

**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
AUGUST 17, 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. Skellenger, Mr. Snyder, Mr. Zydou and Mayor Sowden.

Absent: Mr. Postas

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

New Jersey State Association of Chiefs of Police

At this time Harry J. Delgado, Ed.S, Director of the NJSACOP Accreditation Program stepped forward to present the official accreditation certificate to the Franklin Borough Police Department. Mr. Delgado recognized the Franklin Borough Police Department as one of the best police departments in the State of New Jersey. Mr. Delgado explained the significance and the process of the accreditation program. The accreditation gives an agency a preparedness plan and a verification of excellence. The process is so difficult that only 43% of the agencies have actually achieved accreditation. It is the opinion of the assessment team that the Franklin Borough Police Department is a highly professional and committed agency which demonstrates all of the requirements of law enforcement accreditation at the State level. Mr. Delgado commented on behalf of the NJ State Association of Chiefs of Police in the New Jersey Law Commission congratulated Chief Gregory Cugliari, Accreditation Manager Lt. Nevin Mattessich and the members of the Franklin Borough Police Department, the Mayor and the Council and those citizens that they so proudly serve for achieving State Accreditation.

Mr. Delgado presented the official accreditation certificate to Chief Gregory Cugliari.

Chief Cugliari thanked the Mayor and Council and the former Administrator, Debbie Bonanno for seeing the value in the accreditation and supporting us all throughout the entire process. Chief Cugliari acknowledged the hard work of all of the officers to achieve these standards, they work every day to maintain them and to show our community we live by them. Chief Cugliari also acknowledged our Accreditation Manager, Lt. Mattessich who worked diligently on the accreditation.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Skellenger reported there is a recreation meeting tomorrow, August 18, 2021 at 7:00PM.

Mr. Snyder reported there was a Personnel meeting last night and they discussed a few issues. It is our opinion the position of the Administrator/CFO should be 2 separate positions. There was also a meeting with the employees of Borough Hall and it has been determined that we must review the employee needs and the importance of filling the vacant positions in the building.

Mr. Zydou had nothing to report.

Mr. Formica reported August 26, 2021 is the Hunger Coalition Produce Pop-up at the pond for anyone in need. The Recreation Committee is holding Heritage Festival on September 25, 2021 and the Muckrakers Brewery would like to participate. Muckraker would only be able to sell 1 beer per person to be consumed in a fenced off designated area. Chief Cugliari was contacted and made

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recommendations for the area that would be used by them. Mr. Formica commented there is a time constraint to get the ABC permit needed that is why he's bringing it up tonight. Mr. Formica asked if the Council had any issues with allowing Muckraker Brewery to participate at the Heritage Festival following the recommendations presented and obtaining any needed insurance requirements. The Council unanimously agreed. Mr. Formica announced the Recreation Committee will again be hosting a 9/11 event at the pond on September 11, 2021. The fence at the playground has been installed and the mulch will be delivered possibly by the end of this week or the beginning of next week.

Clerk Tremont had nothing to report.

Mr. McBriar had nothing to report.

Mayor Sowden reported the DPW & Police Department negotiations will need to move forward and he'd like to recommend to have Mr. Jon Rhinehart to handle the negotiations. Hardyston Township has sent a letter informing the Borough that we will be receiving Construction reimbursement fees in the amount of \$2,715.20 for the overage on permit fees collected as per our shared service agreement. We will also be receiving funds for the closing of the Littell Center in the amount of \$5367.13. Mayor Sowden also reported he and Councilman Formica attended the Planning Board meeting regarding a request to have 12 Munsonhurst Road re-zoned industrial. If the Council is in agreement, we will have something for our next meeting agenda to support the zone change. Mayor Sowden commented on a temporary CFO candidate at the rate of \$45 per hour or possibly hiring a candidate through the Phoenix Consulting Group at the rate of \$150 per hour.

Mr. Snyder commented on concerns regarding the CFO salary.

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. Formica. All were in favor.

Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented she is respectfully requesting a 2nd open public session be added to the Mayor and Council agendas.

Rachel Heath, 7 Hemlock Drive, Franklin stepped forward. Mrs. Heath commented on if fees are being paid by the tree services trucks that park at the Borough Garage. Mayor Sowden commented this is an arrangement we made that in turn helps the Borough when we need emergency tree services performed. Mrs. Heath also commented on advertising of job openings in the New Jersey Herald. Mrs. Heath stated it is a great idea to have dialogue between the employees and Council.

Emily Bazelwich, 1 Mill Street, Franklin stepped forward. Ms. Bazelwich commented she has lived in Franklin for 86 years. She is sad to see the pond was closed this year, so much went into bringing it back. Mayor Sowden commented there is a shortage of lifeguards which made it difficult to open this year. We are hoping to open next year. Ms. Bazelwich questioned why the weeds at the banks of the pond aren't being trimmed.

Mr. Hrbek, 343 Rutherford Avenue, Franklin was granted permission to join the meeting after raising his hand. Mr. Hrbek commented on placing ads for hiring of lifeguards this year. Mr. Limon commented we were still dealing with the pandemic and not sure if the pond would be able to be opened this year.

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. 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.

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CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Hampton Township resolution opposing cuts in State school aid allocations to Sussex County School Districts.
2. Borough of Ogdensburg ordinance 07-2021 prohibiting the operation of any class of cannabis businesses within the geographical boundaries of the Borough of Ogdensburg and amending section 30-105 (prohibited uses) of the land development regulations of the borough.
3. Township of Hampton resolution requesting municipalities in New Jersey to join together in consortium of municipalities to help improve JCP&L overall services.
4. Township of Hardyston ordinance 2021-07 amending certain portions of chapter 185, zoning of the revised general ordinances to permit drive-thru establishments in certain zones as a conditional use and establish standards for drive-thru establishments.
5. Township of Hardyston ordinance 2021-08 prohibiting the operation of any class of cannabis businesses within the township and amending and supplementing chapter 185 “zoning” of the township code.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Sussex County Board of Health Report – June 2021
2. Sussex County Board of Health Report – July 2021
3. Franklin Police Department Report – July 2021

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for the use of the Senior Center from Public Health Nursing for a Flu Vaccine Clinic for Sussex County residents on Tuesday, October 5, 2021, from 2:00pm to 6:00pm.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of August 17, 2021.

Mr. Limon made a motion to approve the consent agenda of August 17, 2021. Seconded by Mr. Skellenger.

Mr. Zydon requested to draft similar resolutions as per the 2 Hampton Resolutions on the consent agenda. Hampton Resolution opposing cuts in State school aid to show our support and Hampton Resolution requesting municipalities in NJ to join together in consortium of municipalities to help improve JCP&L services. Mr. Zydon commented we lose power too easily and too often; this will show that Franklin Borough isn't satisfied with the services of JCP&L.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Approval of Meeting Minutes

- a. Mr. Skellenger made a motion to approve the regular meeting minutes and executive session meeting minutes for July 20, 2021. (Absent: None) Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

- b. Mr. Skellenger made a motion to approve the special meeting minutes for August 4, 2021. (Absent: Snyder) Seconded by Mr. Zydon.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Zydon

Nays: None Absent: Postas Abstentions: Snyder

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Resolution #2021-79

Mr. Formica made a motion to adopt resolution 2021-79 authorizing the adoption of the 2021 Sussex County, New Jersey Hazard Mitigation Plan update. Seconded by Mr. Skellenger.

Mr. Zydon asked who is responsible for overseeing the update.
Mayor Sowden commented our OEM Coordinator.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Resolution #2021-80

Mr. Zydon made a motion to adopt resolution 2021-80 authorizing sale of surplus property owned by the Borough of Franklin through Municibid.com pursuant to state approved contract. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Resolution #2021-81

Mr. Skellenger made a motion to adopt resolution 2021-81 renewing membership in the Morris County Cooperative Pricing Council, authorizing the execution of an agreement with the Morris County Cooperative Pricing Council to renew the membership therein for the period of October 1, 2021, through September 30, 2026. (Agreement provided in the Council packets.) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Resolution #2021-82

Mr. Snyder made a motion to adopt resolution 2021-82 authorizing additional administrative duties to be provided by the Municipal Clerk. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Resolution #2021-83

Mr. Snyder made a motion to adopt resolution 2021-83 authorizing the hiring of Suzann Brush-Babcock for administrative office support and recreational event support on a temporary basis. Seconded by Mr. Skellenger.

Mr. Zydon asked what is the temporary basis and asked why are we hiring a secretary for a committee, we don't normally pay committee secretaries.

Mayor Sowden commented she will be handling recreation applications and deposits when individuals come into the building for their various events, this position is also going to provide office support to all departments in Borough Hall.

Mr. Zydon commented that the responsibilities of the Recreation secretary seem very similar to that of a Recreation Director and suggested having a conversation prior to next year about changing the position to a Recreation Director.

Mr. Snyder amended his motion to adopt resolution 2021-83 on a temporary basis to the end of this year [2021]. Seconded by Mr. Skellenger.

Upon roll call vote as amended:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

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Ordinance #11-2021

Mr. Limon made a motion to adopt ordinance 11-2021 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". Seconded by Mr. Formica

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 11-2021.

Mr. Skellenger made a motion to open to the public ordinance 11-2021. Seconded by Mr. Snyder. All were in favor.

No one present stepped forward or raised their hand on Zoom.

Mr. Zydon made a motion to close to the public ordinance 11-2021. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Introduction of Ordinance #12-2021

Mr. Skellenger made a motion to introduce ordinance 12-2021 entitled "AN ORDINANCE AMENDING CODE OF THE BOROUGH OF FRANKLIN TO CREATE A CANNABIS TAX". Seconded by Mr. Formica.

Public Hearing will be held on September 14, 2021.

Mr. Limon commented this tax isn't for the sale of it [cannabis] but only for the cultivation and manufacturing of it, that we [Franklin Borough] created.

Mayor Sowden commented that is correct, which we are allowed to do by the State of New Jersey.

Upon roll call vote:

Ayes: Formica, Skellenger, Snyder, Zydon

Nays: Limon Absent: Postas Abstentions: None

Discharge of Mortgage

Mr. Limon made a motion to confirm the Discharge of Mortgage dated October 23, 2006, for Art and Sara Agnor, 9 Hillside Ave, Franklin, in the amount of \$10,200.00. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Discussion on Zoom meeting support

At this time there was a discussion on Zoom meeting support.

Mayor Sowden commented he would like the Council to decide if they want to continue to do our meetings through Zoom and in person. If so, we need to have a person to run the Zoom portion of the meetings.

Mr. Limon supports continuing to use Zoom. We don't know what will happen in the future with the [covid] variant.

Mr. Zydon asked when the Zoom subscription ends.

Clerk Tremont commented she believes through at least to the end of the year.

Mayor Sowden commented he would like to offer a \$75.00 stipend to either Colleen Little or Michelle Babcock, whichever one that runs the Zoom equipment during the meetings.

Mr. Limon made a motion to approve a \$75.00 stipend per meeting to be paid to whomever runs the Zoom equipment for the Mayor and Council meetings. Seconded by Mr. Zydon.

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Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Discussion on Website Updating

At this time there was a discussion on website updating.

Mayor Sowden commented we have the new website which gives us the ability to place information right away when needed. In the past we paid a company to post the information for \$200 per month. At this time Colleen Little is performing that task. Mayor Sowden asked for a motion to compensate Colleen Little at the rate of \$50 per pay for managing the information on the website.

Mr. Limon made a motion to pay Colleen Little a stipend of \$50 per pay to manage the website information. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Limon, Skellenger, Snyder, Zydon

Nays: None Absent: Postas Abstentions: None

Discussion on Temporary CFO Position

Mayor Sowden asked if the Council would be in agreement to have him meet with the candidate for the temporary CFO position recommended by the Phoenix Consulting Group. The Council unanimously agreed.

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Limon commented it has been difficult getting contestants to try out for the Miss Franklin Contest and suggested it might help to bring back monetary incentives to the winners.

Mr. Zydon commented on never receiving recreation accounting information he asked for. He will submit an OPRA request.

Mr. Snyder reported there is a pothole on Walsh Road that needs to be taken care of right away.

Mr. Limon commented Brian VanDenBroek confirmed DPW will take care of cutting the brush at the pond.

Mr. Formica commented he gave a detailed [recreation] report at every Council meeting.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:06p.m., seconded by Mr. Snyder. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk