

**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  
MAY 10, 2022**

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 (arrived at 7:15pm), 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, 2022, 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 that there were no meetings but was filled in on buildings and grounds and ordinances.

Mr. Postas had nothing to report.

Mr. Snyder commented that the ordinances that we have discussed prior are still being worked on. There will be an ordinance committee meeting next Tuesday at 6pm.

Mr. Formica commented that personnel met and those items will be discussed on the agenda tonight.

Mrs. Heath commented that she attended the Walkkill Valley Coalition meeting. The Franklin library will be hosting a first look at first responders on Saturday between 11am and 12pm, in attendance will be the Franklin Fire Department and Police department and the Walkkill Valley First Aid Squad and the Forest Fire service. Mrs. Heath also commented she attended the Recreation Committee meeting and they are still working out the details for Franklin Nite.

Mrs. Tremont commented that JCP&L will be doing their tree trimming program around town, spoke to Robert McBriar about moving the school board election and the process, attended a poll worker training seminar and the AOC was here on Monday and reviewed the court office in regards to the shared service.

Mr. Bernath commented that he met with the personnel committee and the PBA and the proposed contract was sent to the attorney's for review and there is a meeting this Friday with the Teamsters. The candidates have been narrowed down for the part time finance position and a final decision will be made on Friday.

Mr. Ursin commented that there was a meeting with Ascend regarding their water needs and possibly drilling a test well. There was a meeting with the Franklin School regarding the selling of the property in front of the school.

**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. Postas. All were in favor.

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Ms. Sarah Zydon, 346 Rutherford Avenue, Franklin stepped forward. Ms. Zydon thanked the Borough for placing the notice for train show on the sign.

Ms. Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented that May is mental health awareness month and asked if the council was going to do anything to recognize it. Commented on the Ascend drilling and the issues with the aquifer. Requested that the town consider flying the pride flag next month.

There being no one else present or on Zoom who wished to address the Governing Body, Mr. Postas made a motion to close the meeting to the public, seconded by Mr. Skellenger. 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. Final equalization table for the County of Sussex for the year 2022.
2. Resolution from the Township of Stillwater in support of amending title 35 of the New Jersey revised statutes to permit the publication of legal notices by Government entities on official government websites instead of in newspapers.
3. Resolution from Township of Stillwater urging the swift passage of S-330/A3804, which shall restore the energy tax receipts to municipalities.
4. Resolution from the Township of Stillwater opposing a proposal by the New Jersey and Pennsylvania chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve until a formal plan is presented for public review.
5. Resolution from Sussex Borough in support of amending title 35 of the New Jersey revised statutes to permit the publication of legal notices by Government entities on official government websites instead of in newspapers.
6. Resolution from Sussex Borough opposing a proposal by the New Jersey and Pennsylvania chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve until a formal plan is presented for public review.
7. Resolution from the Township of Montague in support of amending title 35 of the New Jersey revised statutes to permit the publication of legal notices by Government entities on official government websites instead of in newspapers.
8. Resolution from the Township of Fredon approving a memorandum of understanding between the Township and Planet Networks, Inc for coronavirus state and local fiscal recovery funds.
9. Resolution from the Township of Fredon in support of amending title 35 of the New Jersey revised statutes to permit the publication of legal notices by Government entities on official government websites instead of in newspapers.
10. Resolution from the Township of Fredon opposing a proposal by the New Jersey and Pennsylvania chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve until a formal plan is presented for public review.
11. Resolution from the Township of Hampton urging the swift passage of S-330/A3804, which shall restore the energy tax receipts to municipalities.
12. Resolution from Sandyston Township urging the swift passage of S-330/A3804, which shall restore the energy tax receipts to municipalities.
13. Resolution from Sandyston Township in support of amending title 35 of the New Jersey revised statutes to permit the publication of legal notices by Government entities on official government websites instead of in newspapers.
14. Resolution from the Township of Hampton urging the swift passage of S-330/A3804, which shall restore the energy tax receipts to municipalities.
15. Resolution from Lafayette Township opposing a proposal by the New Jersey and Pennsylvania chapters of the Sierra Club to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve until a formal plan is presented for public review.
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**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report – April 18 – April 22, 2022
2. Construction Activity Report – April 2022
3. COH Report – April 2022

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

1. None filed.

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

1. Payment of bills for the meeting of May 10, 2022.

Mr. Limon made a motion to approve the consent agenda of May 10, 2022. Seconded by Mr. Formica.

Mr. Limon asked if the Borough could do a resolution supporting internet posting of legal notices.

Mr. Ursin explained the resolutions that Mr. Limon was referring to.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

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

**NEW BUSINESS**

Approval of the Minutes

Mr. Limon made a motion to approve the special meeting minutes for April 20, 2022 and the regular meeting minutes for April 26, 2022. (Absent: None) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance #05-2022

Mr. Snyder made a motion to adopt Ordinance 05-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADDING NEW SECTION 259-13 TO THE BOROUGH CODE ENTITLED "ENGINE BRAKING". Seconded by Mrs. Heath.

**Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 05-2022.**

Mr. Postas made a motion to open to the public Ordinance 05-2022. Seconded by Mr. Skellenger. All were in favor.

Mr. Stephan Zydon, 346 Rutherford Avenue, Franklin stepped forward. Mr. Zydon commented that he doesn't support this ordinance and explained his issues with the ordinance as presented.

Mr. Carl Platvoet, 53 Church Street, Franklin stepped forward. Mr. Platvoet explained the disruption of the trucks using their "jake brakes" and he supports this ordinance. Mr. Platvoet commented that it may not totally change but it could be a deterrent.

Ms. Sarah Zydon, 346 Rutherford Avenue, Franklin stepped forward. Ms. Zydon commented on quality of life, how "jake brakes" are a safety device and that she doesn't support this ordinance.

Ms. Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented on Mr. Zydon's passion for the need of "jake brakes". Ms. Rowe commented that we need to do what's right for our residents not just the truck drivers. It's an issue that affects many in town and she supports the ordinance.

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Mr. Postas made a motion to close to the public ordinance 05-2022, seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: Postas

**Adoption of Ordinance #06-2022**

Mr. Formica made a motion to adopt Ordinance 06-2022 entitled "A CAPITAL ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AUTHORIZE THE APPROPRIATION OF CAPITAL FUNDS FOR THE MOTOR & GEAR ASSEMBLY REPLACEMENT AT THE RT. 23 SOUTH AND MAPLE ROAD SEWER PUMPING STATIONS". 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 06-2022.**

Mr. Formica made a motion to open to the public ordinance 06-2022, seconded by Mrs. Heath. All were in favor.

There being no one from the public or on Zoom who wished to address the Governing Body, Mr. Postas made a motion to close to the public ordinance 06-2022. 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 #07-2022**

Mrs. Heath made a motion to introduce ordinance 07-2022 entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Mr. Formica.

Mr. Snyder asked why some positions were added to the ordinance.

Mr. Bernath commented that all positions should be listed on the ordinance so that it's on the record.

**Mayor Sowden announced that the public hearing will be held on May 24, 2022.**

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Introduction of Ordinance #08-2022**

Mr. Skellenger made a motion to introduce ordinance 08-2022 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. Postas.

**Mayor Sowden announced that the public hearing will be held on May 24, 2022.**

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**EXECUTIVE SESSION**

There was no executive session.

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**MISCELLANEOUS COMMENTS**

Mr. Formica commented that there are some pot holes in the parking lot of the fire department and due to the lease agreement, the DPW would need Council approval to patch the potholes.

The general consensus of the Council was to have DPW gather a cost to repair the potholes and be placed on the next agenda for approval.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 7:54p.m., seconded by Mr. Snyder. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk