

**MINUTES OF THE SPECIAL MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
AUGUST 31, 2022**

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, Mr. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mrs. Heath and Mr. Limon

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden stated "This Special Meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were sent to the New Jersey Herald on August 26, 2022. In addition, copies of the notices were posted on the bulletin board in the Municipal Building and the Borough website and filed in the office of the Municipal Clerk on aforementioned date.

OPEN PUBLIC SESSION

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

There being no one present who wished to address the Governing Body, Mr. Postas made a motion to close the meeting to the public, seconded by Mr. Formica. All were in favor.

NEW BUSINESS

Resolution #2022-89

Mr. Snyder made a motion to discuss adopting this resolution of the Governing Body of the Borough of Franklin seeking to accept and ratify a settlement agreement. Seconded by Mr. Postas.

Mr. Ursin commented that he is still waiting for written confirmation from the insurance company on their part of the settlement.

Mr. Snyder amended his motion to add conditioned upon written confirmation from the insurance company on their part of the settlement. Seconded by Mr. Postas.

Mr. Ursin commented that the record can reflect that the council has discussed this settlement in closed session, the settlement has been distributed to the council in advance of the meeting and there is nothing new in the settlement since it was last discussed.

Upon roll call vote:

Ayes: Snyder

Nays: Formica, Postas, Skellenger Absent: Heath, Limon Abstentions: None

MOTION FAILED

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Snyder made a motion to adjourn into closed executive session to discuss **attorney client privilege** matters. Motion seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Skellenger, Snyder

Nays: Postas Absent: Heath, Limon Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 8:07p.m. and Mayor Sowden declared the meeting to be reconvened into open public session.

MAYOR & COUNCIL MEETING SPECIAL MINUTES AUGUST 31, 2022

Mr. Skellenger made a motion to return from executive session. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Postas, Skellenger, Snyder

Nays: None Absent: Heath, Limon Abstentions: None

Mr. Ursin commented that prior to going into closed session there was a vote on approving the settlement and there was a long discussion and additional information was provided in closed session. The Council does have the opportunity to reconsider the vote that was taken earlier, but because it was a no vote it is proper if you wanted to reconsider the decision that someone who voted no on the original motion would have to be the person making the motion to approve the settlement if that is the Council's desire.

Mr. Skellenger made a motion to adopt Resolution 2022-89 contingent upon confirmation of insurance company commitment. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Postas, Skellenger, Snyder

Nays: Formica Absent: Heath, Limon Abstentions: None

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 8:10p.m., seconded by Mr. Snyder. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk