

**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
FEBRUARY 14, 2023**

This meeting is being held in person adhering to the CDC guidelines and through a virtual meeting platform called ZOOM. The public who attended through ZOOM 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, Mrs. Heath, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: None

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 6, 2023, 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 had nothing to report.

Mr. Postas commented that there is a water source meeting tomorrow [Wednesday].

Mr. Snyder commented that there are items on the agenda from our personnel committee meeting and we need to schedule a finance meeting.

Mr. Formica commented that the third Welcome to Franklin sign has been installed.

Mr. Skellenger commented that the public safety committee will be meeting on February 20, 2023 to interview the police candidates.

Mrs. Heath commented that the Recreation Committee is looking to do a 5k race and the theme for the Spring Fling, which is scheduled for April 22, 2023, is Roaring 20's. There is a concert in the park scheduled for July 1, 2023 and they will be using the Glen Roberts Band and possibly food trucks. We discussed the possibility of an Easter Egg Hunt and the Recreation approved an application for the Wallkill Valley Lacrosse to use the football field. Mrs. Heath asked about advertising for the lifeguards and assistants.

Mr. Snyder feels that the pond should not open this year.

Mr. Postas commented that he thought it was already decided to advertise for the positions.

Mrs. Tremont commented that there were some issues that came up. What positions are we going to advertise for, what will the pay rate be, water testing and having the personnel available to handle the day to day operations.

It was the consensus of the Governing Body to place the ads for the aquatic's director, lifeguards and beach attendants.

Mrs. Tremont commented that she reached out to the County regarding the Engine braking signs and the procedure is that she will be in touch with the police department as they need to make a recommendation as to where the signs would be placed. Then a County application would need to be filled out and sent to them.

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When the County receives the application, they will go out and inspect where the signs will be placed and send back an approval. Once that is complete, we can have the signs placed. The CFO has been in contact with our auditor and she has received the Annual Financial Statement. She and I will review the budget together and we will set up a finance meeting to go over and finalize the budget.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

OPEN PUBLIC SESSION

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.

Mrs. Joanne Tatka, 151 Maple Road, Franklin stepped forward. Mrs. Tatka questioned the position of the Planner, what types of shared services were being discussed with Ogdensburg, if the road department still had the cherry picker, if a shared service was looked into with the Sheriff's office for 911 dispatching service, what the recycling grant money is used for, where the new well would be drilled and the salary resolutions that are on the agenda.

Mr. Eric Maynard, 24 Maple Road, Franklin stepped forward. Mr. Maynard discussed the 5k event and commented that the DPW and Police department are in support of the event.

Ms. Patti Carnes, 289 Rutherford Avenue, Franklin stepped forward. Ms. Carnes complimented the DPW on their response to her recent issues.

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

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.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Township of Hardyston resolution #13-23 opposing the cuts in state school aid to the Hardyston Township School District and other Sussex County School Districts.
2. NJDEP 2020 final recycling tonnage grant payout for Sussex County Municipalities.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report – January 2, 2023 – January 6, 2023
2. DPW Report – January 9, 2023 – January 13, 2023
3. DPW Report – January 16, 2023 – January 20, 2023
4. Police Department Report – December 2022
5. Construction Permit Activity Report – January 2023
6. Permit List – January 2023
7. COH Report – January 2023
8. Zoning Office Report – December 2022 – January 2023
9. Board of Health Report – January 2023

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2023-37 to approve a 2022 budget transfer in the amount of \$11,081.00.
2. Payment of bills for the meeting of February 14, 2023.

Mr. Limon made a motion to approve the consent agenda of February 14, 2023. Seconded by Mr. Postas.

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Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Ursin commented that you previously appointed a temporary CFO and the State of NJ communicated that they do not like the title of temporary CFO; that title is used for someone who is not yet certified. The State has asked that a resolution be passed to designate the Temporary CFO as the CFO until further notice.

Mrs. Heath made a motion to change the title from Temporary CFO to CFO until further notice. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

NEW BUSINESS

Approval of the Minutes

Mr. Limon made a motion to approve the regular meeting minutes for January 24, 2023. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Agreement for Certified Recycling Professional

Mr. Skellenger made a motion to approve the agreement between the Borough of Franklin and SCMUA to retain the services of SCMUA for a Certified Recycling Professional that will be responsible for executing the mandatory annual 2022 municipal recycling tonnage report in the amount of \$300.00 annually. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Postas

Resolution #2023-25

Mrs. Heath made a motion to adopt resolution 2023-25 Property tax refund due to a tax overpayment for the property located at Block 1004 Lot 30 in the amount of \$1,231.57. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-26

Mr. Snyder made a motion to adopt resolution 2023-26 amending the responsibilities and compensation for the Borough Clerk in the amount of \$25,000.00 effective February 1, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-27

Mr. Snyder made a motion to adopt resolution 2023-27 amending the responsibilities and compensation for the Deputy Clerk/Deputy Registrar in the amount of \$12,500.00 effective February 1, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

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Resolution #2023-28

Mr. Formica made a motion to adopt resolution 2023-28 amending the responsibilities and compensation for Corry Chrobak in the amount of \$17,268.27 effective February 1, 2023. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-29

Mr. Postas made a motion to adopt resolution 2023-29 supporting designating "Franklinite" as the Official Mineral of the State of New Jersey. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-30

Mr. Skellenger made a motion to adopt resolution 2023-30 approving the Franklin Fire Department 2023 Coin Toss Fundraisers on February 25th and 26th, April 15th and 16th, July 15th and 16th and November 18th and 19th. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Resolution #2023-31

Mr. Postas made a motion to adopt resolution 2023-31 to approve accepting project complete for the proposed resurfacing of Maple Road as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-32

Mr. Postas made a motion to adopt resolution 2023-32 to approve accepting project complete for the proposed line painting of Maple Road as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-33

Mr. Skellenger made a motion to adopt resolution 2023-33 to approve accepting project complete for the proposed resurfacing of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton) as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-34

Mr. Skellenger made a motion to adopt resolution 2023-24 to approve accepting project complete for the proposed line painting of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton) as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

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Resolution #2023-35

Mr. Limon made a motion to adopt resolution 2023-35 to approve authorizing the Borough's Certified Recycling Professional to submit the 2022 recycling tonnage grant application to NJ Department of Environmental Protection. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-36

Mrs. Heath made a motion to adopt resolution 2023-36 to approve authorizing a disabled Veteran tax exemption for the premises located at 147 Maple Rd, Block 2101, Lot 16 and cancel taxes in the amount of \$4,448.25. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Formica

Adoption of Ordinance 01-2023

Mr. Snyder made a motion to adopt Ordinance 01-2023 entitled "BOROUGH OF FRANKLIN SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14). 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 01-2023. Mr. Postas made a motion to open to the public Ordinance 01-2023, seconded by Mr. Skellenger. All were in favor.

There being no one present or on Zoom who wished to address the governing body, Mr. Postas made a motion to close to the public Ordinance 01-2023. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Introduction of Ordinance 02-2023

Mr. Limon made a motion to introduce Ordinance 02-2023 entitled "CAPITAL ORDINANCE PROVIDING FOR WATER SYSTEM IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$494,140.25 THEREFOR FROM GRANT PROCEEDS RECEIVED PURSUANT TO THE FEDERAL AMERICAN RESCUE PLAN TO PAY FOR A PORTION OF THE COST THEREOF". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing for Ordinance 02-2023 will be held on February 28, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Approval of DPW Salary Step Increase

Mr. Formica made a motion to approve the salary step increase for Andrew Burd to grade step 8 \$26.87/hr., as per the DPW contract, effective February 16, 2023 as recommended by Brian VanDenBroek, DPW Director and the Personnel Committee. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Postas

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Mayoral Appointments

Mayor Sowden made the following appointments:

Crossing Guard Status Changes

Permanent Crossing Guard to Substitute Crossing Guard:

Lisa Conte

Substitute Crossing Guard to Permanent Crossing Guard:

Heather Fasolo

Jaymie Babcock

Charles Hughes

All to remain at the current rate of \$15.02 effective February 16, 2023 as recommended by Rebecca Babcock, Crossing Guard Captain.

Mr. Limon made a motion to accept the Mayoral appointments of the Crossing Status changes. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

EZ Dock Quote

Mr. Formica made a motion to approve EZ Dock quote #11272 in the amount of \$14,804.00. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Application for a Social Affair Permit

Mr. Skellenger made a motion to approve the application for a social affair permit submitted by the Franklin Fire Department, premises for the social affair permit is Franklin Fire House, 137 Buckwheat Road, Franklin on March 4, 2023. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Recreation Committee Request

Mrs. Heath made a motion to endorse a request from the Franklin Borough Recreation Committee to organize a 5km road race through the Borough of Franklin (date TBT) and authorize the Recreation Chair to endorse the Sussex County Parade and Gathering application. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Discussion on Water Tank Bids

Mr. Ursin explained the lowest bid and reason for the request to withdraw that bid.

There was a discussion regarding the drawing for the water tank. It was suggested that we reach out to Mr. Vreeland for the drawing you want and to make sure he confirms that it's the same price and bring it back to the next meeting.

Discussion on 35 Fowler Street Auction

Mr. Ursin explained that the buyer of the property could not secure the money to purchase the property. He recommends that the council pass a motion which would void the previous approval of the previous bid, retain the deposit that has been paid and to reach out to the second bidder to see if they are willing to abide by the terms of the auction, you could award the bid to the second highest bidder.

Mr. Skellenger made a motion to void the previous award of the winner of the auction, retain the deposit and authorize the administration and Mr. Ursin to

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approach the second highest bidder in an attempt to get them to sign a contract and move forward. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Uhl & Associates, Inc. Proposal

Mr. Postas made a motion to approve the proposal from Uhl & Associates, Inc. for Professional Hydrogeologic Consulting Services for a study to evaluate groundwater development feasibility and potential production well sites on a "Borough-Wide Basis" not to exceed \$18,000.00. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Snyder commented that he was approached by a resident to change the intersection of Main Street and Junction Street to a 4-way stop.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:01p.m., seconded by Mr. Skellenger.

All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk