

**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  
JULY 20, 2021**

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, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder, Mr. Zydon and Mayor Sowden.

Absent: None

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, 2021, and posted on the Borough website, which adequate notice has been certified by the Clerk."

### **PRESENTATIONS**

At this time, Christina Sanchez and Bobbi Formica presented the 2021 Royal Court of Franklin, Miss Franklin, Samantha Karpowicz, Jr. Miss Franklin, Lily Parker, Little Miss Franklin, Chloe Geuther, and Prince of Franklin, Jules Bannister.

### **COMMITTEE REPORTS**

Mr. Limon commented there was a public works meeting last Wednesday and I see a few of the items we discussed are on this evening which we are happy for the repaving of the roads. There was also an update on the I&I improvements. We are looking at Rural USDA funding to update the well house and meter reading software. Mr. Limon commented on the issues with the McCann Street contractor.

Mr. Postas had nothing to report.

Mr. Snyder commented that an individual was offered the position of zoning official.

Mr. Formica commented that there will be pop up free produce market on July 29<sup>th</sup>. The fence for the playground is scheduled to be installed on August 10<sup>th</sup> and August 11<sup>th</sup>. August 3<sup>rd</sup> is national night out from 6pm-9pm at the pond. Mr. Formica gave an update on the progress of the playground.

Mr. Zydon questioned some of the costs for the playground and asked to have all emails regarding the playground be sent to himself and the rest of the council and also asked for an accounting of all funds.

Mr. Skellenger had nothing to report.

Mr. Zydon had nothing to report.

Administrator Bonanno commented that we will be having our note sale this week and will give a report to the council once completed.

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.

Astra Simora, 21 Ed Mitchell Avenue stepped forward. Ms. Simora commented that she has been the care taker of Mr. John Yanish for the past 5 years and he passed away last Thursday. Ms. Simora asked if the officials could show up at the Ramsey Funeral on Thursday July 22, 2021 between 10am-11am to attend the services for Mr. Yanish.

Ms. Debbie Pioni, 45 Butler Street stepped forward. Ms. Pioni commented on the accomplishments of Mr. Yanish and asked if a street could be named after Mr.

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Yanish. Ms. Piotti commented that there is a hole in the street or driveway by 45 Butler Street.

Ms. Bonanno asked Ms. Piotti for her number and we would have someone look into the issue.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public, seconded by Mr. Postas. All were in favor.

### EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Snyder made a motion to adjourn into closed executive session to discuss personnel and attorney client privilege matters. Motion seconded by Mr. Postas.

All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 8:10p.m. and Mayor Sowden declared the meeting to be reconvened into open public session.

Mr. Postas made a motion to return from executive session. Seconded by Mr. Zydon. 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. Letter dated June 17, 2021 from the Borough of Ogdensburg in regards to amending Chapter 30 "Land Development".
2. Letter dated June 24, 2021 from the County of Sussex in regards to a resolution endorsing the election integrity bill package pending in the legislature in support of free and fair elections untainted by fraud.
3. Letter dated June 28, 2021 from Wilentz Attorneys at law in regards to the Board of Education of the Wallkill Valley Regional High School District Special School District Election to be held Tuesday September 28, 2021.
4. Township of Hardyston Ordinance prohibiting the operation of any class of cannabis businesses within the township and amending and supplementing chapter 185 "Zoning" of the township code.
5. Township of Sparta ordinance Prohibiting the operation of any class cannabis businesses within its geographical boundaries and amending section 18-4.5(h) (prohibited uses) of the Sparta Township Municipal Code.

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

1. Municipal Court Report – May 2021
2. Construction Permit Activity Report – June 2021
3. Construction Report – June 2021
4. Construction COH Report – June 2021
5. Registrar Report – April, 2021 - June, 2021
6. Municipal Court Report – June 2021
7. Police Department Report – June 2021

### APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

### RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2021-71  
Approval to adopt resolution 2021-71 authorizing participation in the Federal 1033 program effective January 1, 2021 through December 31, 2021.
2. Payment of bills for the meeting of July 20, 2021.

Mr. Limon made a motion to approve the consent agenda of July 20, 2021. Seconded by Mr. Zydon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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**OLD BUSINESS**

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

**NEW BUSINESS**

**Accept Resignation of Deborah Bonanno**

Mr. Zydon made a motion to accept the resignation of Deborah Bonanno, Administrator/CFO effective August 13, 2021, with regrets. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Administrator/CFO Search**

Mayor Sowden stated that the Phoenix Consulting Group would be hired to conduct the search for the new CFO and Administrator. There were no objections from the Governing Body.

**Rezoning of the Armory Building**

Mr. Zydon made a motion to refer 12 Munsonhurst Road to the Planning Board for recommendation on rezoning at its next scheduled meeting. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Approval of the Minutes**

Mr. Skellenger made a motion to approve the regular meeting minutes for June 22, 2021. (Absent: Postas) Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: None Abstentions: Postas

**Resolution 2021-57**

Mr. Skellenger made a motion to adopt Resolution 2021-57 authorizing a grant application to the New Jersey Department of Transportation for the Maple Road Project. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-58**

Mr. Zydon made a motion to adopt Resolution 2021-58 awarding a contract to D&L Paving Contractors, Inc. through the Morris County Co-Op contract #6, district #2 for concrete curb installation and curb area restoration associated with road resurfacing of various roads not to exceed \$32,000. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-59**

Mr. Zydon made a motion to adopt Resolution 2021-59 awarding a contract to Denville Line Painting, Inc. through the Morris County Co-Op contract #36, district #2 for the traffic striping of various roads not to exceed \$16,000. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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**Resolution 2021-60**

Mr. Limon made a motion to adopt Resolution 2021-60 awarding a contract to Schifano Construction Corporation through the Morris County Co-Op contract #6 district #2 for road resurfacing of various not to exceed \$630,000. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-61**

Mr. Postas made a motion to adopt Resolution 2021-61 awarding a contract to Applied Concepts, Inc. (DBA Stalker Radar) for the purchase of a Stalker MC360 Message Trailer (3'x6') in an amount not to exceed \$19,000. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-62**

Mr. Postas made a motion to adopt Resolution 2021-62 awarding a contract to Beyer Ford for the purchase of a 2021 Police Interceptor Sport Utility Vehicle (SUV) through the Morris County Co-Op contract #15-A, item #2 in an amount not to exceed \$48,000. Seconded by Mr. Zydon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-63**

Mr. Postas made a motion to adopt Resolution 2021-63 awarding a contract to Gold Type Business Machines, Inc, (GTBM) through the New Jersey State contract #89980 for the purchase of electronics and related apparatus to equip a 2021 police interceptor sport utility vehicle (SUV) in an amount not to exceed \$18,000. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-64**

Mr. Snyder made a motion to adopt Resolution 2021-64 cancelling the unexpended and dedicated balance of the General Capital Appropriation Fund in the amount of \$304.75. Seconded by Mr. Zydon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-65**

Mr. Limon made a motion to adopt Resolution 2021-65 awarding a contract to Tony Sanchez, LTD for the purchase of a switch and go detachable truck body and additional optional equipment through the Morris County Co-Op contract #15-D, category #3 in an amount not to exceed \$26,500. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2021-66**

Mr. Postas made a motion to adopt Resolution 2021-66 awarding a contract to Ditschman Flemington 2022 Ford F550 Reg Cab 4x4 Cab and Chassis through the Morris County Co-Op contract #15-C, item #16 in an amount not to exceed \$50,000. Seconded by Mr. Skellenger.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2021-67

Mr. Skellenger made a motion to adopt resolution 2021-67 authorizing the acceptance of the State of New Jersey Department of Law and Public Safety, Office of the Attorney General SFY21 Body-Worn Camera Grant Program. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2021-68

Mr. Zydon made a motion to adopt resolution 2021-68 awarding a contract to Danforth's Inc. for the purchase of a 10' Western Pro Plus Snowplow in an amount not to exceed \$5,700. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Limon, Postas, Snyder, Zydon

Nays: None Absent: None Abstentions: Skellenger

### Resolution #2021-69

Mr. Zydon made a motion to adopt resolution 2021-69 awarding a contract to Traffic Safety & Equipment Co., Inc. for the purchase of a 9' Western Striker Electric 4.5 CU. YD. Spreader in an amount not to exceed \$6,700. Seconded by Mr. Skellenger

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2021-70

Mr. Snyder made a motion to adopt resolution 2021-70 establishing salaries for certain employees of Franklin Borough for the year 2021. Seconded by Mr. Zydon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2021-72

Mr. Snyder made a motion to adopt resolution 2021-72 extending grace period for payment of 3<sup>rd</sup> Qtr. Taxes. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Discussion on Parking Fees for Municipal Parking Lot

At this time there was a discussion on parking fees for the Municipal Parking Lot as listed in ordinance 05-2021 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 119 OF THE BOROUGH CODE ENTITLED "FEES".

Mr. Formica commented there has been some feedback from the public and more research done on this topic. He understands to a point about starting to charge fees for the municipal parking lot but feels the price increase is a burden for some families. Mr. Formica commented he feels it should be lowered down to \$25 from \$150 and take step increases when necessary.

Mr. Skellenger stated that he agrees with Mr. Formica and he has received a few complaints regarding the 2-hour parking limit by the funeral home. Mr. Skellenger feels that the 2-hour parking limit should begin from up past where the church is and doesn't understand why it extends down to the funeral home.

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Mr. Postas commented that the increasing of the fees wasn't something that was done haphazardly. We went around the county and looked at other towns that were charging for parking and with our current fee we are the cheapest around. Mr. Postas stated that he feels strongly that we the taxpayers shouldn't be burdened.

Mr. Zydon commented that there is a presentation that he compiled regarding the parking fees from various towns.

Mayor Sowden commented that we do have to collect something but is not sure what that number is. He feels that a meeting should be put together with the ordinance committee and let them have a discussion and see if we can come up with an acceptable number.

Ms. Bonanno commented that the presentation is showing to the public on ZOOM however it is not showing on the TV screen in the Council Chambers.

Mayor Sowden commented that he feels this topic should be tabled and have some discussion about it to see where we could possibly go with it.

Mr. Zydon made a motion to table the discussion on the parking ordinance. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Zydon

Nays: Formica, Postas, Skellenger, Snyder Absent: None Abstentions: None

Motion Failed

Mr. Limon made a motion to end the discussion on the parking ordinance. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Limon, Zydon

Nays: Formica, Postas, Skellenger, Snyder Absent: None Abstentions: None

Motion Failed

Mr. Formica made a motion to lower the resident fee of the parking lot to \$50.00 for this year, then an increase of \$50 every two years up to \$150 and it be revisited by the Council at that time.

Mr. Postas commented what do we do with the 13 people who have already paid.

Mayor Sowden clarified this is an introduction to the ordinance.

Mr. Edward VanderMark of Main Street Franklin stepped forward. Mr. VanderMark expressed his concerns regarding the 2-hour parking and parking fees for the Main Street Lot.

Mr. Ursin recommended Mr. Formica to clarify the motion he made.

Mr. Formica amended his original motion to lower the resident fee of the parking lot to \$50.00 for this year, then an increase of \$50 every two years up to \$150 and the Commercial vehicle rate will be \$250 then a \$50 increase every two years up to \$350 and then all fees revisited by the Council at that time. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Skellenger made a motion to move the 2-hour parking limit up to the back parking lot of the Presbyterian Church. Seconded by Mr. Postas.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**First Amendment to PCS Site Agreement**

Mr. Formica made a motion to approve the First Amendment to PCS site agreement between the Borough of Franklin, Franklin Meadows Condominium Association and Sprint Spectrum LP. (Agreement included in Council packets) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Approval of NJ State Firemen's Association Membership Application**

Mr. Skellenger made a motion approve the application for membership of Vincent E. Limon, 26 Cummins Street, Franklin, to the Franklin Fire Department as endorsed by Khyle Conklin, Franklin Fire Department Chief. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Postas, Skellenger, Zydon

Nays: None Absent: None Abstentions: Limon, Snyder

**Approval of NJ State Firemen's Association Membership Application**

Mr. Skellenger made a motion to approve the application for membership of Richard F. Limon, 26 Cummins Street, Franklin, to the Franklin Fire Department as endorsed by Khyle Conklin, Franklin Fire Department Chief. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Postas, Skellenger, Zydon

Nays: None Absent: None Abstentions: Limon, Snyder

**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 August 21, 2021, and authorize the clerk to endorse the application. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Postas, Skellenger, Zydon

Nays: None Absent: None Abstentions: Limon, Snyder

**MISCELLANEOUS COMMENTS**

Mr. Postas commented about the charging of fees for the use of the Franklin Pond Area.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 9:23p.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