

**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  
APRIL 9, 2024**

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 7, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."

**PRESENTATIONS**

Mr. Rich Rebisz, JCP&L Regional External Affairs-NJ, JCP&L's Infrastructure Improvement Plan ("EnergizeNJ"). Mr. Rebisz introduced the company providing information of service. Mr. Rebisz explained the plan and that some circuits were pulled out of the plan but none of them effect Franklin Borough. Mr. Rebisz commented that Franklin Borough residents are serviced by five circuits and two substations. The investments that are being made are being made on the substations and circuits. Mr. Rebisz commented that he will be looking for council support of the EnergizeNJ. Mr. Rebisz commented that there are three components of the plan which are gride modernization, system resiliency and substation modernization. Mobile substations will be added to the fleet and these substations will be used it something happens to the substations in town. This plan has been provided to the BPU for review. Mr. Rebisz asked the council to provide a resolution of support for this plan.

**COMMITTEE REPORTS**

Mrs. Heath commented that the Spring Fling is on April 20<sup>th</sup>. The Easter Egg hunt was successful and thanked recreation and boy scouts. The pop-up market will start on the 2<sup>nd</sup> Monday of each month at 4pm. The fishing contest is being organized. Franklinite will be on June 29<sup>th</sup> and there will be fireworks. Recreation is planning a baseball game on September 28<sup>th</sup>, Yankees vs. Pittsburgh.

Mr. Skellenger had nothing to report.

Mr. Formica commented that there was a public safety meeting and discussed new hires.

Mr. Limon commented that on the agenda there are several action items one of which is regarding a fence. Mr. Limon also commented he met with the Mayor, Concetto, Mike Vreeland and Brian VanDenBroek in regard to the water source. There are items being addressed at the pond in regard to lighting and circulating pump for the fountain. They are also looking to install a new cable system and net for the foul balls. The water will be turned on April 18<sup>th</sup> for the concession stand.

Mr. Postas had nothing to report.

Mr. Snyder had nothing to report.

Mrs. Tremont commented that we had a "First Amendment Audit" training on April 5<sup>th</sup> which was the same day as the earthquakes. Brian and John Rome did inspections on the pump houses after the earthquake. At the last meeting we adopted a resolution to hire two DPW workers, one of those took another job. The trees at Paddock Park will be coming down tomorrow.

Mr. Ursin had nothing to report.

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Mayor Sowden commented about the roof on the Hungarian Church. Mayor Sowden stated that he would like to declare the Hungarian Church historical.

### **OPEN PUBLIC SESSION**

Mrs. Heath 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.

Mr. Carl Platvoet stepped forward. Mr. Platvoet complained about the old Littell Building and the construction that is being done. Mr. Platvoet commented that there are trucks running at 5am and starting work at 7am on Saturday. Mr. Platvoet stated that the police were called to report the noise to have it on record and one of the police officers commented that he just started a truck and it's a commercial lot. Mr. Platvoet commented that it is not a commercial lot; it is zoned as B2 – Main Street mixed use. He has spoke to the zoning office.

Ms. Dawne Rowe stepped forward. Ms. Rowe commented on the noise from vehicles with backfires. Ms. Rowe asked if there is an ordinance that can be referred to and ticket issued. If there is not one, can one be drafted.

There being no one else present who wished to address the Governing Body, Mr. Snyder 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. Preliminary Equalization Table for the County of Sussex for the year 2024.
2. Letter of resignation dated March 25, 2024, from John E. Rome Sr. to Franklin Borough Administrator, Mayor and Town Council Re: retirement effective July 31, 2024.
3. Letter dated April 1, 2024, from Robin Bruscano, Re; Resignation as BOH Member
4. Letter dated March 27, 2024, from Jeff Parrott, Sussex County Clerk to Franklin Borough Council Members Re: Squatters.

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

1. DPW Report – March 4, 2024 – March 8, 2024
2. Zoning Office Report – January – March 2024

### **APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. None filed.

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

1. Payment of bills for the meeting of April 9, 2024.

Mr. Formica commented on John Rome's resignation letter. Mr. Rome has been an employee of Franklin Borough for 36 years and 9 months.

Mr. Snyder commented that Mr. Rome is a good employee.

Mr. Formica made a motion to approve the consent agenda of April 9, 2024. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### **OLD BUSINESS**

Mr. Snyder asked for an update for Rowett's garage.

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Mr. Postas commented that he understands that the owner of the old Littell Building has a substantial fine levied against him. Mr. Postas asked if we are making the people pay the fines.

Mrs. Tremont commented that the owner has a certain time frame to comply and if the owner doesn't comply then that's when the fines will need to be paid.

Mr. Postas commented that there is a property at 48 Davis Road that is an eye sore to the community.

Mr. Limon thanked the administrator and Michelle for fielding a lot of the calls that come in regarding the various issues.

Mr. Snyder commented on the 4-way stop sign at the intersection of Main Street and Junction Street. How can the stop sign be on the opposite side of the road where the vehicles are supposed to stop. Stop ahead signs should be posted North and South and paint stop with a stop bar on the road.

**NEW BUSINESS**

Approval of the Minutes

Mr. Postas made a motion to approve the regular meeting minutes for March 26, 2024. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-37

Mr. Snyder made a motion to adopt resolution 2024-37 to accept the project as complete for proposed resurfacing of various roads (Taylor/Kane/Premock/Hillside/Brick Row/Mountain View). (Tabled from March 26, 2024 meeting) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-38

Mr. Limon made a motion to adopt resolution 2024-38 to accept the project as complete for proposed installation of guiderail on Taylor Road and South Rutherford Avenue. (Tabled from March 26, 2024 meeting) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-39

Mr. Limon made a motion to adopt resolution 2024-39 to accept the project as complete for proposed line painting of Premock Road. (Tabled from March 26, 2024 meeting) seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2024-46

Mr. Formica made a motion to adopt resolution 2024-46 to authorize TSS Facility Services, Inc. to provide street sweeping in the amount of \$7,540.00. 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 #2024-47

Mrs. Heath made a motion to adopt resolution 2024-47 authorizing to join the County of Sussex in applying for a LEAP Implementation Grant. Seconded by Mr. Skellenger.

Mrs. Heath thanked Mrs. Tremont for gathering the facts and figures together for this.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance 05-2024

Mrs. Heath made a motion to adopt ordinance 05-2024 entitled "AN ORDINANCE AMENDING CHAPTER 161 "LAND DEVELOPMENT" ARTICLE IX STORMWATER AND FLOODING CONTROLS OF THE BOROUGH OF FRANKLIN CODE." Seconded by Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for Ordinance 05-2024. Mr. Skellenger made a motion to open the meeting to public for Ordinance 05-2024. Seconded by Mr. Postas. All were in favor.

There being no one present who wished to address the governing body, Mr. Postas made a motion to close the meeting to the public for Ordinance 05-2024. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction of Ordinance 06-2024

Mr. Skellenger made a motion to introduce ordinance 06-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4, GENERAL FEES." Seconded by Mr. Postas.

Mayor Sowden announced that the public hearing will be held April 23, 2024.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approve Garden State Fireworks Agreement

Mrs. Heath made a motion to approve the agreement with Garden State Fireworks for Fireworks Display for Franklin Day, to be held on June 29, 2024, in the amount of \$13,200.00. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mr. Skellenger made a motion to approve the application for membership of Timothy R. Gould, 3282 Route 94, Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

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Franklin Fire Department Business Line of Credit Letter of Support request.

Mr. Postas made a motion to support the request of the Franklin Fire Department for a business line of credit. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Mayoral Appointment

Mayor Sowden made the following appointment.

**Board of Health**

Mary Bauberger Member (4-yr. unexpired term) expires 12/31/2024

Mr. Postas made a motion to confirm the mayor's appointment. Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on Police Department Conditional Offer

Mr. Formica commented that if during the interview process, if one candidate really stands out can a conditional offer letter be sent to that candidate.

Mr. Ursin commented that if a conditional offer is given to a candidate and the council does not agree with that candidate and withdraws the offer it could be a problem.

Discussion on FFD Fireman's Park fencing repair

Mayor Sowden commented that he believes there was a misunderstanding regarding to fence that runs parallel to High Street on the Firemen's Park side.

Mr. Limon commented that there was an orange cautioned fence there and something knocked it down. Mr. Limon commented that he just wants the fence hung back up.

Mr. Formica commented that firemen's park, the pond, the playground, little league fields, softball fields, football fields, Paddock Park and Memorial Park are all Borough property and fall under buildings and grounds. That should be made clear to the DPW that the places mentioned are all Borough owned and fall under buildings and grounds.

Mr. Ursin commented that the council has made its position very clear, summarized by Councilman Formica. The administrator can take it from there. Something like this does not require council approval. This should come up to the level of the administrator and the administrator should make the call. Something small like this should not show up on your agenda.

**ADDENDUM**

Resolution #2024-48

Mrs. Heath made a motion to adopt resolution 2024-48 authorizing fireworks display in the Borough of Franklin on June 29, 2024 at the Franklin Pond Recreation area. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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Resolution #2024-49

Mrs. Heath made a motion to adopt resolution 2024-49 regarding the temporary closure of Franklin Avenue, County Road 631 on June 29, 2024. Seconded by Mr. Postas.

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**

There were no miscellaneous comments.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 8:14p.m., seconded by Mr. Formica.

All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk