

**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 28, 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 had nothing to report.

Mr. Formica commented that the Boy Scouts have a new charter holder and they would like to continue to use the storage building and hold meetings at the Senior Center.

Mr. Limon commented that there was no public works meeting.

Mr. Snyder had nothing to report.

Mr. Sedefian had nothing to report.

Mrs. Tremont commented that the wells on Scott Road are being tested. Everyone has the layout and comments from the engineer. The engineer wants to make sure that there are no questions before she puts together a bid packet for the cement work. There is a new regulation that was brought to our attention last year regarding lead paint inspections on rental units. Mrs. Tremont spoke to a company that is licensed and certified. This company will handle all the requirements that need to be done at no cost to the borough; the cost is only to the property owners. We need to be compliant by July 22, 2024 for this regulation.

Mr. Skellenger made a motion to accept the contract for Lead Base Paint Inspection services at no cost to the Borough. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mayor Sowden announced the resignation of Councilman John Postas as of today (May 28, 2024). Mayor Sowden announced that he would like to accept his resignation with regret.

Mr. Snyder commented that John was a good councilman and is sorry to hear that he has resigned.

OPEN PUBLIC SESSION

Mr. Formica made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Limon. All were in favor.

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Mr. John Christiano stepped forward. Mr. Christiano, Chairman of the Franklin Borough Planning Board. Mr. Christiano read some sections from the two resolutions from the planning board. The first resolution regarding the property at 120 Route 23, the Board recommends that the Borough Council adopt the Redevelopment Plan for 120 NJSH Route 23 dated March 22, 2024 with the condition that the construction path be improved so that it can be used for a walking path and emergency access after the construction process. The second resolution is regarding the Zinc Mine Redevelopment on Main Street. Mr. Christiano commented to be consistence with the Historic Preservation section of the Franklin Borough Master Plan (and by reference, The State Master Plan), The Historic Main Street Redevelopment Plan (2018) and the Franklin Borough Vision Statement, the Planning Board recommends the saving and adaptive re-use of the Change House, Superintendent’s Change House, Time Office Building (presently the Franklin Historical Society), and the two remaining chimneys. Since neither the Franklin Borough or neighboring fire departments have ladder equipment to reach upper floors of the lower property buildings, the Planning Board recommends elevated “bridge” walkways from one upper floor of each lower building to the upper property grade for occupant emergency evacuation. This access to the upper property also fulfills the Master Plan and the Historic Main Street Redevelopment Plan (2018) recommendations for a “walkable community” for pedestrian access from the lower property to Main Street at the upper level. Provisions should be made for a traffic study and implementation of measures to mitigate negative impacts upon the Borough.

Ms. Eve Soares stepped forward. Ms. Soares commented that no one is aware of the project at the Zinc Mine. Ms. Soares supports the traffic study that was recommended by the Planning Board. Ms. Soares commented that the wooded area is a beautiful site and prefers that over a 5-story apartment building. Ms. Soares is concerned that the schools will be overcrowded. How does this fit in the vision.

Mr. John Christiano stepped forward. Mr. Christiano commented that at the Planning Board level, we noticed and commented on the potential conflict of interest between the Board Planner and engineer architect.

Mr. Liam DeRenzo stepped forward. Mr. DeRenzo commented that he is working on his communications merit badge.

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. Langan Engineering and environmental Services, LLC letter in re: 20 Park Drive.
2. Borough of Ogdensburg Ordinance 06-2024 amending Chapter 30 “Land Development.”
3. Sandyston Township resolution opposing the proposal by the Delaware river National Park and Lenape Preserve alliance to change the designation of Delaware Water Gap National Recreation Area to a National Park and Preserve.
4. Sandyston Township resolution supporting Assembly resolution AR133 and Senate resolution SR93 opposing all proposal to change the designation of Delaware Water Gap National Recreation Area to a National Park and Preserve, including proposal by the Delaware river National Park and Lenape Preserve Alliance.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health Report – April 2024
2. Police Department Report – April 2024

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for a Catering Permit

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Approval of the application for a catering permit submitted by Franklin Grill & Tavern LLC. (Brick & Brew) premises for the catering permit is the Franklin Pond Area, 6 Corkhill Road, Franklin, on June 29, 2024, and authorize the clerk to endorse the application.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 28, 2024.

Mr. Limon made a motion to approve the consent agenda of May 28, 2024 with the removal of PO #2646 (37977). 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#2646 (37977). Seconded by Mr. Formica.

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 May 14, 2024. (Absent: Postas) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution 2024-60

Mr. Snyder made a motion to adopt resolution 2024-60 authorizing a disabled veteran exemption on Block 1101 Lot 14 Qual C0104. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution 2024-61

Mr. Limon made a motion to adopt resolution 2024-61 awarding a contract for the resurfacing of Edmonds Lane, Hemlock Drive and Fireman's Park Helipad through the Morris County Co-op. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: Heath, Limon

Adoption of Ordinance 08-2024

Mr. Skellenger made a motion to adopt 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.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 08-2024. Mr. Formica made a motion to open the meeting to the public for Ordinance 08-2024. Seconded by Mr. Skellenger. All were in favor.

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

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

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Adoption of Ordinance 09-2024

Mrs. Heath made a motion to adopt 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 Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 09-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 09-2024. Seconded by Mrs. Heath. All were in favor.

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.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Introduction of Ordinance 10-2024

Mr. Skellenger made a motion to introduce Ordinance 10-2024 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. Limon.

Mayor Sowden announced that the public hearing will be held on June 11, 2024.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Introduction of Ordinance 11-2024

Mr. Formica made a motion to introduce Ordinance 11-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE "120 NJSH ROUTE 23" REDEVELOPMENT PLAN PREPARED BY J. CALDWELL ASSOCIATES DATED NOVEMBER 25, 2023. Seconded by Mr. Limon.

Mr. Formica made a motion to amend Ordinance #11-2024 to include the recommendation for the construction access road to become a walking path and emergency access road. Seconded by Mr. Skellenger.

Upon roll call vote to amend:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mr. Skellenger made a motion to vote on the Ordinance as amended. Seconded by Mr. Formica.

Mayor Sowden announced that the public hearing will be held on June 11, 2024.

Upon roll call vote as amended:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Introduction of Ordinance 12-2024

Mr. Limon made a motion to introduce ordinance 12-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE "ZINC MINE" REDEVELOPMENT PLAN PREPARED BY J. CALDWELL & ASSOCIATES DATED MARCH 11, 2024." Seconded by Mrs. Heath.

Mr. Formica asked if the traffic study is mandatory on a project this size. Mr. Formica commented as far as the bridge with the walkways; I guess that would be dependent on the slope and the distance from the slope. Could we recommend alternate emergency exits.

Mr. Formica made a motion to amend Ordinance #12-2024 to add that a bridge/walkway be considered as a second exit/safety evacuation depending on the slopes and feasibility and location of the buildings. Seconded by Mrs. Heath.

Upon roll call vote to amend:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: Postas Abstentions: None

Mr. Limon made a motion to amend Ordinance #12-2024 to save the buildings (Change House, Superintendent's Change House, Time Office Building and two remaining chimneys).

MOTION FAILED.

Mr. Formica made a motion to introduce Ordinance #12-2024 as amended. Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on June 11, 2024.

Upon roll call vote as amended:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: Postas Abstentions: None

Approve Special Event Permit Application

Mr. Snyder made a motion to approve the special event permit for Franklin Mineral Museum to conduct a Rock Swap and Sell on July 27, 2024 at the park next to the pond on George LaBance Lane, Franklin and to authorize the use of the Franklin Pond area for parking as needed. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointment.

Crystal Talmadge – Recreation Committee Member to a 3-yr. term ending 12/31/2025. As recommended by the Recreation Committee.

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

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

ADDENDUM

Cub Scout Pack 90 Request

Mrs. Heath made a motion to approve the request from Cub Scout Pack 90 to hold their Annual Soap Box Derby on Sunday, July 14, 2024, with a rain date of Sunday, July 21, 2024, from 1:00 p.m. to 4:00 p.m. Seconded by Mr. Skellenger.

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas 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, Mrs. Heath made a motion to adjourn the meeting at 7:38p.m., seconded by Mr. Skellenger.

All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk