

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN ELEMENTARY SCHOOL
WASHINGTON AVE, FRANKLIN, NJ
JUNE 1, 2010**

Mayor Crowley called the meeting to order at 7:00 pm and requested the Acting Borough Clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Mr. Kulsar, 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 Open Public Meetings Act, P.L. 1975, Ch. 231. It has been properly advertised and certified by the Clerk."

Appointment of Acting Clerk

Mr. Limon motioned to appoint Rachel Heath as Acting Clerk for the meeting of June 1, 2010, due to the absence of the Clerk and Deputy Clerk. Seconded by Mr. Stoll.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS

Mr. Limon reported Franklin Nite is Saturday.

Mr. Snyder requested to discuss the Fire Official services prior to the appointment.

Mr. Stoll reported DPW working on the summer road work.

Mayor Crowley announced that Franklin Nite is this Saturday and that Aggie Prall passed away, it is a loss for the Borough and her family.

Mr. Wolak's report is on file in the Clerk's office. He discussed the letter from Waste Management regarding the increase in SCUMA's tipping fees from \$77 to \$109 which will be passed along as per the contract. He discussed the letter from the State Fire Official stating the State will be the Official until the municipality appoints one.

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 Mr. Snyder. All were in favor.

Joanne Taka discussed the questions she asked at previous meetings regarding the 2010 budget. She said that the research she did showed the patrolman retirement and construction department employment roll affected the 2009 budget. She asked when the budget would be finalized. Mr. Wolak said that they will have to ask for a tax levy waiver because of the county, school and regional school. The Borough residents will have to make up the difference. He added that he is against the transitional aid and the Mayor and Council will have to decide once we have the tax levy cap instituted. Ms. Tatka asked about the patrolman who is on workman comp. Mr. Wolak said that the officer still gains time and holiday's while out. He was injured while on duty.

Jim Marino expressed his concern about the 1.4 million dollar police budget. They need to look into shared services or state police. Mayor Crowley said that they have looked into both options.

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Michael Krupa expressed that he is in favor of local police but their budget is too much. He believes that the Chief wants first class. It is over funded and reports show that they should have ten police. The tax payers are paying for it all.

A resident questioned the uncollected taxes of 37%. Mayor Crowley said that many people are not paying their taxes.

Victoria Panella questioned the taxes, ten years ago Walmart and other business came in, and their taxes were to support the homeowner's taxes. The businesses coming in really do hurt us. Walmart should be paying 100% of their tax burden. Mayor Crowley answered there are no businesses receiving tax abatements now.

Karen Faulkner stated that the public needs more information on the budget. She said it is hard for a regular person to determine the budget and line items. The starting salary for police is low but increases are way out of line. In four years they make more than double the starting salary.

Mr. Marino commented that the Mayor and Council are giving out raises while there are residents losing jobs, and getting pay cuts.

Mayor Crowley reminded the residents that they are to speak only once, except for the garbage.

Carrie Marino questioned agenda item #7. The increase will bring the officers salary from \$60,017.00 to \$66,482.00.

Mary Harrington asked what happens if a Fire Official is not appointed tonight. Mr. Wolak said the State will take over the fire services. The money the town gets is used to offset the salary and programs. Mr. Wolak stated the Borough received \$8,500 and that the money is in the fund. Ms. Harrington stated that last year the official received \$2,900.

Mr. Matisko expressed his concerns regarding taxes.

Pat Rowlett asked if extraordinary aid is available. Mayor Crowley said it was not applied for. She said to please quit spending.

Ms. Marino questioned agenda item #7, how long he has been a patrolman and asked what item #8 Grinspec is. Mr. Wolak said that he has been a patrolman for 6 years and Grinspec is for dental insurance.

Mr. Ziegler asked if the contracts can be broken. Mayor Crowley said you have to wait until the contract end. The existing contract remains in effect until the new contracts. The Mayor said that the state has cut \$350,000.00 in aid and the year before \$85,000. State has cut state wide. Mr. Ziegler said he believes it does not start here. He does not see that the Mayor and Council are to blame. He discussed the tax system, sales, income and property. He said we are victims of those that run the State of New Jersey and they are the same ones cutting.

Mr. Zydek asked about the tax cap waiver. What are the future plans of the 2.5%? Mr. Wolak said that there is opposition from all around the state. It will curtail the municipal operations.

Rachel Heath stated her history and employment with the Borough. She spoke about the non-uniform personnel. The municipal employees understood the economic impact on the residents so they took a lower increase of 1.5% instead of a higher increase. She opposes the furlough plan. She said that they are all great employees.

Mr. Stoll excused himself from Council. He discussed consolidation of the police department and the surrounding towns that they tried to consolidate with for the police services. They kept trying and trying.

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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

Ms. Miller motion to approve the meeting minutes of the Regular Meeting held on May 11, 2010 and May 25, 2010. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Kulsar, Limon, Miller, Snyder, Stoll

Nays: None Absent: None Abstentions: Zschack

Resolution Endorsing Housing Element & Fair Share Plan

Ms. Miller motioned to adopt a resolution re-petitioning the Council on Affordable Housing for Substantive Certification with an amended Housing Plan and Fair Share Plan. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution Authorizing Furlough for Designated Employees

Ms. Miller motioned to adopt a resolution authorizing the implementation of six unpaid furlough days for designated Borough employees. Seconded by Mr. Limon.

Mr. Limon said that he wanted not just the non-uniformed but the uniformed employees to take furlough days. He discussed that the Public Safety Committee were to speak to the uniform employees, he asked what happened. Mr. Kulsar said that they discussed the medical leave.

Mr. Kulsar said that the furlough days are only a savings of $\frac{3}{4}$ of a tax point to the home owners. He let the public know that he does not take a salary as a Councilman. The rest sitting at the table do. He said that they are taking \$1000.00 out of the pockets of the employees and there needs to be concessions from the Mayor and Council.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: Kulsar Absent: None Abstentions: None

Resolution Authorizing Refund of Tax Overpayment

Ms. Miller motioned to adopt a resolution authorizing the Tax Collector to refund the overpayment of taxes in the amount of \$1,380.91 for Block 57 Lot 5 to Bac Tax Services. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of Garden State Fireworks Contract

Ms. Miller motioned to approve the contract from Garden State Fireworks in the amount of \$5000.00 for the fireworks display to be held on Franklin Nite. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Kulsar, Limon, Miller, Snyder, Stoll

Nays: Zschack Absent: None Abstentions: None

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Discussion and Approval of Fire Prevention Services

A brief discussion was held regarding two proposed contracts for Fire Prevention Services from Hardyston Township and Sussex County. Mr. Zschack expressed his concern of lack of control if they went with Hardyston. Mr. Wolak said that the fire alarm inspection would have to be established independently, who would possibly be hired locally. The County would charge a onetime set up fee of \$1000.00 plus a 90%-10% split with the County getting the 90%. Mr. Snyder questioned the change in the fees. We want to be business friendly. Mr. Wolak said that the County fee schedule would be used. Mr. Snyder would like to save money. He felt the County is the one to go with. The Mayor said it comes down to the Council to choose.

Mr. Snyder motioned to approve Sussex County as Fire Prevention for the Borough of Franklin. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Kulsar, Limon, Miller, Snyder, Zschack

Nays: None Absent: None Abstentions: Stoll

Approval of Patrolman Grissom Salary Increase

Mr. Snyder motioned to approve the Step 4 increase for Patrolman Grissom to \$66,482.00, effective June 8, 2010, as per the Chief of Police recommendations. Seconded by Mr. Kulsar.

The Mayor stated that this is required by contract.

Upon roll call vote:

Ayes: Kulsar, Limon, Miller, Stoll,

Nays: Zschack Absent: None Abstentions: Snyder

Approval of Grinspec Group Insurance Trust Dental Agreement

Mr. Wolak explained that Grinspec is the broker for insurance. Mr. Snyder asked what the increases have been in the past. Mr. Wolak said about 2.5 to 3% per year. Mr. Wolak said that Grinspec provided the same contract to 40 other municipalities including us.

Mr. Snyder motioned to approve the renewal contract from Grinspec Group Insurance Trust at an increased rate of 5% for two years. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Kulsar, Limon, Miller, Stoll, Zschack

Nays: None Absent: None Abstentions: Snyder

Adoption Ordinance #5-2010 Modifying the Solid Waste Code

The Mayor explained the possible increases that could possibly come up because the tipping fees will be going up. He explained the breakdown of the waste fees to the residents. He explained how the fees are distributed to the single family home. It would be a five cents savings and ten cent savings next year by putting this as a user fee. He said the increase is less than most surrounding towns and explained the billing process. He explained that multifamily dwellings will pay per dwelling not per unit.

Mr. Limon motion to approve an ordinance entitled, "ORDINANCE OF THE BOROUGH OF FRANKLIN, SUSSEX COUNTY, NEW JERSEY TO MODIFY THE CODE OF THE BOROUGH OF FRANKLIN REGARDING SOLID WASTE". Seconded by Mr. Kulsar.

Mr. Stoll said that they are cutting everything they can.

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Mr. Limon said that the taxes should lower, but because of the school and county taxes increasing the tax will increase.

Mr. Snyder said it was fair because each dwelling will have to pay.

Ms. Miller is in favor even though it will cost her more. It will be fair for everyone and you will be able to see the fee in your taxes.

Mr. Zschack asked if this will create a solid waste utility.

Mayor Crowley said the administrative work is the utility. He discussed the changes. The Mayor said that the changes are guidelines for bids.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance #5-2010. Mr. Zschack motioned to open the meeting to the public for comments. Seconded by Mr. Limon. All were in favor.

Mr. Durina felt that the Borough is a clean town and is happy with the pickup. He asked if the employees are overworked. He asked why he can't pay all taxes in one trip or one envelope.

Mayor Crowley stated they will not be increasing staff and they will try in the future to bring all payments together. The Mayor said there will be no additional cost.

Mary Harrington commented that eventually the employee will want to be compensated.

Susan Gardell agrees that there are things that are out of the Councils control. She feels that the Borough needs to lay off employees.

Ron Maugeri understands that the Councils hands are tied. He discussed his concerns with the ordinance.

Vicki Pinnelli felt that household items should not be picked up by waste management. There should be limits. She wants the Council to do what is best for the Borough.

Mr. Wolak once again explained the options for businesses and multi-families and how the \$71.00 was calculated.

A resident said to fine those that abuse the trash pickup.

Mr. Romaine said that the public is not ready for this and would like the Council to hold up on it.

Jim Marino discussed the Police Department and cutting the budget. He mentioned that Hardyston Township has their own garbage pickup.

Pat Rowlett at one time had her own garbage company and sold it.

Mr. Acevedo said the trash pickup is good and the police do a good job.

Mr. Wolak said that he wants the public to know the pros and cons.

Mr. Beach understood the balancing of the budget, but asked the Council to put off because economics might change.

Joanne Taka discussed her concerns with the bulk trash pick-up. She expressed that other towns have choice with their trash pickup.

Alfonzo Caliendo stated that he will have to pay for three units. He said that he has not generated any business on Main Street and the Master Plan has failed.

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Mr. Krumpfer wants the garbage left in the taxes.

Anthony Marino said everyone here wants to have the garbage in the taxes.

April Good asked what the reduction is. Mr. Wolak said five cents this year and ten cents next year.

There being no one else present who wished to comment on Ordinance #5-2010, Mr. Limon motioned to close the meeting to the public. Seconded by Mr. Snyder. All were in favor.

Mr. Limon discussed the payment time table. He asked if the Attorney was on board. The Attorney replied "yes".

Mr. Snyder said he listened to all the concerns; they made him want to look at this further. He was happy to see so many people since about 10 members of the public usually come to the meetings. He believes that this is a fair reduction to properly charge residents. He is very concerned because the land fill will be closing in 2017. The taxes will most likely increase significantly.

Mr. Zschack said that it should be tabled.

Mr. Limon motioned to table adoption of Ordinance #5-2010 Modifying the Solid Waste Code. Mr. Snyder seconded the motion.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

MISCELLANEOUS COMMENTS

Mr. Snyder discussed the Forestry and Parks building on Route 23. He was told that the Borough has not heard anything. Mr. Wolak said that maintenance work will be done.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 10:35 pm, seconded by Mr. Snyder. All were in favor.

Paul B. Crowley, Mayor

Rachel Health, Acting Clerk