

**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  
JULY 26, 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, Mr. Snyder and Mayor Sowden (via ZOOM).

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."

**EXECUTIVE SESSION**

Mayor Sowden announced that the Governing Body had an executive session prior to the regular meeting from 6:00pm-6:55pm to discuss litigation matters.

**PRESENTATIONS**

Mrs. Bobbi Formica, Franklin Recreation Committee Chairperson presented the 2022 Royal Court of Franklin, Miss Franklin – Darling Maldonado, Jr. Miss Franklin – Brooke Perez, Little Miss Franklin – Lily Guether (not in attendance), Franklin Princess – Abigail Swiss, and Franklin Prince – Lucian Sierra.

**COMMITTEE REPORTS**

Mr. Limon had nothing to report.

Mr. Postas had nothing to report.

Mr. Formica had nothing to report.

Mr. Skellenger had nothing to report.

Mrs. Heath commented that she attended the recreation committee meeting and congratulated the winners of the Franklin Royal Court. Movie night has not been scheduled, National Night Out is scheduled for August 2, 2022, the fall festival has been canceled and information has been sent back to the interested person for the bench donation. An email was sent to Chief Cugliari requesting setting up safety committee meetings on a regular basis.

Mrs. Tremont commented that we are working with two employees to start the abandon property inventory. The County Board of Health has contacted our office asking if we can help to clean up 20 Ginter Street. I have spoken to Brian from DPW and he will go out and assess 20 Ginter Street to see what is needed to clean up the exterior of the building. Information went out regarding the reassessment program.

Mr. Bernath commented that we are continuing interviews for the open DPW position. Had a meeting with the Fire Department to discuss grant opportunities. We have a BAN sale closing this Thursday, July 28.

Mr. Ursin had nothing to report.

Mr. Snyder commented about the noise ordinance that will be voted on tonight and he spoke to the County Engineer and set an appointment to meet regarding the

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County Route 631 speed and the curbing and for some reason he could not attend and I am waiting for a call back to reschedule the meeting.

Mayor Sowden commented that he would like to put together a redevelopment workshop.

**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. Postas. All were in favor.

Emily Bazelewich, 1 Mill Street Franklin stepped forward. Ms. Bazelewich commented on the hedges at the corner of Mill Street and Sterling Street and that the weeds are high around the edges of the Franklin Pond. Ms. Bazelewich also commented on abandon vehicles on Mountain View.

There being no one else present or on ZOOM who wished to address the Governing Body, Mr. Skellenger 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. Resolution from the Township of Green urging the swift passage of S-330 which restores energy tax receipts.
2. Resolution from Sandyston-Walpack consolidated school 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.
3. Email dated July 7, 2022 from Suzann Brush re: Christina Sanchez resignation from Recreation Committee.
4. Hampton Township Resolution urging the swift passage of S-330 which restores Energy Tax receipts.
5. Letter dated July 12, 2022 from Colleen Little to Advanced Veterinarian requesting their participation at the free rabies clinic.

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

1. DPW Report – May 30 - June 3, 2022
2. DPW Report – June 6 – June 10, 2022
3. DPW Report – June 13 – June 17, 2022
4. DPW Report – June 20 – June 24, 2022
5. DPW Report – June 27 – July 1, 2022
6. Registrar’s Report – April – June 2022
7. Police Department Report – June 2022
8. Construction Permit Activity Report – June 2022
9. Permit List – June 2022
10. COH Report – June 2022
11. County Board of Health Report – June 2022
12. Municipal Court Report – June 2022

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

1. None filed.

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

1. Resolution #2022-79 authorizing a disabled Veteran exemption on Block 2201, Lot 60 and to cancel taxes billed from June 9, 2022 to December 31, 2022.
2. Resolution #2022-80 to approve a tax refund to Dovenmuehle Mortgage, Inc. for the 4th qtr. 2021 in the amount of \$606.37 and the 1st qtr. 2022 in the amount of \$587.90.
3. Resolution #2022-81 to approve the current balance be cancelled and the account be closed for Block 1601, Lot 15, also known as 100 Route 23 #2.

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4. Resolution #2022-82 to approve the current balance be cancelled, the account closed and service be removed for Block 604, Lot 22, also known as 17 John Wilton Street.
5. Payment of bills for the meeting of July 26, 2022.

Mr. Postas made a motion to approve the consent agenda of July 26, 2022. Seconded by Mr. Skellenger.

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**

Robert "Bob" and Elizabeth "Betty" Allen Proclamation

Mrs. Judy Williams read the proclamation honoring Robert and Elizabeth Allen and the same was presented to the Allen Family.

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for June 28, 2022. (Absent: None) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-69

Mrs. Heath made a motion to approve resolution 2022-69 Police Contract between the PBA Local 404 and the Borough of Franklin. (PBA contract included in Council packets) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: Limon, Snyder Absent: None Abstentions: None

Resolution #2022-70

Mr. Formica made a motion to approve resolution 2022-70 establishing salaries for certain employees of Franklin Borough for the Year 2022. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-71

Mr. Postas made a motion to approve resolution 2022-71 certifying the Franklin Borough Governing Body has reviewed the 2021 Audit comments and recommendations as required by N.J.A.C. 5:30-6.5. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2022-72

Mr. Postas made a motion to accept resolution 2022-72 and approve for filing the corrective action plan for the Audit Report year 2021 prepared and filed by the Borough's Chief Financial Officer. (Corrective Action Plan attached.) Seconded by Mr. Skellenger.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2022-73**

Mr. Formica made a motion to approve resolution 2022-73 requesting permission for the Dedication by Rider for Open Space purposes. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2022-74**

Mr. Limon made a motion to approve resolution 2022-74 amending resolution 2022-68 withdrawing the approval for the renewal of Liquor License #1906-33-004-007, Coyote Cocina Mexicana, LLC. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2022-75**

Mr. Postas made a motion to approve resolution 2022-75 requesting the Sussex County Clerk to print upon the official ballot of the November 8, 2022 General Election a public question asking the legal voters of Franklin Borough whether the date of the Franklin Borough School District election shall be moved from November to April beginning 2023. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

**Resolution #2022-76**

Mr. Skellenger made a motion to approve resolution 2022-76 extending the grace period for payment of 3<sup>rd</sup> qtr. 2022 taxes. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2022-77**

Mr. Limon made a motion to approve resolution 2022-77 awarding Tilcon through the Morris County Co-op Contract #6 (District #2) road resurfacing of Maple Road not to exceed \$131,500. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2022-78**

Mr. Limon made a motion to approve resolution 2022-76 awarding Denville Line Painting, Inc. through the Morris County Co-op contract #36, for traffic striping of Maple Road not to exceed \$2,800. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Adoption of Ordinance #11-2022**

Mr. Snyder made a motion to adopt Ordinance 11-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 184 REGARDING NOISE". Seconded by Mr. Postas.

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**Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 11-2022.**

Mr. Formica made a motion to open to the public Ordinance 11-2022, seconded by Mr. Postas. All were in favor.

There being no one present or on zoom who wished to address the Governing Body, Mr. Formica made a motion to close to the public Ordinance 11-2022, seconded by Mr. Postas. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

**Adoption of Ordinance #12-2022**

Mr. Snyder made a motion to adopt Ordinance 12-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTIONS 56-1 THROUGH 56-5 REGARDING EMPLOYMENT PRACTICES". 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 12-2022.**

Mr. Formica made a motion to open to the public Ordinance 12-2022, seconded by Mr. Skellenger. All were in favor.

There being no one present or on zoom who wished to address the Governing Body, Mr. Postas made a motion to close to the public Ordinance 12-2022, 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

**Re-introduction of Ordinance #10-2022**

Mr. Skellenger made a motion to re-introduce Ordinance 10-2022 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". (Originally adopted ordinance #10-2022 on June 28, 2022 without the supplemental debt statement filed) Seconded by Mr. Postas.

**Mayor Sowden announced that the public hearing will be held on August 16, 2022.**

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Approval of DPW Salary Step Increase**

Mr. Postas made a motion to approve the salary step increase for Dylan Odee to grade step 2 \$19.49/hr., as per the DPW contract, effective August 1, 2022 as recommended by Brian VanDenBroek, DPW Director and the Personnel Committee. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Mayoral Appointments**

Mayor Sowden made the following appointments.

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### Crossing Guard Hire

Mr. Postas made a motion confirming the mayors appointment of Charles E. Hughes II as substitute crossing guard at the rate of \$15.02/hr. effective August 16, 2022, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Recreation Committee

Mr. Formica made a motion confirming the mayors appointment of Sandra Westermann Member to a 3-yr. unexpired term ending 12/31/2022. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Peddlers Permit Application and Appeal

Mrs. Heath made a motion to table the peddler permit application and appeal for Curtis Pandorf – Hot Dog Truck located at 76 Route 23, Franklin until the meeting of August 16, 2022 to allow the police chief to review the documentation submitted for the appeal. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Water/Sewer Connection Applications

Mr. Skellenger made a motion to approve the water/sewer connection applications for 7 Estell Drive – Single family dwelling – 1 EDU, contingent upon receipt of associated connection fees and all directives followed as per Utility Engineer, Michael Vreeland's, memo dated June 29, 2022, 151 Main Street – Multi unit dwelling – additional 6.5 EDU's

contingent upon receipt of associated connection fees and all directives followed as per Utility Engineer, Michael Vreeland's, memo dated July 15, 2022 and 5 Mountain Road, Hardyston – Single family dwelling – Sanitary sewer connection - contingent upon all directives being followed and completed as per Borough Engineer, Denis Keenan's letter dated June 24, 2022. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### MISCELLANEOUS COMMENTS

Mrs. Heath commented that she is looking forward to seeing the committee out for the National Night Out event on August 2, 2022.

Mr. Postas commented that there is a Mineral Rock Swap and Sell this Saturday, July 30, 2022 from 9am-5pm at the Franklin Pond.

### ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 7:50p.m., seconded by Mr. Skellenger. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk