

**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  
MARCH 10, 2009**

Mayor Crowley 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. Barton, Mr. Limon, Ms. Miller, Mr. Snyder, Mr. Stoll, Mr. Zschack, and Mayor Crowley.

Mayor Crowley led the assembly in the flag salute.

Mayor Crowley stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, P.L. 1975, Ch. 231. It has been properly advertised and certified by the Clerk."

**CONSENT AGENDA**

Mayor Crowley 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. Notice from JCP&L dated 2/19/09 RE: Proposed Stimulus Infrastructure Investment Program Public Hearing
2. Notice from Dresdner Robin dated 2/27/09 RE: Transition area waiver. BL 28, LT 4 & 11

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

1. January 2009 Finance Report
2. February 2009 Tax Department
3. Construction Financial Report February 2009
4. Municipal Court Report January 2009

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

1. None Filed

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

1. Payment of bills for the meeting of March 10, 2009.

Mr. Stoll asked where Block 28 Lot 4 & 11 were located? The Mayor said that it is the parking lot behind Sullivan's (now TD Bank).

The Mayor mentioned that the Millie Harden Fund shows on the financial report, and is in the bank collecting interest.

Mr. Limon made a motion to approve the consent agenda of March 10, 2009. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

**COMMITTEE REPORTS**

Mr. Zschack asked for executive session for Police negotiations. He discussed the budget and his attendance at the Board of Education meeting.

Ms. Miller reported that the Recreation Commission needed to change the date for Franklin Day. The new date is June 27, 2009. Recreation also changed the name to Franklin Night.

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Mr. Stoll reported on the DEP mandate for wash stations for cars and trucks. He explained that this will be very expensive. He discussed contracts available with Fleet Wash out of Fairfield for washing large trucks at \$13.00 to \$15.00 each. Wash and Lube will charge \$6.00 for police cars and \$8.00 for pickup trucks. Mr. Wolak also discussed the new mandate.

Mr. Limon reported that the senior luncheon will be April 4<sup>th</sup> at the Fire Department. He discussed scholarships that will be offered for Franklin Night Contests.

Mr. Snyder reported that he met with school officials and had a productive meeting about the budget and the Council's concerns.

Mr. Wolak gave his report which is on file in the clerk's office. He requested an executive session for employee contracts and police negotiations.

The Mayor advised everyone that the Franklin School Budget Meeting will be Friday, March 13, 2009 at 7:30 pm. The budget meeting for Walkkill Valley will be March 18, 2009 at 7:00 pm.

**OPEN PUBLIC SESSION**

Mayor Crowley requested a motion to open the meeting to the public, for any questions or comments concerning the good and welfare of the Borough. All comments shall be directed to the Mayor and kept to a 5 minute maximum.

Mr. Zschack made a motion to open the meeting to the public. Seconded by Mr. Stoll. All were in favor.

Joanne Tatka of 151 Maple Road asked about the status of the sewer camera. The Mayor explained that they were not rushing into it. She asked about the pension deferral. The Mayor explained that it is a deferral of the Boroughs portion plus 8% interest. She asked if it was true that there would be no replacement for the officer leaving. The Mayor said it was true. She asked about comp time in lieu of overtime. Mr. Wolak explained that the comp time is a contractual obligation but is now limited to 21 hours by contract. She also stated that contracts should be given more scrutiny to keep under cap and could we have a part time administrator as the Hamburg School is proposing? The Mayor did not think so.

Michael Kruppa of 134 Main Street said that on December 9, 2008 he had submitted nine points to consider for the budget. The Mayor explained that it was distributed to the Council for consideration. The Budget will be finalized in two to three months.

Doug Kistle of 123 Davis Road discussed the budget introduction and the nine points. Mr. Zschack informed Mr. Kistle how the nine points were discussed during the budget process. Mr. Snyder added that the employee negotiations went well which was also in the nine points, the only unknown are the police negotiations. Mr. Kistle felt all employees should receive no raises and the Borough should go to arbitration. Mr. Stoll stated the budget is not finalized, negotiations are still ongoing but you will see some of the points included. The non-police staff has taken a beating and we are trying to settle the police without paying an arbitrator, police unions are strong. Mr. Wolak discussed all the past arbitrations with the Police, some of which are still ongoing. Mr. Kistle discussed the article regarding the DEP Wastewater Plan and how it will wipe out the town. The Mayor replied that DEP does not want towns to increase sewer and water allocations or development. It is a county wide problem. Mr. Kistle questioned the viaduct project and stated he spoke with the County about getting federal stimulus money for the viaduct and was told the project was still unfunded. Mr. Kistle urged the Council to keep on the County. Mr. Kistle asked about an increase in sewer rates. The Mayor explained that they are considering a rate increase because SCUMA has increased their fees. Mr. Wolak explained that they are looking into increasing sewer and water connections.

Joanne Tatka of 151 Maple Road asked about the newsletter cost. She asked about possibly having a trained employee to use the sewer camera for other

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towns. Mr. Wolak told her the newsletters cost approximately \$2600.00 and they are looking into training for sewer camera.

Betty Allen of 24 Jenkins asked about dissolving the Police Department. Mr. Wolak said that the Attorney General will not allow it. Mr. Ursin explained the Sussex Police Department was disbanded by the Prosecutors Office. Mrs. Allen commented that the Zinc Company should be considered for redevelopment for rateables. Mr. Wolak explained that DEP deemed the Zinc Property as wetlands. Mrs. Allen asked if EDC clean up was approved. The Mayor said it was on the agenda.

Mr. Kruppa said he was 101% in favor of a local police department but questioned the Borough's negotiating and who's running the town.

Mr. Barton reported that over one hundred hours went into police negotiations, many things were put into the contract over the years that they cannot take away. Mr. Barton felt it was not fair for the same people to attack the council over and over again for the same things. The Council is trying to do what's in the best interest of the taxpayers to control the tax rate. Mr. Barton explained that he appreciated the public interest but there is nothing that the Tax Payer's Association can say that the Council has not already done.

Mr. Snyder stated that he was voted by the tax payers to do a job and felt he was doing the best job for the taxpayers.

Mr. Kistle asked about the status of the town center. The Mayor explained that it is no longer a project because of state issues.

Mike Goulsby of 4 Alexander Lane felt he could live with 1 1/2% employee raise but suggested playing hardball with the police for a two year contract. He thanked Mr. Zschack and Mr. Snyder for looking at the Walsh-Ridgewood road issues.

The Mayor said that they are looking at all the issues. Mr. Wolak will give three to four solutions for the Council to review regarding Walsh-Ridgewood Roads.

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

**OLD BUSINESS**

Mr. Limon asked about the outcome of the water situation on Susquehanna Street. The Mayor replied there is no outcome.

Mr. Zschack met Saturday morning and listened to the concerns and ideas regarding Walsh Road.

**NEW BUSINESS**

**Approval of Meeting Minutes**

Ms. Miller motioned to approve the meeting minutes of the Regular Meeting and Executive Session held on February 24, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

**Adoption Ordinance #2-2009 Clothing Bins**

The adoption of Ordinance #2-2009 will be carried to March 24, 2009.

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Introduction Ordinance #4-2009 Intoxication in Parks

Ms. Miller motioned to introduce an ordinance entitled, "ORDINANCE OF THE BOROUGH OF FRANKLIN, SUSSEX COUNTY, NEW JERSEY TO MODIFY SECTION 196-6M OF THE CODE OF THE BOROUGH OF FRANKLIN REGARDING INTOXICATION IN PARKS". Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

FINAL READING: MARCH 24, 2009

Resolution Cancelling 2008 Taxes

Ms. Miller motioned to adopt a resolution cancelling 2008 taxes of \$5,668.16 for Block 70 Lot 1.09, 238 Route 23 due to completed abatement. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

2008 Tonnage Grant Application Resolution

Ms. Miller motioned to adopt a resolution authorizing Franklin Borough to apply for the 2008 Recycling Tonnage Grant. Mr. Zschack Seconded.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Approval of EDC Clean Up Day

Ms. Miller motioned to approve the Franklin Borough Economic Development Committee to hold its annual Clean-Up Day on Saturday, April 18, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

2009-2010 Non-Police Employee Salary Increase

Ms. Miller motioned to approve the salary increase for non-police employees of 1½% for both 2009 and 2010 contract terms. All other terms and conditions will be frozen at the December 31, 2008 levels. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

**EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Zschack made a motion to adjourn into closed executive session to discuss personnel and contracts. Motion seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

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After meeting in closed session, the Governing Body returned to their seats at 9:26 p.m. and Mayor Crowley declared the meeting to be reconvened into open public session.

Mr. Snyder motioned to approve the 3-4 step increase for Frank Sollito. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Mr. Snyder motioned to approve the 7-8 step increase for Pete Swanson. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 9:29 PM, seconded by Mr. Stoll. All were in favor.

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Paul B. Crowley, Mayor

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Patricia Leasure, R.M.C.