

**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  
JUNE 23, 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. Limon, Ms. Miller, Mr. Snyder, Mr. Stoll, Mr. Zschack, and Mayor Crowley.  
Absent: Mr. Barton

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."

**PRESENTATIONS**

**Resolution Honoring SSG Sabrina Mohammed**

Mayor Crowley read the resolution and requested a motion from the Council, Mr. Stoll motioned to adopt, a resolution honoring the heroic service of SSG Sabrina Mohammed for her participation, dedication, courage and sacrifice upon her return from military service. Mr. Snyder seconded the motion.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

Mayor Crowley presented SSG Sabrina Mohammed with a plaque and thanked Sabrina for her service on behalf of the whole town and personally as a retired Army Officer himself. Mayor Crowley stated he was very happy for her safe return to the Borough. Mayor Crowley invited Sabrina to visit and perhaps join the American Legion as she is now qualified to be a member.

Following the presentation Mayor Crowley also acknowledged Sabrina's parents, Angela and Raymond Trohanowsky for all their worries they must have had while she was on her tour of duty in Iraq. Mayor Crowley asked Sabrina if she planned on staying in service.

Ms. Mohammed informed the Mayor that she had just re-enlisted for another six years.

Mayor Crowley wished Sabrina good luck on her further service and hoped to hear great things from her.

**2008 Municipal Audit**

Sam Rome, CFO, stated that a copy of the 2008 Audit was given to each member of the Council and that there were a few comments on the last page. Mr. Rome went over each comment and recommendation from the auditor.

**Resolution 2008 Audit**

Mr. Zschack made a motion to adopt a resolution certifying the Franklin Borough Council has reviewed the 2008 Audit Comments and Recommendations as required by N.J.A.C.5:30-6.5. Ms. Miller seconded the motion.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**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.

Mr. Snyder made a motion to approve the consent agenda of June 23, 2009. Seconded by Mr. Zschack.

**CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):**

1. Pivotal Utility Holdings, Inc. RE: Public Notice Proposed Gas Rate Increase.
2. Township of Byram resolution supporting Public Safety Answering Point for Sussex County by the Board of Chosen Freeholders.
3. Township of Fredon resolution supporting Public Safety Answering Point for Sussex County by the Board of Chosen Freeholders.
4. Township of Wantage resolution requesting amendment of Open Public Records Act.
5. Borough of Andover resolution requesting amendment of Open Public Records Act.
6. Resolution from Stillwater Township urging NJ Assembly to approve Assembly Bill 3738.

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

1. Finance Report for March 2009, April 2009 and May 2009.

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

1. None filed

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

1. Payment of bills for the meeting of June 23, 2009.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**COMMITTEE REPORTS**

Mr. Stoll reported that Mr. Gunderman received three quotes for improvements to various roads, sidewalks and curbing throughout the Borough and will be moving forward as soon as everything is finalized.

Mr. Limon reminded the public that Franklin Nite is this Saturday; a final workshop will be held tomorrow night with all the vendors. Hopefully everything will run as smooth as in the past years. Miss Franklin as well as all other contests will be held this Saturday. The day will end with a fireworks display.

Mr. Zschack reported at the Planning Board Meeting the final site plan for WalMart was approved and they also discussed zoning changes in town. The final sit down with the Police Union will be later this week and hopefully the contract will be finalized for the next meeting.

Attorney Ursin informed the Council of the results of the meeting with the developers of Beazer/Indian Ridge. The purpose of the meeting was to discuss the continuing delay in getting the well head protection area dedicated for the Borough backup well. The developer informed the Borough of their plans to move ahead and Eric Snyder from the County discussed the Waste Water Management Plan issues.

Mr. Wolak gave his Administrators report which is on file in the Clerk's office. Mr. Wolak informed the Council he received a letter from John Kopcsó, Commander of the American Legion requesting a waiver of municipal construction fees. Mr.

## **PAGE THREE OF THE MINUTES OF JUNE 23, 2009**

Wolak reminded the Council that in the past the Council has waived municipal fees to the Fire Department, First Aid Squad and American Legion for their contributions to the town. The Legion Hall is used as a polling place for the Borough.

### **Waive American Legion Municipal Construction Fees**

Mr. Zschack made a motion to waive the municipal portion of the construction fee for the American Legion at a cost not to exceed \$300.00. Ms. Miller seconded the motion.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

Mayor Crowley reminded all that Franklin Nite starts at 4:00 pm. He also informed the Council that the Military Academy of West Point is holding a Mayor's Day on September 19<sup>th</sup> at the West Point Football Game. Tickets will be available for the Council and Borough Employees. Mayor Crowley reported he received some complaints regarding foliage growing over onto Main Street Sidewalks. The property owners have been contacted to trim the bushes.

### **OPEN PUBLIC SESSION**

Mr. Stoll made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Limon. All were in favor.

Judy Stampon of 59 Woodland Road, the owner of La Mirage discussed her concerns regarding the parking tickets being issued on Main Street to her clients. Mayor Crowley explained that the two hour parking was requested by the businesses and that he will get in touch with her regarding her issues.

Joann Tatka of 151 Maple Road, recommended that passes be given to customers who park on Main Street to use and hand back to the shop owner or allow parking on Mill Street. She questioned whether Sam Rome is shared with two other municipalities. The Mayor explained that he is shared with Hardyston. She discussed that the state is looking to take away home rule again allowing underage into senior housing. She asked where the \$345,000.00 from Franklin Senior Housing is. Mayor Crowley explained that the payment is for sewer allocation and maintenance.

Betty Allen of Jenkins Road mentioned that the Main Street Revitalization meeting will be Thursday at 7:00pm. She recommended having parking meters or temporary parking passes for Main Street. She informed the Council that the 5 K run will start 9:00am at 95 Main Street and there needs to be an experienced traffic control officer on hand. She discussed that Joseph Quinn's father built the first hotel by the mine shaft and his mother founded the Red Cross chapter of Franklin. She asked that the Council acknowledged him.

Anthony Marino of 45 Mabie Street requested that the annual tree lighting ceremony from now on be known as the Chris Groggaard Tree Lighting. Mr. Limon will bring the request to the attention of the Recreation Commission.

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

### **OLD BUSINESS**

Mr. Stoll discussed the resolution of Welding of Rails adopted at the last meeting. Hamburg did not support the project due to the pillars on the bridge deteriorating because of vibrations. Mr. Stoll was asked that Franklin support Hamburg by sending a letter asking for the bridge repairs to be included in the project.

**NEW BUSINESS**

Approval of Meeting Minutes

Ms. Miller motioned to approve the meeting minutes of the Regular Meeting and Executive Session held on June 9, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

Adoption Ordinance #10-2009 Amending Signs

Ms. Miller motioned to adopt an ordinance entitled an "AN ORDINANCE TO AMEND CHAPTER 218 OF THE CODE OF THE BOROUGH OF FRANKLIN ENTITLED "SIGNS" AND AMENDING CHAPTER 161, "LAND DEVELOPMENT" Seconded by Mr. Limon.

Mr. Ursin, Borough Attorney, stated the Planning Board reviewed the ordinance and recommended some minor changes. He read the changes into the record and stated these changes do not affect the final reading of the ordinance.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance #10-2009.

Mr. Dennis Harrington requested that fire signs would not be in conflict with the ordinance.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

Introduction Ordinance #11-2009 Water/Sewer Capital Improvements

Ms. Miller motioned to introduce an ordinance entitled "AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$109,000.00 FROM WATER/ SEWER CAPITAL IMPROVEMENT FUND FOR FUNDING VARIOUS WATER/ SEWER CAPITAL IMPROVEMENTS OR PURPOSES BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY". Seconded by Mr. Zschack.

Mr. Stoll stated he discussed with the Water Supervisor and these are essential needs for the community. Mr. Stoll read the list of improvements.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

Final Reading will be July 14, 2009.

Introduction Ordinance #12-2009 Copying Fees

Ms. Miller motioned to introduce an ordinance entitled "ORDINANCE OF THE BOROUGH OF FRANKLIN, SUSSEX COUNTY, NEW JERSEY TO AMEND CHAPTER 119 "FEES" OF THE CODE OF THE BOROUGH OF FRANKLIN TO CHANGE THE COPYING FEES". Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

Final Reading will be July 14, 2009.

**PAGE FIVE OF THE MINUTES OF JUNE 23, 2009**

**Resolution Authorizing 2007 Budget Reserve Transfers**

Mr. Zschack motioned to authorize 2007 Budget Appropriation Reserve Transfers totaling \$12,900.00. Seconded by Mr. Stoll.

Mr. Wolak explained that this resolution was inadvertently left off the agenda last year and had to be approved by the Council in order to satisfy the 2008 audit.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Resolution Cancelling Public Assistance Account Balances**

Mr. Zschack motioned to authorize the cancellation of the Public Assistance Trust Account #1 and transfer the account balance of \$13,000 to the Current Fund. Seconded by Mr. Stoll.

Mr. Wolak explained that \$5000.00 remained in the account for indigent burials if needed.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Resolution Refunding Taxes for Block 64 Lot 23**

Mr. Zschack motioned to authorize the Tax Collector to refund taxes in the amount of \$4,416.32 for the first half of 2009 to Block 64 Lot 23 for qualification as 100% Totally Disabled Veteran. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Approval of Annual Soap Box Derby**

Mr. Zschack motion is in order to approve the request from Cub Pack 90 to hold the Annual Soap Box Derby on Sunday, July 12, 2009, from noon to 3:00 PM on Main Street. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Discussion on Continued Use of Qualification Range**

A discussion was held regarding the continued use of the Rifle and Revolver Range for police firearms qualifications. The Mayor explained to the Council the safety issues with current range use.

The Borough Administrator explained that he was looking into modifying the range at a minimal expense as the Borough has been using this local range at no charge. There is also the possibility of using the County Range for a fee or use of a nearby range. The Council briefly discussed the firing range issues.

**MISCELLANEOUS COMMENTS**

**Summer Employment**

Mr. Snyder motioned to hire the following for the Clean Communities Summer Work Program July 6<sup>th</sup> thru August 14, 2009: Tyler Grabkowski, Nicholas Brucato, Khyle Conklin, Michael Suckey, Michael Gunderman and Zack Dagis. The alternate will be Caleb Briggs. Seconded by Mr. Stoll.

**PAGE SIX OF THE MINUTES OF JUNE 23, 2009**

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

Mr. Stoll informed the Council that he will speak with the Water Supervisor regarding Mr. Garrera's ongoing concern with the water line issues now that he has received the schematics.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 8:09 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.