

**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
JUNE 14, 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. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Limon

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden requested a moment of silence for Mr. Bob Allen. Mayor Sowden commented that we are working on a proclamation, which will be coming out at the end of the month, for both Bob and Betty Allen.

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.

COMMITTEE REPORTS

Mr. Postas had nothing to report.

Mr. Snyder commented that there will be ordinances up for introduction at the next meeting.

Mr. Formica had nothing to report.

Mr. Skellenger had nothing to report.

Mrs. Heath commented that she attended, via ZOOM, the Wallkill Valley Community Coalition meeting on June 1, 2022 and they now have a Facebook page and the Forward Franklin Facebook page remains. The Center for Prevention and Counseling is sponsoring free Wallkill Youth Summer Camps for seventh and eighth graders in Franklin, Hamburg, Hardyston and Ogdensburg. Mrs. Heath commented that Franklin Nite is June 18th and the Miss Franklin Pageant is at 2pm and fireworks. National Night Out is scheduled for August 2nd at Franklin Pond and the Changing the Face of Addiction Walk is on August 6th. The fishing derby went well and thanked Mr. Formica for his all work on the fishing derby.

Mrs. Tremont commented that there is a correction to the agenda, the Cub Scout Soapbox Derby should be listed as Saturday, July 9, 2022 not Sunday, July 9, 2022.

Mr. Bernath commented that the PBA contract has been sent to the personnel committee for review. Teamsters contract negotiations are still ongoing. The State has accepted our budget. The part-time Finance Assistant has started and we have 39 applications for the full time DPW position. The fire department's Chief's truck was delivered and is at the public works garage waiting to go for lettering.

Mr. Ursin had nothing to report.

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Mayor Sowden commented that there will be a presentation at the next Council meeting by Mr. Tom Jones and Ms. Jessica Caldwell discussing Franklin's Historic District.

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.

JoAnne Tatka, 151 Maple Road, Franklin stepped forward. Ms. Tatka asked how the Carnival made out.

Mr. Formica commented that Recreation's cut before expenses was \$13,223.49.

Emily Bazelwich, 1 Mill Street, Franklin stepped forward. Ms. Bazelwich asked who do we complain to about empty buildings. There are a couple of dangerous intersections in town; the house on the corner of LaRue and Main and the hedges are too high causing a site obstruction where Mr. Bene lived.

Judy Williams, 279 Wildcat Road, Franklin, stepped forward. Mrs. Williams commented on various issues regarding property maintenance and recommended a new stop line be painted at the intersection of Maple Rd and Wildcat Rd.

Doug Bookholt, business owner at 153 Main Street, Franklin stepped forward. Mr. Bookholt expressed his displeasure that his employees received parking tickets for parking over the two-hour parking limit. Mr. Bookholt suggested a further review of the parking ordinance

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. Borough of Hamburg Ordinance amending chapter 215 Zoning Map of the code of the Borough of Hamburg. (Tabled from May 24, 2022 meeting)
2. Township of Frankford resolution opposing certain aspects of Assembly Bill 4454 adopted into law on March 1, 2021. (Tabled from May 24, 2022 meeting)
3. Resolution from the County of Sussex authorizing the creation of a parent's bill of rights concerning the protection and education of Sussex County Children. (Tabled from May 24, 2022 meeting)
4. Kittatinny Regional School District resolution #1-4-29-22 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 and comment. (Tabled from May 24, 2022 meeting)
5. Hampton Township School District resolution #2-4-28-22 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 and comment. (Tabled from May 24, 2022 meeting)
6. Letter dated May 17, 2022, from Jacob Pease, NJDEP Bureau of Safe Drinking Water to Brian VanDenBroek Re: Reduced Monitoring for Per-and Poly-Fluorinated Alkyl Substance (PFAS). (Tabled from May 24, 2022 meeting)
7. Sandyston Township resolution R-43-2022 authorizing Mayor and Municipal Clerk to execute per diem mutual aid agreement for water emergency standbys as requested through the Sussex County Fire Coordinator on an as needed basis. (Tabled from May 24, 2022 meeting)
8. Borough of Hamburg Ordinance #05-2022 entitled an ordinance amending chapter 215 – zoning map of the code of the Borough of Hamburg to amend the zoning map to change the zone of certain properties currently in the residential office (RO) zone to the Highway Commercial (HC) zone.

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9. Letter dated May 19, 2022 from Melissa Rockwell, Tax Administrator to John Ficara regarding a resolution of the Commissioners establishing the percentage of 100% as the ratio of assessed value to true value of real property within Sussex County.
10. Lafayette Township resolution 2022-28 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 and comment.
11. Township of Hardyston resolution #48-22 authorizing the creation of a parents' bill of rights concerning the protection and education of children in the Township of Hardyston.
12. Borough of Hopatcong resolution #2022-87 opposing certain aspects of assembly bill 4454 adopted into law on March 1, 2021.
13. Borough of Hopatcong resolution #2022-86 urging the swift passage of S330/A3804, which shall restore the energy tax receipts to municipalities.
14. Township of Vernon resolution #22-139 urging the swift passage of S330/A3804, which shall restore the energy tax receipts to municipalities.
15. Township of Vernon resolution #22-130 opposing certain aspects of assembly bill 4454 adopted into law on March 1, 2021.
16. Clean Communities Grants Distributions for Counties and Municipalities for FY2022.
17. Township of Green resolution 2022-106 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 and comment.
18. Hampton Township Resolution authorizing the creation of a parent's bill of rights concerning the protection and education of Sussex County children.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Report – April 2022 (Tabled from May 24, 2022 meeting)
2. Zoning Department Report – April – May 2022 (Tabled from May 24, 2022 meeting)
3. Municipal Court Report – April 2022 (Tabled from May 24, 2022 meeting)
4. DPW Report – April 25 – April 29, 2022 (Tabled from May 24, 2022 meeting)
5. DPW Report – May 2 - May 6, 2022 (Tabled from May 24, 2022 meeting)
6. DPW Report – May 9 – May 13, 2022
7. DPW Report – May 16 – May 20, 2022
8. DPW Report – May 23 – May 27, 2022
9. Board of Health Report – April 2022
10. Board of Health Report – May 2022
11. Construction Permit Activity Report – May 2022
12. COH Report – May 2022
13. Permit List – May 2022
14. Municipal Court Report – May 2022

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for Peddler/Solicitor permit for Juan Zerna, 325 Main St. Ogdensburg, NJ, for the sale of ice cream.
2. Application for Peddler/Solicitor permit for Carol Zofrea, 83 Woodland Drive, Vernon, NJ, for sale of ice cream.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2022-58 – proclaiming June 2022 as Pride Month. (Tabled from May 24, 2022 meeting)
2. Resolution #2022-63 approval to adopt resolution 2022-63 authorizing the Borough Clerk to renew the following liquor licenses for the 2022-2023 licensing term.

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1906-32-013-009 Franklin 897 LLC. T/A Shop Rite Wines and Spirits
1906-33-014-006 Six Gee Corp. T/A Irish Cottage Inn
1906-33-010-008 Franklin Grill & Tavern, LLC T/A Brick & Brew
1906-33-008-010 Stone Hill Recreation Corp. T/A Bear Den Grill, Black Bear
1906-44-006-006 MINDIP LLC. T/A The Right Bottle
1906-44-007-007 WC Franklin LLC. T/A Wine Country Franklin
1906-44-003-010 Jersey Innovative Investments T/A Wine Grand
1906-31-015-001 Sgt Francis M. Glynn Post
1906-31-017-001 Wallkill Golf Club

3. Payment of bills for the meeting of June 14, 2022.

Mrs. Heath requested that resolution 2022-58 be removed from the consent agenda and considered separately.

Mr. Formica made a motion to approve the consent agenda of June 14, 2022 with the removal of resolution 2022-58. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mr. Formica made a motion to table resolution 2022-58, seconded by Mr. Skellenger.

Upon roll call vote to table:

Ayes: Formica, Postas, Skellenger

Nays: Heath, Snyder Absent: Limon Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Formica made a motion to approve the regular meeting minutes for May 24, 2022. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance #09-2022

Mr. Skellenger made a motion to adopt Ordinance 09-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4 OF THE BOROUGH CODE ENTITLED "GENERAL FEES". Seconded by Mr. Postas.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 09-2022.

Mr. Skellenger made a motion to open to the public Ordinance 09-2022, seconded by Mr. Postas. All were in favor.

There being no present or on Zoom who wished to address the Governing Body, Mr. Postas made a motion to close to the public Ordinance 09-2022, seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance #10-2022

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Mr. Snyder made a motion to introduce an ordinance entitled "BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,345,083 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$1,159,883 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF". Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mayor Sowden announced that the public hearing will be held on June 28, 2022.

Approval of DPW Salary Step Increases

Mr. Snyder made a motion to approve the salary step increase for Jesse Bogart to grade step 8 \$26.54/hr., the salary step increase for Andrew Burd to grade step 6 \$23.94/hr., the salary step increase for Nikolai Amarose to grade step 2 \$19.49/hr., as per the DPW contract, effective June 16, 2022 as recommended by Brian VanDenBroek, DPW Director and the Personnel Committee. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Approval to Award a Contract to Appraisal Systems, Inc.

Mr. Postas made a motion to award a contract to Appraisal Systems Inc. for the assistance with the Franklin Borough Reassessment Program beginning October 1, 2022 in the total amount of \$190,000.00 to be paid over the period of 6 years. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Cub Scout Pack 90 Request

Mr. Formica made a motion to approve the Cub Scout Pack 90 request to hold their Annual Soap Box Derby to be held on Saturday, July 9, 2022 from 1:00 p.m. to 4:00 p.m. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

American Legion Post 132 Request

Mrs. Heath made a motion to waive the Municipal Pull Tab Instant Raffle License Fee in the amount of \$750.00 for the period of June 1, 2022 - May 31, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Discussion on Main Street parking

At this time there was a discussion on Main Street parking concerns.

Mr. Skellenger commented that we discussed, back in October, to not have two-hour parking in front of the funeral parlor to the Presbyterian Church but it was never formalized.

Mr. Ursin commented that as long as he has a clear picture description of what you want to exempt from the regulation the ordinance can be updated.

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Mr. Postas asked if we could exempt to Catlin Road because it was discussed earlier that the Church has their own parking both in back and in front of the church. Mr. Snyder commented the two-hour parking is exempt on Sundays and holidays.

After some further discussion it was the consensus of the Council to not have two-hour parking limit on the South side of Main from Church Street to Catlin Road and two-hour parking from Catlin Road to Lehigh Street.

ADDENDUM

Approval of NJ Fun Services Agreement

Mrs. Heath made a motion to approve the agreement for Fun Services for an inflatable Obstacle Course in the amount of \$1,550.00 for Franklin Day on June 18, 2022. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mrs. Heath commented that there has been discussion about hiring someone or have a current employee get paid a stipend to go around the town and take pictures of property maintenance issues.

Administrator Bernath commented we can use Clean Communities Funds.

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. Skellenger. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk