

**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 13, 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. Postas, 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, 2022, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

There were no presentations for tonight's meeting.

COMMITTEE REPORTS

Mr. Postas commented that he met with the CFO in regard to the 2023 budget and the CFO has reached out to all department heads to obtain want/need list.

Mr. Snyder offered no report.

Mr. Formica commented that the personnel committee will be meeting soon and the guiderails on county route 631 are going to be replaced.

Mr. Skellenger commented that the Recreation Committee did a good job on the 9-11 event.

Mrs. Heath commented that she attended the Walkkill Valley Coalition meeting via ZOOM and there was no Recreation meeting. There will be a safety committee meeting tomorrow (September 14) at 3:30.

Mrs. Tremont commented that we met with our new JCP&L Representative, Richard Rebisz and the Finance and Water/Sewer department is closed and will remain closed for the balance of the week due to COVID issues.

Mr. Ursin had nothing to report.

Mr. Bernath commented that he met with the Teamsters yesterday via ZOOM and we are very close to finalizing the contract; they have two more requests that will be sent to the personnel committee.

Mayor Sowden commented that we are in the process of receiving our first tax payment from the cannabis operation.

Mr. Ursin explained the process and the amount is in an early notification process. Confirmation of the full amount expected to be received will come when the invoice is generated.

Mayor Sowden commented that he is working with the Tax Assessor on the rails to trails and we are hoping to have it started within the year.

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 13, 2022

OPEN PUBLIC SESSION

Mr. Postas 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.

Ms. Emily Bazelwich, 1 Mill Street, Franklin stepped forward. Ms. Bazelwich asked what is going on in the old rubber company building. Ms. Bazelwich commented that the 9-11 ceremony was very nice and thanked those who organized the event. Ms. Bazelwich also thanked the individual responsible for getting the shrubs cut. Ms. Bazelwich suggested that the sign at the pond should be relocated.

Ms. Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented that the Recreation Committee did a great job on the 9-11 event and asked to consider having a second open public session or move the one listed on the agenda at a later point in the meeting.

There being no one else present who wished to address the Governing Body, Mr. Postas 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. Borough of Sussex resolution 2022-101R opposing the proposed increases to the State Health benefits program.
2. Township of Fredon resolution 2022-68 supporting the creation of a parents' bill of rights concerning the protection and education of children in the Township of Fredon.
3. Hampton Township Resolution opposing the proposed increases to the State Health Benefits program.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health Report – July 2022
2. Zoning Department Report – July 2022
3. DPW Report – July 11 – July 15, 2022
4. DPW Report – July 18 – July 22, 2022
5. DPW Report – July 25 – July 29, 2022
6. DPW Report – August 1 – August 5, 2022
7. DPW Report – August 8 – August 12, 2022
8. DPW Report – August 15 – August 19, 2022
9. Police Department Report – August 2022
10. Construction Permit List – August 2022
11. COH Report – August 2022
12. Construction Permit Activity Report – August 2022

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Franklin Boy Scout Troop 90 Request
To authorize the request from the Franklin Boy Scout Troop 90 for the usage of the Senior Center for their troop meetings on the dates specified in the application for the period beginning September 12, 2022, through June 12, 2023.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution 2022-90 authorizing a disabled Veteran exemption on 7 Sgt. Dennis F. Premock Rd., Block 1501, Lot 12 and to cancel taxes billed from August 5, 2022 to December 31, 2022 in the amount of \$3,145.56.
2. Payment of bills for the meeting of September 13, 2022.

Mr. Postas made a motion to approve the consent agenda of September 13, 2022 with the requested additional dates for the Boy Scouts. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

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Nays: None Absent: Limon Abstentions: None

OLD BUSINESS

Peddlers Permit Application and Appeal (tabled from August 16, 2022 meeting)

Mrs. Heath made a motion to approve the peddlers permit application and appeal from Curtis Pandorf – Hot Dog Truck located at 76 Route 23, Franklin. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

NEW BUSINESS

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for August 16, 2022. (Absent: Postas, Mayor Sowden) Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: Postas

Mr. Skellenger made a motion to approve the special meeting minutes and executive session meeting minutes for August 31, 2022. (Absent: Heath, Limon) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: Heath

Resolution #2022-91 to authorize additional funds not to exceed \$13,830.50 for the road resurfacing of Maple Road. **REMOVED FROM THE AGENDA – WAITING FOR FINAL INVOICE FROM TILCON.**

Resolution #2022-92

Mr. Formica made a motion to approve resolution 2022-92 awarding Tilcon through the Morris County Co-op Contract #6 (District #2) road resurfacing of various roads (Pvt. Joseph Auché Drive, Ginter Street, Lozaw Road, Mabie Street and John Wilton Street) not to exceed \$236,475.69. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2022-93

Mrs. Heath made a motion to approve resolution 2022-93 the LOSAP qualification list and authorizing contributions for 2021 qualifying members of the Franklin Fire Department and the Walkkill Valley First Aid Squad. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2022-94

Mr. Postas made a motion to approve resolution 2022-94 authorizing an electronic tax sale. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2022-95

Mr. Formica made a motion to approve resolution 2022-95 opposing the reassignment by the New Jersey Department of Environmental Protection of all municipalities currently designated Tier B under the Municipal Separate Storm Sewer System Permit Program to Tier A designation. Seconded by Mr. Skellenger.

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Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance #13-2022

Mr. Skellenger made a motion to introduce ordinance 13-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF A CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 35 FOWLER STREET". Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: None Absent: Limon Abstentions: Snyder

Mayor Sowden announced that the public hearing will be held on September 27, 2022.

Mayoral Appointments

Mayor Sowden will make the following appointments.

Crossing Guard Hire

Mr. Skellenger made a motion to confirm the mayors appointment of 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. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Recreation Committee

Mrs. Heath made a motion to confirm the mayors appointment of Eric Maynard - Member to a 3-yr. unexpired term ending 12/31/2022. As recommended by the Recreation Committee. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

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 October 1, 2022, and authorize the clerk to endorse the application. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: None Absent: Limon Abstentions: Snyder

Water/Sewer Connection Application

Mr. Postas made a motion to approve the application for a 1 EDU single family dwelling at 5 Estell Drive contingent upon receipt of associated connection fees and all directives followed as per Utility Engineer, Michael Vreeland's, memo dated August 19, 2022. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Sussex County Division of Health request

Mrs. Heath made a motion to authorize the request from the Sussex County Division of Health for the usage of the Senior Center for a Flu/Covid Clinic on November 9, 2022, from 10:00am – 1:00pm. Seconded by Mr. Postas.

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Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Discussion on Vape Shops

Mr. Snyder commented that he would like to see the number of vape shops limited in Franklin Borough.

Mrs. Heath commented that once the current vape shops are closed to not allow anymore.

Mr. Ursin gave some direction as to how to move forward.

After some further discussions, it was the consensus of the Governing Body to have Mr. Ursin draft a memo for the next meeting agenda referring the issue to the planning board for further review.

Discussion on Municipal Building Generator

Mayor Sowden commented do we want to have the Borough Hall with power during power outages or send the employee's home.

Mrs. Heath asked what the options are.

Mayor Sowden commented that sometimes there are grants out there to obtain generators.

After some further discussion, it was the consensus of the Governing Body to look into generators for the Senior Center and Fire Department.

ADDENDUM

Resolution #2022-96

Mr. Snyder made a motion to approve resolution 2022-96 rescinding and replacing resolution 2022-77. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2022-97

Mr. Snyder made a motion to approve resolution 2022-97 rescinding and replacing resolution 2022-78. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Formica commented that the Girl Scouts Garage Sale is this Saturday September 17th and the Mineral Show is this weekend.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:09p.m., seconded by Mr. Postas. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk