

**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
DECEMBER 8, 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.

Absent: None

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

The Mayor explained that members of Sussex County Municipal Utilities Authority were not present for the meeting. He explained that the SCMUA Administrator felt everything regarding the rates had been gone over at the hearing.

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. None

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Department Report for November 2009
2. Tax Department Report for November 2009

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of December 8, 2009

Mr. Stoll made a motion to approve the consent agenda of December 8, 2009.
Seconded by Mr. Limon

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS

Ms. Miller thanked the members of WVFAS and Police Department for coming to the aid of her father and attending the funeral and escort.

Mr. Stoll reported that the Borough was ready for the snowstorms.

Mr. Limon reported on the Recreation Committee.

Mayor Crowley discussed the Special Election for construction project at Wallkill Valley High School. He questioned who pays for the special election? The Clerk responded that the School pays for everything and they reimburse the Borough for

her time. He discussed that he was unhappy with the way SCUMA increased rates. He mentioned that there was not much that could be done about the rate increase. He will be requesting reports from SCUMA. He reported attended the Christmas tree lighting and that the Franklin Band and many residents attended. He attended the venison dinner at the firehouse after the tree lighting. He thanked everyone. He let everyone know that the Borough is getting ready for re-organization by interviewing engineering and auditing firms. He also explained that if the Borough does change firms it is not for reasons of performance, but for economic reasons.

Attorney Ursin informed the Council that the Miners Cove bond issue can be worked on after December 8th.

Mr. Wolak's report is on file in the Clerk's Office. He briefly discussed the capital improvement ordinance's that are on tonight's agenda. He stated that all the projects will be reviewed closely to see if they need to be completed at this time.

OPEN PUBLIC SESSION

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

Mr. Krupa of 134 Main Street expressed his concern of street lights being out. The Mayor told him to get the pole numbers. The Clerk stated that he should contact her with the information. He also requested that the dumpster area at the senior center be cleared of snow. He commented that the new audio system was good.

Betty Allen of 24 Jenkins Road offered her condolences to Ms. Miller. She asked that a letter of appreciation be sent to the Franklin Band. She recommended that the Borough not make the purchase of a truck, and tighten their belts. She added that there are twenty five foreclosures listed for Franklin and felt that the Council should avoid raising taxes.

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. Stoll. All were in favor.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zschack motioned to approve with changes the meeting minutes of the Regular Meeting held on November 24, 2009. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Limon, Miller, Stoll, Zschack

Nays: None Absent: None Abstentions: Barton, Snyder

Adoption Bond Ordinance #19-2009

Mr. Zschack motioned to adopt a bond ordinance entitled "BOND ORDINANCE APPROPRIATING \$250,000, AND AUTHORIZING THE ISSUANCE OF \$225,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY". Seconded by Mr. Snyder.

Mr. Limon confirmed that the Borough is not purchasing a vehicle at this time.

Ms. Miller suggested starting the sewer Inflow & Infiltration project to help lower the SCUMA charges. Mr. Wolak will look into available grants.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance #19-2009. No public commented.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption Ordinance #20-2009 Funding Various Capital Purchases

Mr. Zschack motioned to adopt an ordinance entitled "AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$60,675.00 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR FUNDING VARIOUS GENERAL CAPITAL PURCHASES OR PURPOSES BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY". Seconded by Stoll.

Mr. Limon clarified that half of these funds were for the fire department and the other half is for cameras for police cars.

Mr. Wolak stated that this is for the release of money already allocated in the budget.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance #20-2009.

Mrs. Allen of 24 Jenkins Road questioned if this was a safety issue for the Fire Department.

Mr. Wolak stated that this is a safety issue for both the Police and Fire Department. The video cameras for the police cars also have GPS capabilities in case an officer is in trouble and protects the police officer from false claims. The expenditure for the fire department is under PEOSA obligations for certain types of required gear.

Mr. Barton questioned the different written amount in Section I.

The Clerk informed the Council that the written amount in the ordinance was corrected and also re-advertised.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Interlocal Agreement Animal Control Officer & Pound Services

Mr. Zschack motioned to approve the Interlocal Service Agreement with Wantage Township for Animal Control Officer and Dog Pound Facility for the year 2010 in the amount of \$10,380.00. Seconded by Mr. Stoll.

Mr. Wolak stated that this includes the 4% increase due to State mandates.

Ms. Miller requested traps be set by the Boy Scout building on Main Street to stop the feral cat problem. The cats could be released back if they are spayed and neutered.

Mayor Crowley stated that the ACO will be called.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution Authorizing Tax Refund for Block 10 Lot 1

Mr. Zschack motioned to adopt a resolution authorizing the Tax Collector to refund \$994.10 for overpayment of taxes for 2009 for Block 10 Lot 1 due to lowered assessment. Seconded by Mr. Stoll.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution Authorizing Tax Refund for Block 2 Lot 1

Mr. Snyder motioned to adopt a resolution authorizing the Tax Collector to refund \$437.75 for 2009 taxes for Block 2 Lot 1 QFARM due to change of status to farmland assessment. Seconded by Mr. Limon.

Upon roll call vote:

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

None Absent: None Abstentions: Zschack

Resolution Authorizing Tax Refund for Block 14 Lot 7 & Resolution Authorizing Tax Refund for Overpayments

Mr. Snyder motioned to adopt a resolution authorizing the tax collector to refund \$1,903.73 for block 14 lot 7 due to granted tax appeal he also motioned to adopt a resolution authorizing the tax collector to refund overpayments totaling \$1944.82 for duplicate payments from mortgage companies for Block 10 Lot 15 and Block 70.03 Lot 2 C0210. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval 2010 Risk Management Consultant's Agreement

Mr. Snyder motioned to approve the 2010 Statewide Insurance Fund Risk Management Consultant's Agreement ending January 1, 2011. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution Appointing Risk Management Consultant

Mr. Snyder motioned to adopt a resolution appointing Hale Insurance Broker, Scott Readlinger as the Borough's Risk Management Consultant and authorizing Richard Wolak to execute the Risk Management Consultant's Agreement for 2010 as required by the bylaws of the Statewide Insurance Fund. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution Appointing Statewide Insurance Fund Commissioner

Mr. Snyder motioned to adopt a resolution appointing Richard R. Wolak, Administrator, as the Borough's Statewide Insurance Fund Commissioner and Grant Rome, CFO, as the Alternate Fund Commissioner. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

2009 Budget Appropriation Transfer Resolution

Mr. Snyder motioned to adopt a resolution authorizing 2009 Budget Appropriation Transfers totaling \$ 80,317.00 from various Current Funds. Seconded by Mr. Limon.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mortgage Discharge Block 5 Lot 44

Mr. Snyder motioned to approve the Discharge of Mortgage for Marilyn Schaal of Block 5 Lot 44 in the amount of \$9,110.00. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Cancellation of Council Meeting

Mr. Limon motioned to approve the cancellation of the December 22, 2009, Franklin Borough Council meeting. Seconded by Mr. Barton.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll

Nays: Zschack Absent: None Abstentions: None

MISCELLANEOUS COMMENTS

Mayor Crowley stated that the BPW will have to make recommendation to the Council on the SCUMA costs and if the taxpayers will absorb the rates. He wished all a Merry Christmas.

Mr. Zschack thanked Mr. Barton for his service as this was his last meeting.

Mr. Wolak wished the Council a happy and safe Holiday Season.

Mr. Limon mentioned that he will be attending a Rent Leveling Board Meeting on December 17th.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 7:47PM, seconded by Mr. Snyder. All were in favor.

Paul B. Crowley, Mayor

Patricia Leasure, R.M.C.