

**MINUTES OF THE MEETING OF THE
JOINT PLANNING BOARD AND MAYOR AND COUNCIL AND
REGULAR MAYOR AND COUNCIL MEETING
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
DECEMBER 20, 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 (6:36pm), Mr. Snyder and Mayor Sowden.

Absent: None

Mayor Sowden requested the Borough Clerk to call the roll of the Planning Board. Upon roll call, the following members of the Planning Board were present: Mr. Suckey, Mr. Christiano, Mr. Estes (via ZOOM), Mr. Friend (via ZOOM), Mr. Raperto, Ms. Schultz, Mr. Williams, Councilman Formica and Mayor Sowden.

Absent: Mr. Nidelko

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 December 16, 2022, and posted on the Borough website, which adequate notice has been certified by the Clerk."

Mayor Sowden announced that members of the Historic Preservation Commission were in attendance and they were Mr. Phillip Crabb, Mrs. Judy Williams and Mrs. Connie Cholminski.

JOINT MEETING - MAYOR AND COUNCIL AND PLANNING BOARD

PRESENTATIONS

Historic Revitalization/Redevelopment of Main Street

Jessica Caldwell, PP, AICP, LEED GA, J. Caldwell & Associates, LLC and Thomas Edward Jones, Historic Preservation Planning (via Zoom) on the Historic Revitalization/redevelopment of Main Street.

Ms. Caldwell commented on the potential vision for Franklin Borough, community background and planning background. Commented on the Route 23 corridor being the main hub.

Ms. Caldwell asked what are some strengths and visions that some see for Franklin Borough.

Ms. Schultz commented that she likes the small-town feel.

Mr. Raperto commented that Franklin has a good commercial core.

Mrs. Heath commented that Franklin is a great place to raise children.

Mr. Postas commented that Franklin has a good basis for community. Most of the property that is in the redevelopment area, the town does not own. Franklin has a great Recreation Committee but no facility. We need to be willing to stick our necks out there to gain some property maybe through eminent domain. The Zinc Mine property is the area that we should try to get for a Recreation Facility.

Mr. Christiano commented that Mr. Postas' comments are recurring.

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Mr. Limon commented that we are always waiting and no action is ever taken.

Mr. Williams commented that the upper section of the Zinc Mine is a gold mine.

Mr. Crabb commented that he is in agreement with Mr. Postas and Mr. Williams. He feels that the resurrection of a recreation center in the middle of town would be a draw. There's parking at the Zinc Mine property and we do not need to reconstruct a business area; it still exists.

Mr. Suckey commented that a survey of Main Street showed that 65% of the population are from the center of Main Street but can't walk to areas. There have been TCC meetings that have shown interest and ideas for the Zinc Mine property.

Ms. Caldwell asked what are the weaknesses or hurdles that need to be overcome to get to our visions.

Ms. Schultz commented that we need more overnight parking for residents.

Route 23 keeps people from Main Street.

Mr. Formica commented that there is lack of volunteers involved in various committees.

Mr. Suckey commented that we don't tout the town enough.

Ms. Caldwell asked about visioning opportunities.

Mr. Christiano commented that we need to take care of the small things and the big things will come.

Mr. Crabb commented that we need solid strategies with real goals.

Mr. Suckey commented that we need to be open minded and not go back to what it was.

Mr. Snyder commented that we had too many restrictions therefore businesses were not coming into Franklin.

Ms. Caldwell commented that the council should pick and choose yearly goals and implementation of those goals.

Mr. Thomas Jones, Historic Preservation Planning commented that he is familiar with the History of Franklin Borough and agrees with looking at the small things to start.

Mr. Limon commented on exterior requirements.

Mr. Formica commented to utilize new material that compliment what we have; don't bring in modern exteriors with what we currently have.

Mayor Sowden asked Mr. Jones to point out some of the financial possibilities that we could use to help us move forward.

Mr. Jones commented to stay with historic authenticity. There are grant options in New Jersey that's unique. Develop a grant opportunity list. If Franklin Borough was fully historic, we could get a 20% tax credit. Set goals for a six-month plan, 1 year or 5-year plan.

Mr. Christiano commented about the active rail line that runs through the town, is there any use of this that would benefit the town.

Mayor Sowden commented to start with Edison School house.

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Mayor Sowden requested a motion to adjourn the Joint Meeting with the Planning Board and to begin the regular meeting. Mr. Formica made the motion to adjourn the joint meeting and begin the regular meeting, seconded by Mr. Skellenger. All were in favor.

Mayor Sowden requested a moment of silence for Detective Sergeant Joseph Kistle who passed away.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Postas had nothing to report.

Mr. Snyder had nothing to report.

Mr. Formica commented that the guiderails on County Route 631 have been replaced.

Mr. Skellenger had nothing to report.

Mrs. Heath commented that tree lighting went well. Mrs. Heath thanked Judy Williams, Jenna Houghtaling and Concetto Formica for decorating the tree and it looks beautiful. Eleven residents have signed up for the holiday home decorating contest.

Mrs. Tremont had nothing to report.

Mr. Bernath commented that we are continuing to work on the 2023 budget and the water tower bid opening is January 18, 2023 at 10:30am.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

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. Postas. All were in favor.

Ms. Sharon Schultz, 51 Main Street Franklin, stepped forward. Ms. Schultz addressed the governing body regarding vape shops. She spoke to the lawyer and he made a comment that we might be targeting. She commented to let her know if we want to move forward.

Ms. Judy Williams, 279 Wildcat Road, Franklin stepped forward. Ms. Williams addressed the governing body regarding the Holiday Decorations. Ms. Williams commented that something needs to be figured out regarding the Christmas tree decorating because the tree is getting too big. Let's come up with a plan for new decorations.

Ms. Patti Carnes, 289 Rutherford Ave. Franklin stepped forward. Ms. Carnes addressed the governing body regarding the Zinc Mine property and eminent domain. Ms. Carnes asked the Council to think about a Plan B if Plan A doesn't work and to be mindful of the financial effects on residents.

Ms. Carol Truhan, 20 Nestor Street Franklin was granted permission to join the meeting after raising her hand via ZOOM. Ms. Truhan asked if there was any update on the parking on Nestor Street.

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 Mr. Limon. All were in favor.

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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. Letter dated December 1, 2022 from Timothy Day, Comptroller SCMUA to Mayor Sowden in re: Estimate Annual Charge 2023
2. Letter from SCMUA in re: FY2023 Final Rate Schedule Effective December 1, 2022.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court – November 2022
2. Construction Permit List – October 2022
3. Construction Permit List – November 2022
4. Construction Permit Activity Report – November 2022
5. St. Clare's EMS report – May through November 2022
6. Police Department Report – November 2022
7. County Board of Health Report – November 2022

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2022-119 to approve a budget transfer in the amount of \$9,065.00.
2. Payment of bills for the meeting of December 20, 2022.

Mr. Limon made a motion to approve the consent agenda of December 20, 2022. Seconded by Mrs. Heath.

Mr. Snyder requested the removal of PO #35960 from the consent agenda and vote on it separately.

Mr. Limon made a motion to approve the consent agenda of December 20, 2022 with the removal of PO# 35960. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Mr. Postas made a motion to approve PO# 35960, seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Skellenger

Nays: None Absent: None Abstentions: Formica, Snyder

OLD BUSINESS

There was no old business for tonight's portion of the meeting.

NEW BUSINESS

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for November 22, 2022. (Absent: Postas) Seconded by Mr. Limon,

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Postas

Resolution #2022-117

Mr. Postas made a motion to approve Resolution 2022-117 to authorize the Tax Collector to refund deposits as listed in resolution 2022-117 via ACH credit. Seconded by Mr. Skellenger.

Upon roll call vote:

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Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder
Nays: None Absent: None Abstentions: None

Resolution #2022-118

Mrs. Heath made a motion to approve resolution 2022-118 appointing Nicholas Della Fera of the Franklin Borough Police Department as secondary Humane Law Enforcement Officer pursuant to N.J.S.A. 4:19-14.1 for the purpose of enforcing animal welfare laws and regulations within Franklin Borough. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder
Nays: None Absent: None Abstentions: None

Adoption of Ordinance 17-2022

Mr. Snyder made a motion to adopt ordinance 17-2022 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 200-6, REGARDING PEDDLERS LICENSES". Seconded by Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 17-2022.

Mr. Skellenger made a motion to open to the public ordinance 17-2022, seconded by Mr. Postas. All were in favor.

There being no one present who wished to address the governing body, Mr. Skellenger made a motion to closed to the public ordinance 17-2022. Seconded by Mr. Postas. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder
Nays: None Absent: None Abstentions: None

PSAP agreement with Sparta

Mrs. Heath made a motion to approve the Public Safety Answering Point (PSAP) to provide a 9-1-1 enhanced emergency telephone network to meet state requirements for a Five-year-period beginning January 1, 2023, at the rate of \$97,865.00 with a 2% increase in each subsequent year ending December 31, 2027. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder
Nays: None Absent: None Abstentions: None

Shared Service Agreement for Deer Carcass Removal

Mr. Limon made a motion to approve the Shared Service Agreement through December 31, 2023, between Space Wild Animal Farm Inc. and the Borough of Franklin for deer carcass removal from Municipal Road rights-of-way at the rate of \$29.00 per deer. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder
Nays: None Absent: None Abstentions: None

Franklin Borough Police Department Request

Mrs. Heath made a motion to approve the request from Chief Cugliari to begin a hiring process in anticipation of retirements in the police department. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder
Nays: None Absent: None Abstentions: None

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Solid Waste and Recycling Bid

Mr. Formica made a motion to accept the bid for Solid Waste and Recycling Collection from Blue Diamond Disposal Inc., for a 3-year contract to begin January 1, 2023 and ending December 31, 2025 in the amount of \$1,692,000.00. Seconded by Mr. Skellenger.

Mr. Formica commented that now is the time to look into a garbage collection shared service or having Franklin collect its own garbage.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: Postas Absent: None Abstentions: None

Mayoral Appointments

Mayor Sowden made the following appointments:

Crossing Guard Hire

Mr. Formica made a motion a motion to appoint Susan Hardcastle as substitute crossing guards at the rate of \$15.02/hr. effective immediately, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Recreation Committee

Mr. Limon made a motion to appoint Frederick Babcock - Member to a 3-yr. unexpired term ending 12/31/2024. As recommended by the Recreation Committee. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

The Franklin Band Request

Mr. Skellenger made a motion to approve the request to waive the fees and to use the Senior Center for their meetings on December 27, 2022, 10:00AM - 1:00PM, January 3, 2023 and January 10, 2022, 7:00PM - 9:00PM, January 8, 2023, April 2, 2023, June 4, 2023 and October 1, 2023, 2:00PM – 4:00PM. Seconded by Mr. Postas.

Mrs. Tremont commented that the date of December 27, 2022 is being removed from the request as the Senior Center is not available during the time requested.

Upon roll call vote:

Ayes: Formica, Limon, Postas, Skellenger, Snyder

Nays: Heath Absent: None Abstentions: None

Franklin Quilters Request

Mr. Skellenger made a motion to approve the Franklin Recreation Committee Sponsored, "Franklin Quilters" request to waive the fees and to use the Senior Center for their meetings on the 3rd Saturday of every month for year 2023. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Limon, Postas, Skellenger, Snyder

Nays: Heath Absent: None Abstentions: None

Discussion on DPW Supervisor position

No discussion took place.

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EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Postas made a motion to adjourn into closed executive session to discuss personnel and contract negotiation matters. Motion seconded by Mr. Skellenger. All were in favor.

Mr. Ursin commented that there may be official action taken after executive session.

ADJOURNMENT

At 8:04pm, the Mayor and Council adjourned into executive session and did not return into open public session.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk