

**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 14, 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. Skellenger, Mr. Snyder 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 7, 2024, 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

Mrs. Heath had nothing to report.

Mr. Skellenger commented that the real estate property list is being compiled.

Mr. Formica commented that the entrances and exits at Paddock Park and the gazebo area will be looked at for updates next year.

Mr. Limon commented that the ordinance subcommittee meeting was last week. There will be a personnel meeting scheduled for this Friday, May 17th. Yesterday we had a public works/buildings and grounds meeting. We are waiting for pricing on the pump for the pond. Next year we hope to complete the paving and sidewalks for Master, Warren and Green Streets. This year's paving schedule has been finalized. The netting at the baseball field that catches foul balls needs to be restrung. There are some lights that are out that need to be fixed with the use of a bucket truck. We also discussed SCMUA fees.

Mr. Snyder had nothing to report.

Mrs. Tremont commented that the flood damage prevention ordinance needs to be updated. The municipal parking lot will be closed on Wednesday, May 22, 2024 to allow for the survey work to be done that is needed to be able to pave the lot.

Mr. Ursin had nothing to report.

Mayor Sowden commented that the bid process for the roof and power washing of the Municipal Building needs to be started.

Mr. Ursin commented that the engineer needs to start the bid packet and the QPA can help in doing an RFP.

Mayor Sowden commented that JCP&L gave a proposal in the amount of \$16,178 on relocating the pole in front of Borough Hall. We are waiting for Brightspeed to give a price to relocate the phone lines. Planet Networks equipment relocation is no charge.

OPEN PUBLIC SESSION

Mr. Snyder 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. Ward Dunnican stepped forward. Mr. Dunnican commented on the school bus situation. Has any movement on a solution to getting an ordinance change to correct the problem.

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Mr. Snyder asked if a letter can be sent to Clark's Bus Co. to request the bus be moved on weekends.

Ms. Dawne Rowe stepped forward. Ms. Rowe commented on the car backfires at 4:30am on Munsonhurst Road, asking can something be done. Ms. Rowe requested that OPRA reform resolution be tabled and asked to have a 2nd public session at the end of meeting.

Mr. Carl Platvoet stepped forward. Mr. Platvoet commented that a white truck pulls in to the property next to him at 4:30am and lets the vehicle run. The police were called to address the issue and the police are not addressing the issue at hand of the idling vehicle.

Ms. Eve Soares stepped forward. Ms. Soares commented that she was surprised to hear that there is a possibility of a 500-unit development being constructed. Ms. Soares asked what the process is if this project moves forward. Mayor Sowden commented that a 200 foot list letter will be sent by the developer announcing the public hearing.

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. 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. County of Sussex resolution in support of NJ Assembly Bill A4102 which allows boards of county commissioners to remove commissioners who miss three consecutive meetings without an excused absence.
2. Final Equalization Table for the County of Sussex for the year 2024.
3. Hearing notice for variance requests for the Franklin Planning Board from RC Captoni LLC for property located at 384 Rutherford Avenue.
4. Township of Hampton Resolution requesting that First Energy rapidly increase internal funding for JCP&L to quickly rectify long delayed, yet necessary, modernization upgrades to its electrical distribution grid.
5. Franklin Band Spring Concert flyer.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Department Report – April 2024
2. Permit List – April 2024
3. COH Report – April 2024
4. Municipal Court Report – April 2024
5. DPW Report – April 1 – April 5
6. DPW Report – April 8 – April 12

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application to operate a Tattoo Parlor in the Borough of Franklin located at 418 Rte. 23N, trade name Moonlight Tattoo LLC.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 14, 2024.

Mr. Skellenger made a motion to approve the consent agenda of May 14, 2024 with the removal of PO #37997. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mrs. Heath made a motion to approve PO #37977. Second by Mr. Formica.

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Upon roll call vote:

Ayes: Formica, Heath, Limon, Snyder

Nays: None Absent: Postas Abstentions: Skellenger

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mrs. Heath made a motion to approve the regular meeting minutes for April 23, 2024. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2024-55

Mr. Limon made a motion to adopt resolution 2024-55 authorizing a disabled veteran exemption on Block 1403 Lot 1. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2024-56

Mr. Limon made a motion to adopt resolution 2024-56 authorizing a disabled veteran exemption on Block 608 Lot 1. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2024-57

Mr. Snyder made a motion to adopt resolution 2024-57 authorizing a grant application to the New Jersey Department of Transportation for the Master Street, Warren Street and Green Street project. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2024-58

Mr. Limon made a motion to adopt resolution 2024-58 authorizing the hiring of a seasonal laborer for maintenance in the Department of Public Works. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2024-59

Mr. Limon made a motion to adopt resolution 2024-59 calling for the modernization of the open public records act (OPRA) and the swift passage of S-2930/A-4045.

Motion failed as there was no second.

Adoption of Ordinance 07-2024

Mr. Formica made a motion to adopt ordinance 07-2024 entitled "BOND ORDINANCE PROVIDING FOR VARIOUS 2024 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$1,413,021 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND

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AUTHORIZING THE ISSUANCE OF \$1,168,173 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.” Seconded by Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 07-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 07-2024. Seconded by Mr. Snyder. All were in favor.

There being no one present who wished to address the governing body, Mr. Skellenger made a motion to close the meeting to the public for Ordinance 07-2024, seconded by Mr. Snyder. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Introduction of Ordinance 08-2024

Mr. Skellenger made a motion to introduce ordinance 08-2024 entitled “CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE POLICE DEPARTMENT, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$20,000 THEREFOR FROM THE CAPITAL RESERVE FOR IMPROVEMENTS TO MUNICIPAL PROPERTY FOR THE COST THEREOF.” Seconded by Mrs. Heath.

Mayor Sowden announced that the final reading will be held on May 28, 2024.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Introduction of Ordinance 09-2024

Mr. Snyder made a motion to introduce ordinance 09-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY CREATING CHAPTER 245, TREES.” Seconded by Mrs. Heath.

Mayor Sowden announced that the final reading will be held on May 28, 2024.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: Limon

Peddlers Permit Application

Mrs. Heath made a motion to approve the peddler permit application submitted by Carol Zofrea for the sale of ice cream. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Public Employer Trust Agreement

Mr. Formica made a motion to approve the Public Employer Trust Agreement between the Borough of Franklin and Brown and Brown, Benefit Advisors for Horizon Healthcare Dental for the period of July 1, 2024 to June 30, 2025, at no increase in premiums, addendum with coverage cost election attached. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

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(Campy's) Blue Star Amusements Agreement

Mrs. Heath made a motion to approve the agreement for the amusement rides and related services at the Franklin Carnival on August 28, 2024 thru September 1, 2024. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mayoral Appointments

Mayor Sowden made the following appointments:

Crossing Guard Status Changes

Substitute Crossing Guard to Permanent Crossing Guard:

John Panso Jacquelyn Kimmel

All to remain at the current rate of \$15.71 effective May 15, 2024 as recommended by Rebecca Babcock, Crossing Guard Captain.

Mr. Formica made a motion to confirm the Mayor's appointments. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Water/Sewer Connection Application

Mr. Limon made a motion to approve the application submitted by Scott Zotollo for an additional 2 EDU's 4-family residential dwelling at 453 Route 23, contingent upon receipt of all associated connection fees. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Discussion on Local Freight Impact Fund Grant

Mr. Formica commented that in order to apply for the grant we needed a traffic study done. We realized that our police department had a study done a year or two ago, but it has to be redone. The state requires it to be done from Monday to Monday. This is to help us try to obtain a grant for Corkhill Road.

The council agrees to move forward with engineering to start the grant process.

Discussion on proposal for Professional Consulting services for downhole video logging and pumping test and reporting for Scott Road wells.

Mayor Sowden commented that we are attempting to see how some preexisting wells were done approximately 30 years ago.

Mr. Formica commented this is to receive a report on what we have currently and the price included to find out the volume and to see the depths. The price does not include the water sampling.

Mr. Formica made a motion to approve the proposal from UHL and Associates in the amount of \$29,771 for Scott Road Wells. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Discussion on sidewalk projects and Main Street parking lot.

Mayor Sowden commented that the engineer had sent numbers to redo the sidewalks going from Main Street, down Junction Street to Catlin Road.

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It was the consensus of the council to have the engineer start the bid process for the sidewalk replacement.

Mayor Sowden commented we started on the engineering work at the municipal parking lot; we may still need to do core sampling.

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Skellenger asked Mr. Ursin to draft a letter for the property across from Brick and Brew. A letter will be provided at a future meeting.

Mayor Sowden commented that Josh from Rails to Trails is starting to work on the trails.

Mr. Snyder asked if there is an Italian restaurant going in the building where Chelsea's Closet was.

Mr. Formica commented that a UPS store is coming next to T-Mobile and there might be someone taking over the Burger King.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mrs. Heath made a motion to adjourn the meeting at 8:06p.m., seconded by Mr. Snyder. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk