

**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
OCTOBER 13, 2009**

Mayor Crowley called the meeting to order at 7:02 PM and requested the Borough Clerk call the roll. Upon roll call, the following members of the Governing Body were present: Mr. Barton, Mr. Limon, Mr. Snyder, Mr. Zschack, and Mayor Crowley.

Absent: Ms. Miller, Mr. Stoll

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. Resolution from the Township Hampton supporting the establishment of a Single Public Safety Answering Point (PSAP) for Sussex County.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Report for September 2009.
2. Tax Collector's Report for September 2009.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application from Daisy Troop #94122 to use Senior Center on the 2nd & 4th Friday of the Month, from 6:30PM to 8:00PM from October 23, 2009 thru June 11, 2010.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 13, 2009.

Mr. Limon made a motion to approve the consent agenda of October 13, 2009. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

COMMITTEE REPORTS

Mr. Limon reported that the Halloween Parade is the 31st at 12:00pm. Starts at Rutherford Avenue then goes to the Firehouse.

Mr. Snyder reported that the Personnel Committee met regarding the Administrator's Contract.

Approval of 2010 and 2011 Administrator's Contract

Mr. Snyder motioned to approve the Administrator's Contract as follows: 2010 - 2% increase and 2011 - 3% increase. The remainder of the contract remains the same. Seconded by Mr. Barton.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

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The Administrator gave his report which is on file in the Clerk's office.

Mayor Crowley reported that October is Breast Cancer Awareness Month and the Girl Scouts hung pink ribbons. There was an emergency expenditure of \$16,000.00 for the well repair. This shows how fragile the infrastructure is. Franklin Village is asking for a TWA so that they can move forward on development. The Mayor felt that the request to adopt a resolution from the Highlands Council was political and the voters should decide. The Franklin Senior Housing had their grand opening which was attended by Senator Oroho and Assemblyman Chiusano. The Mayor reported that twenty units are occupied.

OPEN PUBLIC SESSION

Mr. Snyder 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.

Joanne Tatka of 151 Maple Road - The Mayor thanked her and the Girl Scouts for putting up the ribbons up for Breast Cancer Awareness Month. Ms. Tatka questioned the police salaries on the salary ordinance; some were more than 3 %. The Administrator explained that some are higher, and include stipends. He explained that the figures are only for 2009. She did not feel that giving up the four court dates made a difference. The Administrator expressed that every day and hour has a monetary value. She asked how much was saved by not going into arbitration. The Administrator said that there was no way to know. She asked if the Borough hires at the same rate that an employee who left a position? She wanted to know why you cannot hire at \$8.00 - \$9.00 per hour. She questioned why Franklin Senior Housing does not pay taxes. The Mayor stated that they pay in lieu of taxes. The Administrator stated that a set fee is paid on an escalating scale. The Borough gets the entire amount. They have a government subsidized loan. The pilot runs for 15 years and then goes on the tax rolls. They have their own dumpsters for trash. She wanted to know if no feeding of geese was being enforced. The Administrator said that he has instructed Mr. Gunderman, CPWM; if he sees anyone feeding the geese to call the police.

Mike Krupa of 134 Main Street, questioned the police step one of \$7000.00 to \$8000.00. The Mayor said that was part of the negotiations. Mr. Kruppa thought that the raises were exuberant. The Mayor explained that is the going rates of the towns around.

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

OLD BUSINESS

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

NEW BUSINESS

Approval of Meeting Minutes

Mr. Limon motioned to approve the meeting minutes of the Regular Meeting held on September 22, 2009. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

Mr. Limon motioned to approve the meeting minutes of the Emergency Meeting held on October 2, 2009 with the approval of the resolution for the expenditure of \$9600.00. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Zschack

Nays: None Absent: Miller, Stoll Abstentions: Snyder

Introduction Ordinance #14-2009 Salaries

Mr. Limon motioned to introduce an ordinance entitled "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2009". Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

The final reading will be October 27, 2009.

Group 5 Development Treatment Works Approval

Mr. Zschack motioned to approve and confirm the Treatment Works Approval for Group 5 Development that was signed by Mayor Crowley on September 25, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

GRAMCO Maintenance Contract Approval

Mr. Zschack motioned to approve the Maintenance Contract for the FTR Gold Digital Recording System submitted by GRAMCO in the amount of \$1,600.00 for the term 10-31-09 thru 10-30-10. Seconded by Mr. Limon.

The Administrator informed the Council that this contract also included the new sound system.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

Resolution Authorizing Cooperative Pricing System Participation

Mr. Zschack motioned to adopt a resolution authorizing the Borough of Franklin to enter into a Cooperative Pricing Agreement with Middlesex Regional Education Services Commission. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

Resolution Authorizing the Purchase of Road Salt

Mr. Zschack motioned to adopt a resolution authorizing the purchase of road salt for the Department of Public Works of the Borough of Franklin, Sussex County, New Jersey, through the Sussex County Contract Purchasing System. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Snyder, Zschack

Nays: None Absent: Miller, Stoll Abstentions: None

MISCELLANEOUS COMMENTS

Mr. Snyder suggested that committee emails be sent to every council person so that they all know what is going on.

The Administrator mentioned he only sends the committee chairs. He has no problem sending emails to all the council. He explained that the Clerk attended an OPRA

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seminar where emails were discussed. Emails regarding borough business should go through the borough server.

The Clerk informed the Council if an email is sent to all of the council and one of the Council answers by sending a "Reply All", then the council would be having a meeting and would be in violation of the Open Public Meetings Act.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 7:43 PM, seconded by Mr. Limon. All were in favor.

Paul B. Crowley, Mayor

Patricia Leasure, R.M.C.