

**MINUTES OF THE JOINT MEETING OF THE
MAYOR AND COUNCIL AND PLANNING BOARD
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
SEPTEMBER 12, 2023**

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

The following members of the Planning Board were present: Mr. Christiano, Mr. Friend, Mr. Nidelko, Mr. Raperto (7:38pm), Mr. Suckey, Mr. Williams, and Ms. Schultz.

Absent: Mr. Estes.

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 6, 2023, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

Rails to Trails Presentation. Mr. Josh Osowski, Regional Superintendent with the Park Service, spoke regarding the rails to trails program and connection to various towns. He discussed the obstacles that they are faced with when creating the trails. There are limited funds available and the trails are maintained by volunteers.

Mr. Christiano asked if this trail was to be developed, what is the 6-month plan and what would you ask the Borough to do.

Mr. Osowski explained the clearing process of the trails. The town could apply to Green Acres for grant funding to help with the costs of clearing the trail.

Ms. Kopsco, J. Caldwell and Associates, explained how their firm can help to complete the rails to trails. Their office can assist in grant writing and do a study for feasibility.

Mr. Suckey asked if any approvals are needed.

Mrs. Heath asked if anyone has contacted Braen [Quarry].

Mayor Sowden requested a motion to open the meeting to the public for anyone with concerns regarding Rails to Trails, Mrs. Heath made the motion. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mr. Ian Sherwood stepped forward. Mr. Sherwood spoke regarding liability concerns with those rails that cross private property. Mr. Sherwood asked how the trails will be maintained and when the bull dozers will be operating.

Mr. Osowski addressed Mr. Sherwood's concerns.

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Mr. Joe Odell stepped forward. Mr. Odell commented that he is a member of rails to trails and offered to answer any questions about them.

There being no one else present or on Zoom who wished to address the Governing Body regarding Rails to Trails, Mr. Postas made a motion to close the meeting to the public, seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

COMMITTEE REPORTS

Mr. Postas commented on the Hemlock Drive project and paving of the helipad. The approval of the well drilling contract is on the agenda tonight for approval.

Mr. Snyder had nothing to report.

Mr. Formica commented that the electrical work is done at the pond and the gazebo is in and DPW will prepare the site.

Mr. Skellenger thanked Recreation for the 9/11 memorial.

Mrs. Heath commented that the 9/11 ceremony was beautifully done. Thanked Anna from the Senior Center for the Senior Picnic that was held on September 8, 2023; it was a great celebration. October 28th is the Halloween parade and party.

Mrs. Tremont commented that Diana Falica passed her state tax collector's text and now is fully certified as a tax collector.

Mr. Ursin had nothing to report.

Mayor Sowden commented on the water tank painting status and thought the rails to trails presentation went well.

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.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka asked for parking signs for senior citizens at the senior center and the amount received for the 2nd quarter taxes for Ascend.

Mr. Jim Williams stepped forward. Mr. Williams updated the council regarding a list of trees that he sent to JCP&L as OEM Coordinator. Mr. Williams drove through town and compiled a list of lights that are out in town.

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. Snyder. 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. Ordinance from the County of Sussex amending the previously established regulations governing road opening and access permits.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. County Board of Health Report – July 2023
2. DPW Report – July 24, 2023 – July 28, 2023
3. DPW Report – July 31, 2023 – August 4, 2023
4. DPW Report – August 7, 2023 – August 11, 2023
5. DPW Report – August 14, 2023 – August 18, 2023

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APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for use of the Senior Center from Joseph Hendershot for Franklin Boy Scout Troop 90 on various dates beginning September 11, 2023 through June 17, 2024 as attached schedule and to waive the associated fees.
2. Application for use of the Senior Center from Maureen (Molly) Hubbard for Wallkill Valley Girl Scouts for various meetings and dates for the period beginning September 10, 2023 through June 15, 2024 as attached schedule and to waive the associated fees.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2023-108 to authorize the Borough Clerk to renew the following liquor licenses for the 2023-2024 licensing term.
1906-33-005-008 Franklin Silver Ducat II LLC, inactive/pocket license
1906-33-009-012 Franklin Silver Ducat II LLC, inactive/pocket license
2. Resolution #2023-109 to approve items of revenue and appropriation N.J.S.A. 40A:4-87 for the Local Recreation Improvement Grant in the amount of \$70,000.
3. Payment of bills for the meeting of September 12, 2023.

Mrs. Heath made a motion to approve the consent agenda of September 12, 2023. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None 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. Snyder made a motion to approve the regular meeting minutes and executive session meeting minutes for August 15, 2023. (Absent: None) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Franklin Band Senior Center Request

Mr. Postas made a motion to approve the request from the Franklin Band to use the Senior Center on Sunday, September 17, 2023 from 2-4pm. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointment.

Crossing Guard Hire

Becky Fiedler as substitute crossing guard at the rate of \$15.36/hr. effective September 16, 2023, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

Mr. Formica made a motion to confirm the mayor's appointment. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

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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 April 1, 2023 through March 31, 2024. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-110

Mrs. Heath made a motion to adopt Resolution 2023-110 authorizing the award of non-fair and open contracts for professional services to French & Parrello Associates for the period of January 1, 2023 to December 31, 2023, not to exceed \$30,000. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-111

Mr. Postas made a motion to adopt Resolution 2023-111 authorizing the award of a non-fair and open contract with Uhl & Associates for Hydrogeologic Drilling services for the Department of Public Works, not to exceed \$30,000. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-112

Mr. Skellenger made a motion to adopt Resolution 2023-112 authorizing the award of a required disclosure contract with J. Orlinger Drilling for the Department of Public Works, not to exceed \$35,000. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-113

Mr. Skellenger made a motion to adopt Resolution 2023-113 authorizing the award of a required disclosure contract with State Line Fire and Safety for the Franklin Fire Department, not to exceed \$29,000. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-114

Mr. Postas made a motion to adopt Resolution 2023-114 authorizing a refund of an escrow in the amount of \$500.00 for a road opening permit. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-115

Mr. Snyder made a motion to adopt Resolution 2023-115 authorizing to Join (renew) the Statewide Insurance Fund for the period of three years with the effective dates from January 1, 2024 to January 1, 2027. Seconded by Mr. Postas.

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Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Statewide Insurance Fund Indemnity & Trust Agreement

Mr. Snyder made a motion authorizing the Borough of Franklin continuing membership until January 1, 2027. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance #09-2023

Mrs. Heath made a motion to adopt Ordinance 09-2023 entitled "A CAPITAL ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AUTHORIZE THE PURCHASE OF TWO FORD 350 PICK UP TRUCKS FOR THE FRANKLIN BOROUGH WATER SEWER DEPARTMENT FROM THE CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$128,844". Seconded by Mr. Postas.

Mayor Sowden requested a motion to open the meeting to the public for ordinance 09-2023. Mr. Postas made a motion to open to the public Ordinance 09-2023. 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 09-2023. 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 #10-2023

Mr. Formica made a motion to introduce Ordinance 10-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-10 REGARDING YARD WASTE". Seconded by Mrs. Heath.

Mayor Sowden announced that the public hearing will be held on September 26, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance #11-2023

Mr. Formica made a motion to introduce Ordinance 11-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 86-17 REGARDING PET WASTE AND WILDLIFE FEEDING". Seconded by Mrs. Heath

Mayor Sowden announced that the public hearing will be held on September 26, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

EXECUTIVE SESSION

There was no executive session.

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MISCELLANEOUS COMMENTS

Mr. Snyder asked when the street lining will be done for Taylor Road and Premock.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:33p.m., seconded by Mr. Skellenger. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk