

Mr. Skellenger commented as a way to honor all past police chiefs, maybe we could get a plaque with their names to place on the outside wall of the police department.

Mr. Limon commented on how the Fire Department handles honoring their chiefs and members.

Mr. Zydon commented on setting standards for renaming streets and buildings through an ordinance.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented on the missing window on the Hungarian Church.

Judy Williams, 279 Wildcat Road, Franklin, representing the Franklin Historical Society stepped forward. Ms. Williams offered to help with replacing or repairing the window on the Hungarian Church

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.

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 7:50p.m., seconded by Mr. Skellenger. All were in favor.

Nicholas Giordano, Mayor

Darlene J. Tremont, Municipal Clerk