

**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 24, 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, Mr. Formica, Mrs. Heath, Mr. Limon, Mr. Skellenger, and Mayor Sowden.

Absent: Mr. Snyder

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."

Mayor Sowden commented that there was an executive session held this evening from 6pm-6:45pm to discuss contract negotiations and personnel.

PRESENTATIONS

Michael Christensen provided pictures and information on his Eagle Scout project. Mr. Christensen stated that he wishes to replace the memorial sign at Memorial Park and will set up a go fund me page to get donations and he will also ask local businesses for donations. Mr. Christensen asked for approval so he can begin the donation process and that the location can be determined at a later date.

Mr. Skellenger made a motion to approve the preliminary project design from Michael Christensen for his eagle scout project. Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Limon, Skellenger

Nays: None Absent: Snyder Abstentions: None

COMMITTEE REPORTS

Mrs. Heath had nothing to report.

Mr. Skellenger commented that a meeting will be set up with the real estate committee to go over properties to possibly auction off.

Mr. Formica commented that he reached out to the contractor about the basketball court and he is trying to coordinate a start date.

Mr. Limon had nothing to report.

Mrs. Carnes commented that the 9-11 event was beautiful. This weekend is the bus trip to Yankee Stadium, October 26th at 12noon is the Halloween Parade where the fireman will have cider and donuts and then at 6pm is the Halloween Party at Fireman's pavilion. The EDC pondside market is this Saturday and we have about 17 vendors. The Council received a flyer about a new business opening in Franklin, Peerless, on Thursday October 17th in the afternoon and this weekend, Sunday, at 1pm Hello Fresh Paws, a dog grooming business on Route 23, will be having a grand opening.

Mrs. Tremont commented that the best practices inventory has been started.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

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OPEN PUBLIC SESSION

Mr. Formica 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.

Joann Tatka stepped forward. Mrs. Tatka apologized for misspeaking about the number of units for the Imperatore property. Mrs. Tatka questioned the hearing on the Zinc Mine.

Mr. Ursin commented that the planning board will hold a hearing.

Mrs. Tatka asked if the administrator position was advertised and questioned the wording of resolution 2024-102. Is the grant writer a contract salary or is it paid when the grant is received.

Jason Quinn stepped forward. There's a company called Atlantic Metro that is looking to rezone 70 Davis Road and just wanted to let you know that they are in our neighborhood doing work and they brought dump trucks in with contaminated soil and filling and dumping issues.

Dawne Rowe stepped forward. Ms. Rowe congratulated Michael Christensen on his eagle scout project and recreation on the 9-11 ceremony. Ms. Rowe questioned ordinance 17-2024, how does this effect a project already approved. Ms. Rowe also questioned the advertising policy and asked for a second public session.

There being no one else present who wished to address the Governing Body, Mrs. Heath 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. Township of Hardyston ordinance amending and modifying chapter 185 "zoning", article XXV "Stormwater Management", of the township of Hardyston general code.
2. Hampton Township resolution in opposition to proposed legislation bypassing local zoning for home-based businesses.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. COH Report – August 2024
2. Permit List – August 2024
3. Permit Activity Report – August 2024
4. Municipal Court Report – August 2024
5. DPW Report – August 12 – August 16
6. DPW Report – August 19 – August 23
7. DPW Report – August 26 – August 30
8. DPW Report – September 2 – September 6
9. County Board of Health Report – August 2024
10. Police Department Report – August 2024

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 9, 2024 through June 16, 2025 as per the 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 22, 2024 through June 20, 2025 as per the attached schedule and to waive the associated fees.
3. Application for use of the Senior Center from the Franklin Band on October 13, 2024 from 2pm-4pm.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 24, 2024.

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Mr. Skellenger made a motion to approve the consent agenda of September 24, 2024 with the removal of PO 37977. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Limon, Skellenger

Nays: None Absent: Snyder Abstentions: None

Mr. Formica made a motion to approve PO 37977. Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Limon

Nays: None Absent: Snyder Abstentions: Skellenger

OLD BUSINESS

Discussion on 100 Main Street

Stefanie Williams commented that everyone should have received the report for the geo tech. Ms. Williams went over the report and the costs for analysis and asphalt fill. There are two options that could be done, open it up, remove all the material and place clean materials in or we just leave it as is and place vegetation on top.

NEW BUSINESS

Discussion on Rutherford Culvert Headwall

Stefanie Williams of French and Parrello commented that this property is 50 acres which would have to go through NJDEP to build a headwall. We would need an easement from the property owner for the headwall and explained what would need to be done. The Council agreed to have Stefanie move forward with the culvert and drainage that includes cameraing, write a report, investigate what the dimensions are, contact the County if applicable, then go to the State to ask for a grant.

Stefanie Williams commented on the report for Corkhill Road drainage by the Riverview Barn. She spoke about the causes and the history of the area.

Mr. Formica asked why this wasn't part of Braen's annual report.

Ms. Williams commented that they are only required to address areas that they disturb in their annual report.

Mr. Ursin commented that the Borough is now liable for the safety of residents and people, this will now have to be addressed.

Mr. Formica commented that we should talk with Braen first to see if they could help divert the water.

The Mayor and Stefanie are authorized to speak with Braen on the drainage issue.

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for September 10, 2024. (Absent: Limon) Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Snyder Abstentions: Limon

Discussion on Ordinance 16-2024

Mayor Sowden commented that he is giving notice that for the following reasons that he will not support and not sign Ordinance 16-2024.

Mayor Sowden read into the record the following letter:

First and foremost, the ordinance puts additional responsibilities on the borough administrator, I can't figure out why, when we have people who are a director of public works who need to be certified by the state in that position, we will now have

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to divide it with the borough administrator. Why is this needed? Though I do understand that the Director of Public Works answers to the administrator.

Years ago, when I was on the Council we had this old system in place (which it seems to be going in that direction again) and there were always issues. One department did not want to work with the other. Sometimes there were real arguments going back and forth. Why do we need to go backwards.

After a while there were real animosities between the two departments. This division will not work. Try to remember that as time moves on, we will have different people in these positions. Along with other Mayors and Council.

I think we should review the past council's decisions to see how they came to these decisions. Because there must have been a reason, they changed it over 13 years ago. What changed?

I think Churchill said it well, many years ago, "Those that fail to learn from history are doomed to repeat it."

Mr. Skellenger made a motion to override the Mayor's veto of Ordinance 16-2024. Seconded by Mrs. Carnes.

Upon roll call vote:
Ayes: Carnes, Formica, Heath, Skellenger
Nays: Limon Absent: Snyder Abstentions: None

Resolution 2024-102

Mr. Limon made a motion to adopt resolution 2024-102 authorizing the removal of a water/sewer overbill on Block 2101 Lot 14. Seconded by Mr. Skellenger

Upon roll call vote:
Ayes: Carnes, Formica, Heath, Skellenger
Nays: None Absent: Snyder Abstentions: Limon

Resolution 2024-103

Mr. Limon made a motion to adopt resolution 2024-103 authorizing the removal of a water/sewer overbill on Block 1501 Lot 1. Seconded by Mr. Skellenger.

Upon roll call vote:
Ayes: Carnes, Formica, Heath, Limon, Skellenger
Nays: None Absent: Snyder Abstentions: None

Resolution 2024-104

Mrs. Heath made a motion to adopt resolution 2024-104 authorizing a salary adjustment for the certified finance officer. Seconded by Mr. Skellenger.

Upon roll call vote:
Ayes: Carnes, Formica, Heath, Limon, Skellenger
Nays: None Absent: Snyder Abstentions: None

Adoption of Ordinance 17-2024

Mr. Formica made a motion to adopt ordinance 17-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 250, TREES." Seconded by Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for Ordinance 17-2024. Mr. Skellenger made a motion to open the meeting to the public for ordinance 17-2024. 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 the meeting to the public for ordinance 17-2024. Seconded by Mrs. Heath. All were in favor.

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Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: Limon Absent: Snyder Abstentions: None

Introduction of Ordinance 18-2024

Mrs. Carnes made a motion to introduce ordinance 18-2024 entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY." Seconded by Mr. Skellenger.

Mayor Sowden announced that the final reading will be on October 8, 2024.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Limon, Skellenger

Nays: None Absent: Snyder Abstentions: None

Discussion of Administrator Position

Mr. Ursin informed the public about the administrator position and potential candidate.

Mr. Skellenger made a motion to authorize the Mayor and Clerk to execute a contract for the position of Administrator. Seconded by Mrs. Heath.

Mr. Ursin commented that the contract is not public record until it is fully executed.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Limon, Skellenger

Nays: None Absent: Snyder Abstentions: None

Discussion on Grant Writer

Mr. Skellenger commented that he likes this idea. He feels that the gentleman that came to the last meeting would be a tremendous asset to the Borough.

Mr. Skellenger made a motion to retain and appoint Iparametrics as Grant Writer. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Limon, Skellenger

Nays: None Absent: Snyder Abstentions: None

Discussion on High Street and Parker Street stop sign

Mrs. Heath asked if there was a problem at this location.

Mayor Sowden commented that years ago there was a horrific accident there and it has always been a concern of his.

Mrs. Tremont will reach out to Seargeant Vanderploeg and make the suggestion of Stefanie's recommendation of blinking pedestrian signs.

MISCELLANEOUS COMMENTS

There were no miscellaneous comments.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Formica made a motion to adjourn the meeting at 8:43p.m., seconded by Mr. Skellenger. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk