

**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
SEPTEMBER 10, 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: Mrs. Carnes (via phone), Mr. Formica, Mrs. Heath, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Limon

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

Jeff Stevens, Executive Vice President and General Manager of Iparametrics addressed the governing body regarding what his company can offer with regards to grant writing services.

COMMITTEE REPORTS

Mrs. Carnes commented that the EDC met. The pond side market is still moving ahead for the last Saturday in September from 10am-2pm. We are trying to find interest and funding for next year.

Mrs. Heath thanked the Council for their support during her recuperation. We met with a potential candidate for the position of Administrator.

Mr. Skellenger had nothing to report.

Mr. Formica commented that public safety met last week with the fire department and discussed capital purchases for 2025.

Mr. Snyder commented that there were quite a few personnel meetings to discuss staffing concerns upon Darlene's retirement. We will be advertising for DPW vacant positions. There was a grievance filed by an employee that was let go.

Mrs. Tremont commented that the Hemlock Drive work has started, and Catlin and Junction will begin after Hemlock is finished.

Mr. Ursin had nothing to report.

Mayor Sowden commented that he received an email regarding the rate increase for medical insurance for 2025. Corkhill Road by the Riverview Barn has water issues as well as ice issues. French and Parrello has been requested to get prices on drainage for that area. The cost would be approximately \$150,000; we could put this into next year's budget. This is an old problem that's never been addressed.

Mr. Formica asked why this wasn't included in Braen report.

Mrs. Heath commented that additional information is needed.

Mr. Ursin commented that an investigation should be considered.

Mrs. Heath made a motion to authorize the borough engineer to give a more detailed report on the water issues on Cork Hill Road. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

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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.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka questioned the wording of resolution 2024-101. Mrs. Tatka welcomed Rachel Heath back.

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 Mr. Formica. 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 15-2024 re: amending Chapter 215 Zoning.
2. Township of Montague resolution opposing proposed legislation bypassing local zoning for home-based businesses.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report – July 15 – July 19
2. DPW Report – July 22 – July 26
3. DPW Report – July 29 – August 2
4. DPW Report – August 5 – August 9
5. Police Department Report – July 2024
6. County Board of Health report – July 2024
7. Zoning Department Report – June, July & August

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 10, 2024.

Mrs. Heath made a motion to approve the consent agenda of September 10, 2024. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Snyder

Nays: None Absent: Limon Abstentions: Skellenger

OLD BUSINESS

Geese – Mr. Formica commented that it is not an easy fix to get rid of the geese. The most effective way is a gradual deterrence of their nests. Our DPW could be trained on how to deter the geese. Nothing can be done until April. We could include in next year budget for this service at a cost of approximately \$4,000-\$7,000. The company that was reached out to was very receptive and helpful. Scaring the geese only helps for a short period of time.

Mr. Snyder commented that he will try to get information at the annual conference.

NEW BUSINESS

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for August 13, 2024. (Absent: None) Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2024-97

Mr. Skellenger made a motion to adopt resolution 2024-97 requesting approval of items of revenue and appropriation NJSA 40A:4-87. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

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Nays: None Absent: Limon Abstentions: None

Resolution 2024-98

Mr. Formica made a motion to adopt resolution 2024-98 authorizing the mayor and clerk to sign certificate 2024-016. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2024-99

Mr. Snyder made a motion to adopt resolution 2024-99 authorizing a refund of an escrow for road opening permits. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2024-100

Mr. Snyder made a motion to adopt resolution 2024-100 authorizing the qualified purchasing agent to receive certain bids in accord with N.J.A.C. 5:34-5.1, E-Procurement. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2024-101

Mr. Skellenger made a motion to adopt resolution 2024-101 authorizing a procurement through the ESCNJ Cooperative contract for Basketball Court repairs and improvements at a cost not to exceed \$70,400, conditioned upon confirmation that Franklin Borough is a member in ESCNJ. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance 14-2024

Mr. Formica a motion to adopt Ordinance 14-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING CHAPTER 161, LAND DEVELOPMENT, TO ADD THE 520 ROUTE 23 INCLUSIONARY ZONE." Seconded by Mr. Skellenger.

Mr. Ursin commented that the Planning board has reviewed the application after our referral for consistency determination and the Planning Board issued a letter dated September 9, 2024 stating that they found consistency and also made a series of recommendations with respect to the ordinance.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 14-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 14-2024. Seconded by Mrs. Heath. All were in favor.

Mrs. Joann Tatka stepped forward. Mrs. Tatka asked if this is for 500 units.

Mr. Ursin commented that this is a change in the zoning ordinance.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close to the public Ordinance 14-2024. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance 15-2024

Mr. Skellenger made a motion to adopt Ordinance 15-2024 entitled "CAPITAL ORDINANCE PROVIDING FOR PURCHASE OF ALCOTEST SYSTEM, BY AND IN

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THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$22,823.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND FOR THE COST THEREOF.” Seconded by Mr. Formica.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 15-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 15-2024. Seconded by Mrs. Heath. All were in favor.

There being no one present who wished to address the Governing Body, Mr. Skellenger made a motion to close to the public Ordinance 15-2024. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mr. Formica made a motion to open the meeting to the public for Ordinance 14-2024. Seconded by Mr. Snyder. All were in favor.

Michael Silvert, Attorney for Imperatore Sussex Partnership stepped forward. Mr. Silvert thanked the council for the passage of this ordinance.

Mr. Skellenger made a motion to open the meeting to the public for Ordinance 14-2024. Seconded by Mr. Formica. All were in favor.

Adoption of Ordinance 16-2024

Mrs. Heath made a motion to adopt Ordinance 16-2024 entitled “AN ORDINANCE BY THE BOROUGH OF FRANKLIN AMENDING THE BOROUGH OF CODE OF ORDINANCES TO MODIFY CHAPTER 5 REGARDING THE PUBLIC WORKS DEPARTMENT.” Seconded by Mr. Formica.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 16-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 16-2024. Seconded by Mrs. Heath. All were in favor.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka asked for clarification on the separation.

Mrs. Heath commented that the current structure isn't working and we are losing a lot of employees.

Mr. Formica explained this is the first step towards fully separating the department.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close to the public Ordinance 16-2024. Seconded by Mrs. Heath. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance 17-2024

Mr. Formica made a motion to introduce Ordinance 17-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 245, TREES. Seconded by Mrs. Heath.

Mr. Formica asked what is being modified.

Mr. Ursin commented that when the original ordinance was passed versus the model ordinance that was provided by the State, the council decided that instead of having a chart of tree replacements that you were going to simplify your ordinance and have it be a one to one tree replacement and when we were making that edit, we didn't realize in other sections made reference back to the chart. So, all we are doing in this ordinance is deleting the references to the chart.

Mayor Sowden commented that the final reading will be held on September 24, 2024.

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Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

DPW Salary Step Increase

Mr. Snyder made a motion to approve a DPW salary step increase for Ray Smith to Grade Step 12 \$34.01/hr., as per the DPW contract, effective September 1, 2024 as recommended by Brian VanDenBroek, DPW Director. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

DPW Salary Step Increase

Mr. Snyder made a motion to approve a DPW salary step increase for Grady VanEk to Grade Step 2 \$20.20/hr., as per the DPW contract, effective September 1, 2024 as recommended by Brian VanDenBroek, DPW Director. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Discussion on the Municipal Lot at 100 Main Street

Mayor Sowden commented that this is in reference to the report from French and Parrello on the site. They did testing/core sampling at that site and found an old outhouse area that was filled in with debris and there was not much stability in that area hence the sink hole. The cost to remediate this is approximately \$150,000. The Mayor asked for comments from the council as to what they would like to do.

Mr. Formica asked if there is a way to get a second opinion.

Mr. Skellenger asked if Stefanie Williams could come to the next meeting to discuss this matter.

Discussion on new crosswalk on County Route 631/Franklin Avenue

Mr. Formica made a motion to authorize the Borough Engineer to draw up concept plans for sidewalks from Buckwheat Road to new cross walk including the cross walk. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

MISCELLANEOUS COMMENTS

Mr. Snyder asked about the status of the tree removal by Jehovah Witness building. Mr. Snyder reached out to Captain Geddis to inquire if there have been any accidents on Route 23 by the new restaurant and asked about the number of accidents that have occurred at the 4-way stop at Main and Junction.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 8:28p.m., seconded by Mrs. Heath. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk