

**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 27, 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. Limon, Mr. Postas, 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, 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. Limon had nothing to report.

Mr. Postas had nothing to report.

Mr. Formica had nothing to report other than the resolution that was on the agenda for the teamsters' contract.

Mr. Skellenger had nothing to report other than the resolution for the auction.

Mrs. Heath commented that there was a safety committee meeting, and it was very productive. We spoke about mandated training and fire qualifications, the PD now has rifles and there will be a vacancy in January, we are hoping to get something in place to fill the position. Mrs. Heath attended the Oak tree dedication at the Franklin Borough School. Mrs. Heath commented that the peddling and solicitation ordinance will be looked at to revamp in the near future. The nutrition site at the Senior Center will resume in person eating on Monday.

Mrs. Tremont commented that the ballot box is now open for the general election and those ballots are picked up by the County about three times a week.

Mr. Bernath commented that the Teamsters contract is on the agenda tonight for approval. The trash bid was sent out to the Council for review. Our conversion to Primepoint for payroll is on schedule and will go live in October. Negotiations with the DPW director are on-going and there needs to be a meeting set up with the personnel committee to discuss items in that contract.

Mr. Ursin had nothing to report.

Mayor Sowden commented that there was a joint meeting with Hardyston in regard to the ETO emissions from Park Drive with the NJDEP, they are still investigating and monitoring.

**OPEN PUBLIC SESSION**

Mrs. Heath 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.

## MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 27, 2022

JoAnne Tatka, 151 Maple Road, Franklin stepped forward. Mrs. Tatka commented on the generator that the DPW has and asked if that could be used at the Borough Hall. Mrs. Tatka asked what the total amount was for the LOSAP resolution.

Mr. Bernath commented that the total amount was \$12,500.

Mrs. Tatka asked how much of a raise was included in the Board of Public Works contract.

Mr. Bernath commented that there was an attachment with the agreement and the figure is 2.25%.

Mrs. Tatka asked who pays the increase for the health insurance and asked if a response was received from the State in regard to the power and light building.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe asked how much money the town received from the American Rescue Plan and asked what will be done with it.

Mr. Bernath commented that we received \$434,000 and we plan on using it for a new well for our water system.

Ms. Rowe commented on the issue with EPA and asked to add another public session or move the public session to the end of the meeting.

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 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 Hamburg resolution 2022-86 opposing the proposed increases to the State Health Benefits Program.
2. Lafayette Township resolution 2022-39 in opposition to 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.
3. Township of Montague resolution 2022-100 in opposition to 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.
4. Township of Frankford resolution 2022-057 in opposition to 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.
5. Township of Frankford resolution 2022-058 opposing the proposed increases to the State Health Benefits Program.
6. Thank you note from Girl Scout Group #98522 for the use of the Senior Center.
7. Resignation letter dated September 19, 2022, from Dylan Odee.
8. Sandyston Township resolution R62-2022 100 in opposition to 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.

### **REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW report – August 22, 2022 – August 26, 2022
2. Board of Health report – August 2022
3. Municipal Court Report – August 2022
4. Animal Control After Hours report – May – September 16, 2022
5. Animal Control Report – January – September 13, 2022
6. JCP&L Report – Power Outage September 19, 2022

### **APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. None filed.

**MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 27, 2022**

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING):

1. Resolution #2022-98 to authorize the Tax Collector to refund taxes for the property located at Block 1501, Lot 12, in the amount of \$1,121.02 for the 3<sup>rd</sup> qtr. 2022 prorated overpayment.
2. Payment of bills for the meeting of September 27, 2022.

Mr. Limon made a motion to approve the consent agenda of September 27, 2022. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

**OLD BUSINESS**

Mayor Sowden commented that there is a memo in front of you from the Attorney regarding the Vape shops.

Mrs. Heath made a motion to forward the memo to the planning board for their consideration. Seconded by Mr. Postas. All were in favor.

**NEW BUSINESS**

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for September 13, 2022. (Absent: Limon) Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: Limon

Resolution #2022-99

Mr. Skellenger made a motion to approve extending the contract for Auction/Marketing Services with Max Spann RE, and Auction Company to December 31, 2022. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Resolution #2022-100

Mr. Formica made a motion to approve the Agreement between Franklin Borough and International Brotherhood of Teamsters Local 125. (Teamsters agreement included in Council packets) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Resolution #2022-101

Mr. Postas made a motion to approve hiring a temporary part-time seasonal DPW Laborer in the amount of \$17.99 per hour up to 29 hours. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

Adoption of Ordinance 13-2022

Mr. Skellenger made a motion to adopt 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. Formica.

## MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 27, 2022

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 13-2022.

Mr. Skellenger made a motion to open to the public ordinance 13-2022, seconded by Mr. Postas. All were in favor.

There being no one present or on Zoom who wished to address the governing body, Mr. Skellenger made a motion to close to the public ordinance 13-2022. Seconded by Mrs. Heath. All were in favor.

Mayor Sowden commented that he would like to have the DPW do a walk around of the property to make sure that it is cleaned up.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

### Introduction of Ordinance 14-2022

Mrs. Heath made a motion to introduce ordinance 14-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 259-2 REGARDING PARKING". Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger

Nays: Limon, Postas Absent: Snyder Abstentions: None

**Mayor Sowden announced that the public hearing will be held on October 11, 2022.**

### Proclamation

Mr. Formica made a motion to approve the proclamation proclaiming October 6, 2022, as Knock Out Opioid Abuse Day. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger

Nays: None Absent: Snyder Abstentions: None

### EXECUTIVE SESSION

There was no executive session

### MISCELLANEOUS COMMENTS

Mayor Sowden commented that he spoke to Mr. Williams about the Christmas trees at the pond and how they are difficult to put on the lights. Mr. Williams has found a company that would be willing to bring in three new trees at 6-7 feet high and the cost is about \$900. Is this something that we would like to look in to. After some discussion, it was decided to not purchase the new trees and to possibly have an electrician come in to string the lights. Mayor Sowden commented that the front steps of the building need to be repaired. Mayor Sowden asked Mr. Formica to obtain quotes to repair the steps in front of borough hall and we are working on pre-ordering new police cars.

Mrs. Heath commented on the trees that Nelson Tree Service cut down on Maple Road and asked if they are coming back to pick them up.

### ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mrs. Heath made a motion to adjourn the meeting at 7:38p.m., seconded by Mr. Postas. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk