

**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
SEPTEMBER 8, 2020**

This meeting is being held through a virtual meeting platform called ZOOM. The public has been notified and instructed on how to join the meeting and participate during the public session.

Mayor Sowden 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. Formica, Mr. Limon, Mr. Skellenger, Mr. Snyder, Mr. Zydor and Mayor Sowden.

Absent: Mr. Postas

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden 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 5, 2020, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

There were no presentations this evening.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Snyder had nothing to report.

Mr. Formica had nothing to report.

Mr. Zydor had nothing to report.

Mr. Skellenger thanked the Recreation Committee again for planning the 9/11 Remembrance Ceremony this Friday at the pond, it begins at 7:00PM.

Mr. Ursin had nothing to report.

Administrator Bonanno had nothing to report.

Clerk Tremont had nothing to report.

Mayor Sowden asked if anyone on the Council had any questions on the Historic Commission Report that was sent to them this afternoon. Mayor Sowden confirmed that the Council understood the direction we are attempting to go in. Mayor Sowden reported we are communicating with the County Board of Elections on placing a Ballot Box in the front of the Municipal Building that will provide a place for voters to drop their election ballots for the November election.

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. Formica. All were in favor.

Debbie Bonanno, Administrator directed anyone who wished to address the Governing Body to use either the "raise your hand" or dial *9 option to join.

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

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CONSENT AGENDA

Mayor Sowden requested that all persons present review the consent agenda and offer any comments they may have at this time regarding the consent agenda.

Mr. Formica requested resolution 2020-69 be removed from the consent agenda and voted on separately.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated July 31, 2020 from Diane Scaccetti, DOT Commissioner, regarding transportation alternatives set-aside program request for applications.
2. County of Sussex Resolution opposing the exclusive use of mail-in ballots for the general election in November, 2020.
3. Letter dated July 31, 2020 from Sandra Myers, District Manager Upper Delaware Conservation District, advising of the merger of the Warren and Sussex County Soil Conservation District.
4. Letter dated August 26, 2020 from the Township of Andover to Governor Phil Murphy in regards to re-opening of restaurants.
5. Township of Frankford resolution 2020-063 opposing the exclusive use of mail-in ballots for the general election in November, 2020.
6. Township of Fredon resolution 2020-57 opposing the exclusive use of mail-in ballots for the general election in November, 2020.
7. Stillwater Township resolution 2020-112 opposing the exclusive use of mail-in ballots for the general election in November, 2020.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. County Board of Health Report – July 2020
2. Construction Permit Activity Report – August 2020
3. COH Report – August 2020
4. Construction Report – August 2020

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for a Catering Permit
Approval of the application for a catering permit submitted by the In Thyme Food Service, LLC, premises for the catering permit is 137 Buckwheat Road, Franklin on October 3, 2020, and authorize the clerk to endorse the application.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2020-65
Approval to adopt resolution 2020-65 authorizing electronic tax sale for 2019 and prior year delinquencies.
2. Resolution 2020-69 (This item was removed from the consent agenda)
Approval to adopt resolution 2020-69 confirming the Mayoral appointment of crossing guards for the remainder of year 2020.
3. Payment of bills for the meeting of September 8, 2020.

Mr. Skellenger made a motion to approve the consent agenda of September 8, 2020 with the removal of resolution 2020-69. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Resolution 2020-69

Mr. Skellenger made a motion to adopt resolution 2020-69 confirming the Mayoral appointment of crossing guards for the remainder of year 2020. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: Formica

OLD BUSINESS

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

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NEW BUSINESS

Approval of Meeting Minutes

Mr. Snyder made a motion to approve the regular meeting minutes for August 18, 2020. (Absent: Limon)

Upon roll call vote:

Ayes: Formica, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: Limon

Zoning Officer request

Mr. Zydon made a motion to authorize the Zoning Officer to exempt/waive the sign fee for the town wide garage sale sponsored by the Girl Scouts. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Adoption of Ordinance #08-2020

Mr. Skellenger made a motion to adopt ordinance 08-2020 entitled "A CAPITAL ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AUTHORIZE THE PURCHASE OF EQUIPMENT FOR THE FRANKLIN BOROUGH FIRE DEPARTMENT FROM THE CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$13,500". Seconded by Mr. Formica.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 08-2020.

Mr. Skellenger made a motion to open to the public ordinance 08-2020. Seconded by Mr. Snyder. All were in favor.

No one from the public raised their hand.

Mr. Zydon made a motion to close to the public ordinance 08-2020. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Formica, Skellenger, Zydon

Nays: None Absent: Postas Abstentions: Limon, Snyder

Adoption of Ordinance #09-2020

Mr. Formica made a motion to adopt ordinance 09-2020 entitled "A CAPITAL ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AUTHORIZE THE APPROPRIATION OF CAPITAL FOR THE REHABILITATION OF THE MCCANN STREET SEWER LINE". Seconded by Mr. Limon.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 09-2020.

Mr. Skellenger made a motion to open to the public ordinance 09-2020. Seconded by Mr. Formica. All were in favor.

No one from the public raised their hand.

Mr. Zydon made a motion to close to the public ordinance 09-2020. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

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Introduction of Ordinance #10-2020

Mr. Formica made a motion to introduce ordinance 10-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN AUTHORIZING THE CONVEYANCE OF MUNICIPAL PROPERTY LOCATED AT 25 SUSQUEHANNA STREET, BLOCK 803, LOT 4 TO SUSSEX COUNTY HABITAT FOR HUMANITY FOR THE PURPOSE OF CONSTRUCTING AFFORDABLE HOUSING PURSUANT TO N.J.S.A. 40A: 12-21(L)". Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Public Hearing will be held on September 22, 2020.

Introduction of Ordinance #11-2020

Mr. Skellenger made a motion to introduce ordinance 11-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 161-32 REGARDING RECREATIONAL EQUIPMENT STORAGE". Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Public Hearing will be held on September 22, 2020.

Resolution #2020-66

Mr. Snyder made a motion to adopt resolution 2020-66 awarding contract for proposed rehabilitation of the McCann Street sewer line to Messercola Excavating, 549 East 3rd Street, Plainfield, NJ 07060 in the amount of \$49,770.00 (Thomas Knutelsky letter of recommendation dated August 13, 2020, included in the Council packets.) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder

Nays: Zydon Absent: Postas Abstentions: None

Resolution #2020-67

Mr. Limon made a motion to adopt resolution 2020-67 authorizing a refund in the amount of \$38,047.23 to CenturyLink/United Tel of NJ due to a reduction in assessed value. Seconded by Mr. Skellenger.

Mr. Zydon asked which property was valued to zero for the telephone company.

Mr. Ursin explained this is an assessment for CenturyLink equipment which is utility infrastructure, it is not for real property of any buildings. The CenturyLink property [utility infrastructure] was valued by the County Tax Board last year as exempt that went into effect at the end of the year and was effective for January 1, 2020. CenturyLink paid their taxes in advance that caused an overpayment. Refunding this money doesn't affect the tax base or money paid to the County or Schools.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Resolution #2020-68

Mr. Skellenger made a motion to adopt resolution 2020-68 requesting approval of item of revenue and appropriation NJSA 40A:4-87 for a grant award for Mitchell Avenue repaving from the New Jersey Department of Transportation Municipal Aid Program in the amount of \$148,500. Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

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Resolution #2020-70

Mr. Skellenger made a motion to adopt resolution 2020-70 regarding outdoor polling places for the November 2020 election. Seconded by Mr. Zydon.

Mr. Skellenger commented this idea came to him while he was out dining outside. If we can eat outside why not vote outside. Mr. Skellenger provided options for outdoor polling locations, such as the pavilion at the pond for the Senior Center polling location and the American Legion has an outside pavilion that can be used as well. Mr. Skellenger also commented we should be giving voters additional options other than mail-in ballots for voting.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Mr. Skellenger requested to have this resolution sent to other Sussex County Municipalities.

EXECUTIVE SESSION

There was no executive session for this meeting.

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. Formica. All were in favor.

Debbie Bonanno, Administrator directed anyone who wished to address the Governing Body to use either the "raise your hand" or dial *9 option to join.

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

MISCELLANEOUS COMMENTS

Mr. Snyder asked if there is a date for the paving of Paddock Rd., Newton St. and Susquehanna St. Residents were questioning why potholes are being patched on some of those roads if they are being paved.

Mayor Sowden commented patching the potholes could be providing some relief until they're paved. Paving is still on schedule for September/October and will contact Mr. Knutelsky on a more specific starting date.

Mr. Zydon commented on why he voted no on resolution 2020-66. He has concerns with the bid being so low and the possible need for additional funds for unexpected expenses that may come up during the project.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 7:37p.m., seconded by Mr. Limon. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk