

**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
AUGUST 16, 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.

Council President Formica 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.

Absent: Mr. Postas, Mayor Sowden

Council President Formica led the assembly in the flag salute.

Council President Formica 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. Limon had nothing to report.

Mr. Bernath commented that there was a personnel meeting earlier to discuss the Teamsters Contract and that should be moving forward for the next meeting. The garbage bid is being finalized; we are just waiting on the tonnage reports from Blue Diamond for the previous three years. I have been in contact with the water/sewer engineer on getting the bid specs completed for the water tower repainting and refurbishing. The new hire for DPW has completed the background check and drug screening as soon as the results are received, we will have a start date for him. The grant application was submitted for the fire fighter grant.

Mr. Snyder commented that we are still trying to set up a meeting with the County Engineer in regards to the speed limit on Church Street.

Mr. Formica commented that the roads have been paved and will be striped soon.

Mr. Skellenger had nothing to report.

Mrs. Heath commented that the Recreation meeting had to be canceled because there was no quorum.

Mrs. Tremont commented that she received an email from Congressman Gottheimer's office, they are going to have mobile office hours here at Borough Hall prior to our Mayor and Council meeting on September 13, 2022 from 6pm-7pm. The County Board of Health has contacted our office and they would like to hold a flu/covid vaccine clinic at the Franklin Senior Center sometime in November.

Mr. Ursin had nothing to report.

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. J.R. Giacchi, Franklin Borough School Superintendent, stepped forward. Mr. Giacchi voiced concerns regarding Resolution 2022-75. Mr. Giacchi explained the 2% cap and how it would affect the school board. Mr. Giacchi would like to work together before passing this resolution. Mr. Giacchi commented that the School

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Board has replaced windows, installed a more efficient boiler and ran natural gas to the building which is all cost savings. Franklin Borough School has no debt and we would like to work together for a year to see how it goes.

Mr. Wayne Bartron, 21 Hemlock Drive, Franklin, stepped forward. Mr. Bartron voiced his concerns about something as big as this being moved without any communication with the Board of Education. He would like to see all the elected officials working together. As a taxpayer, his concern is that the turnout in April isn't worth moving it back. He is asking, as a taxpayer, that the resolution be rescinded, open up the line of communication and revisit this next year.

Mr. Shane Hrbek, 343 Rutherford Avenue, Franklin, stepped forward. Mr. Hrbek commented on the costs for moving the election to April and would like to see the resolution rescinded.

Mrs. Sarah Zydon, 346 Rutherford Avenue, Franklin, stepped forward. Mrs. Zydon voiced her displeasure with the Council regarding Resolution 2022-89 and the lack of communication. Mrs. Zydon asked that the Council work with the School Board.

Mr. Cliff Graham, 5 Master Street, Franklin, stepped forward. Mr. Graham voiced his concerns with regards to resolution 2022-89 and that he does not support the resolution.

Mr. William VanTassel, 28 Nestor Street, Franklin, was granted permission to join the meeting after raising his hand on ZOOM. Mr. VanTassel clarified that this resolution is just a public question to go on the ballot asking voters if they want to move the election.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public, seconded by Mrs. Heath. 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. Letter dated July 29, 2022 from Mayor Sowden to Senator Steven Oroho, re: 20 Route 23, Franklin, Block 1601, Lot 8.
2. Letter of resignation dated August 3, 2022 from Nikolai Amarose, DPW laborer.
3. Montague Township resolution 2022-090 opposing the proposed increases to the state health benefits program.
4. Sandyston Township resolution R-51-2022 supporting the creation of a parents' bill of rights concerning the protection and education of children in the Township of Sandyston.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report – July 4, 2022 – July 8, 2022
2. Permit List – July 2022
3. Police Department Report – July 2022
4. Municipal Court Report – July 2022

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2022-83 to adopt opposing the Proposed Increases to the State Health Benefits Program.
2. Resolution #2022-84 to authorize the Tax Collector to refund taxes for the property located at Block 2201, Lot 60, in the amount of \$3,787.88 for the 2nd qtr. 2022 prorated overpayment and 3rd qtr. 2022
3. Payment of bills for the meeting of August 16, 2022.

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Mr. Limon made a motion to approve the consent agenda of August 16, 2022. Seconded by Mr. Skellenger.

Mr. Limon made a motion to open to the public the consent agenda, seconded by Mr. Skellenger. All were in favor.

Mrs. Sarah Zydon, 346 Rutherford Avenue, Franklin, stepped forward. Mrs. Zydon asked for clarification on check number 53924 in the amount of \$1,500 for a gentleman for a recreation event.

Mr. Bernath commented that the check will be locked in the safe until the day of the event.

Mrs. Heath made a motion to close to the public the consent agenda, seconded by Mr. Limon. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

OLD BUSINESS

Peddlers Permit Application and Appeal (tabled from July 26, 2022 meeting)

Mrs. Heath made a motion to table the peddler permit application from Curtis Pandorf – Hot Dog Truck located at 76 Route 23, Franklin, until the meeting of September 13, 2022.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

NEW BUSINESS

Approval of the Minutes

Mr. Limon made a motion to approve the regular meeting minutes and executive session meeting minutes for July 26, 2022. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2022-85

Mr. Limon made a motion to adopt resolution 2022-85 to authorize the hiring of a full time DPW Laborer, Step 2, at the rate of \$19.49/hr. conditioned upon successful background check, physical and drug test as recommended by the Administrator, Brian VanDenBroek, DPW Director and the Personnel Committee. Seconded by Mr. Skellenger.

Mr. Snyder questioned why this applicant is starting at step 2.

Mr. Bernath commented it was based on his experience and that he already possesses a CDL license.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2022-86

Mr. Snyder made a motion to adopt resolution 2022-86 to approve a salary adjustment for Suzann Brush at the new rate of \$18.00 per hour effective August 1, 2022. Seconded by Mr. Skellenger.

Mrs. Heath commented that this particular employee has really proven herself.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

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Resolution #2022-87

Mr. Snyder made a motion to adopt resolution 2022-87 authorizing the Borough Clerk to renew the following liquor licenses for the 2022-2023 licensing term. 1906-33-004-007 Coyote Cocina Mexicana LLC, pocket license. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2022-88

Mrs. Heath made a motion to adopt resolution 2022-88 approving the place to place transfer, expansion of premises for the Plenary Retail Consumption license #1906-33-004-007, Coyote Cocina Mexicana, LLC for the purpose of expanding the premises. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Discussion on Resolution #2022-89

Mr. Formica made a motion to approve resolution 2022-89 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.

Mrs. Heath made a motion to rescind Resolution #2022-75. Seconded by Mr. Limon.

Mr. Ursin clarified the motion made by Mrs. Heath "is to rescind the previous resolution so that the Council would not be making any requests to have something placed on the ballot regarding school elections."

Upon roll call vote:

Ayes: Heath, Limon Skellenger, Snyder

Nays: Formica Absent: Postas, Sowden Abstentions: None

Adoption of Ordinance #10-2022

Mr. Formica made a motion to adopt 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. Skellenger.

Prior to final roll call Council President Formica requested a motion to open the meeting to the public for any comments regarding Ordinance 10-2022.

Mr. Skellenger made a motion to open to the public ordinance 10-2022, seconded by Mrs. Heath. All were in favor.

There being no one present or on ZOOM who wished to address the governing body, Mr. Skellenger made a motion to close to the public Ordinance 10-2022. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mayoral Appointment

Mayor Sowden will make the following appointment.

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Crossing Guard Hire

Jaymie Babcock 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.

This appointment was held over until the next meeting due to the absence of the Mayor.

Application for a Social Affair Permit

Mr. Skellenger made a motion to approve the application for a social affair permit submitted by the Franklin Fire Department, premises for the social affair permit is Fireman's Memorial Park, 46 High St., Franklin on August 20, 2022, and authorize the clerk to endorse the application. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger

Nays: None Absent: Postas Abstentions: Limon, Snyder

Walkkill Valley Girl Scout Request

Mrs. Heath made a motion to approve the request from the Walkkill Valley Girl Scouts for the usage of the Senior Center for various meetings and dates for the period beginning September 4, 2022 through June 4, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Discussion on Municipal Building Generator

The discussion was held over until the next council meeting.

MISCELLANEOUS COMMENTS

Mr. Limon commented that having public input on moving the school board is a good thing.

Mrs. Heath commented that it was good that we all came together and we can all learn from the experience to have better communication.

Mr. Snyder asked if it was part of the contract to have the streets lined that were paved.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 7:57p.m., seconded by Mr. Snyder. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk