

**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
January 22, 2013**

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. Babcock, Mrs. Gardell, Mr. Giordano, Mr. Limon, Mr. Snyder and Mayor Crowley.

Absent: Mr. Zschack

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."

PRESENTATION

Judy Williams presented to the Council activities for the 100th year anniversary celebration for Franklin Borough. Mrs. Williams passed out to the Council an outline of her presentation. Mrs. Williams was asked to take on the planning of the 100th anniversary celebration by Mayor Crowley.

Mrs. Williams stated the 100th year Anniversary Ceremony will be on Saturday May 18, 2013. She explained the reasons for picking this date which can be adjusted if there is a problem. Mrs. Williams stated this is a guideline and can be changed around. Mrs. Williams went line by line explaining the draft of the outline below. She is open to any suggestions or changes. This would be the official ceremony.

100TH ANNIVERSARY CEREMONY

Saturday, May 18, 2013

3:00-4:00 p.m.

The Park at Franklin Pond Gazebo

From Franklin Furnace to Franklin Borough

Introduction of Mayor Crowley and Council Members – Judy Williams
Welcome - Mayor Crowley
Flag Raising- Boy Scouts and Girl Scouts
Flag Salute- the Scouts
Prayer-
Historical Background- "Furnace to Franklin"- William Truran
Speaker- Early Days of Franklin Furnace
Dignitaries- Congressman E. Scott Garrett, Senator Steve Oroho, Assemblyman Gary Chisuiano, Assemblywoman Alison Littell McHose, Freeholder Phillip Crabb
Former Mayors- Recognition of former mayors serving Franklin
Franklin Band Musical Selections
(Patriotic Selections) by
Incorporation Reading- Franklin Furnace to Franklin Borough
Unveiling of the Historic Marker
Closing Remarks- Franklin's Future (Speaker to be determined)

Mrs. Williams comment on having a community dinner afterwards at the Franklin Firehouse which would be by ticket only. An approximate price would be \$20.00 to \$25.00 dollars per person. Mrs. Williams explained what was planned for the dinner.

Mrs. Williams passed out to the Council a calendar of events. Mrs. Williams stated this is a tentative calendar of events to be worked throughout the year. Mrs. Williams explained the following draft of calendar of events. These items are subject to change.

Calendar of Events
100th Anniversary of Franklin

March 2013- Article in Advertiser on Franklin's history
Article in NJH by Jennie Sweetman on the Franklin Pond/Furnace.

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May 18, 2013- Kickoff 100th Anniversary Ceremony
Community Dinner at Firehouse 5:00 p.m.
Ticket dinner, power point program by William Truran.
May 27, 2013 - Memorial Day
June 29, 2013 - Franklin Day/Nite- working with Recreation on the various activities/
exhibits, etc. which could include:
5k Run, Fishing Contest, special games and events
July-
August 1-11, 2013 Fair Exhibit (Featuring Franklin Furnace)
(2-4) dates to be set aside for Fire Museum, Heritage Museum, and possible Mineral
Museum to be open in the weekday evenings.
Sing-a-long of old music favorites at the Heritage Center lawn with music by selected
volunteers.
October 5, 2013 Sussex County Firemen's Parade in Franklin
November-
December 2013- Community Caroling with hayride through parts of town.
Also, Monthly History Snapshots/articles in Advertiser/NJH from March- December.
Also, "You know you are from Franklin Borough when..."

There was a discussion on the 100th year celebration, the Council members asked questions. Mr. Limon asked about the historic marker. Mrs. Williams explained what she was working on for the historic marker. Mrs. Williams has been in contact with the County to see how to proceed with a historic marker, the fees for the marker are no longer paid by the County. Mrs. Williams explained the costs and explained funding. The location for the Historic marker would be placed at the pond.

Mr. Babcock stated we couldn't have picked a better person to run this event. The discussion continued on the historic marker, benches down at the pond and a collector type program.

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):
No correspondence

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court Report for December 2012.
2. Construction Permit Activity Report for December 2012.
3. Animal Control Report for October, 2012.
4. Police Department Report for December, 2012.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Vending Machine license renewal for Double M Vending machine located at Koz's corner.
2. Vending Machine license renewal for Vendomatic Inc. machine located at Dollar Tree

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of January 22, 2013.

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Mr. Limon made a motion to approve the consent agenda of January 23, 2013.
Seconded by Mr. Babcock.

Mrs. Gardell requested to have check number #37542 removed from the consent agenda to discuss.

Mr. Limon stated that was fine amending his motion.

Mayor Crowley stated we are voting on the consent agenda with the one item removed.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder

Nays: None Absent: Zschack Abstentions: None

COMMITTEE REPORTS

Mrs. Gardell had nothing to report.

Mr. Giordano reported there will be a recreation meeting tomorrow night; due to the Planning Board reorganization meeting recreation will be in the conference room. Mr. Giordano encouraged everyone to attend.

Mr. Snyder reported the personnel committee had a meeting; Mr. Limon will report what was discussed.

Mr. Limon reported as the head of the personnel committee we met on the 11th for hours regarding the Administrators employee agreement. Mr. Limon said we decided to unanimously recommend to the Council this year retroactive to January 1st of the year to make Jim Kilduff the administrator with a 3 percent raise and next year a 4 percent raise. Mr. Limon said Mr. Kilduff has accepted this as well. Mr. Limon commented we are recommending this unanimously to the Council for a vote.

Mayor Crowley asked Mr. Limon if he was making that as a motion.

Mr. Limon said yes, he will make that as a motion. Seconded by Mr. Snyder.

Mayor Crowley said the motion is to keep everything else the same in his contract and the raises. Mr. Limon said 3 percent over his salary next year would be 4 percent over that.

Mayor Crowley asked if it would be retroactive to the first of this year.

Mr. Limon said yes.

Mr. Snyder stated he wanted to make note that the increase of salary from the present salary of \$86,700 to \$89,301 in 2013 and \$92,873 in 2014. Mr. Snyder said what we had paid the salary of the administrator back in 2011 was \$113,374. Mr. Snyder said we are still lower than what we had paid the administrator back two almost three years ago. Mr. Snyder said Mr. Kilduff is doing two positions at this time.

Mr. Limon stated he wanted to acknowledge Mr. Kilduff's hard work and dedication. There are a lot of things that we don't see. Mr. Limon stated Mr. Kilduff enlightened him on reevaluations. Mr. Limon commented they looked at other administrator's salaries; his work and responsibilities. Mr. Limon said the committee felt this is what we recommended.

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Mr. Giordano said when we originally hired Mr. Kilduff as the administrator we did expect that there would be bumps in the road. Mr. Giordano stated there are very few people in the town that work harder than Mr. Kilduff if anyone at all. Mr. Giordano stated we do get a good value with the salary we pay.

Mayor Crowley asked for a roll call.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder

Nays: None Absent: Zschack Abstentions: None

Mr. Babcock had nothing to report.

Mr. Kilduff reported items from his administrator's report. The full report is on file in the Clerk's office.

Mayor Crowley thanked Judy Williams for her presentation and hard work. Mayor Crowley stated he received correspondence from a resident regarding Susquehanna Street, bringing out some of the draw backs of the construction on the Viaduct. He passed the information over to Mr. Kilduff to bring to the County's attention. The Borough will get back in touch with them. Mayor Crowley commented we have the Planning Board reorganization meeting tomorrow night. Mayor Crowley stated the Zoning Board meeting is on February 6, they have the hearing on the Walgreens property. The Recreation meeting will be tomorrow night at 7:00 PM in the conference room that is reorganization also.

OPEN PUBLIC SESSION

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

Olga Struble, 115 Corkhill Road, Franklin, stepped forward. Mrs. Struble has a five year old child that is attending Franklin Elementary School; the issue she is bringing before the Mayor is the security in the public school. Mrs. Struble commented on her concerns on the security at the school after the recent events that have happened in Connecticut. Mrs. Struble asked if there could be a police officer at the school at all times.

Mayor Crowley commented after the problems in Connecticut all of the security was reviewed with the superintendent and the chief of Police. Mayor Crowley stated we have three schools in Franklin that we are responsible for the security, the Catholic School, Immaculate Conception and Hardyston School is within Franklin and we are responsible for that security. Everyone is very concerned he doesn't know what the final outcome will be but we will be working with the school the chief of Police and the Chief of Hardyston also because of the Hardyston School.

Mr. Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina stated he was here tonight to address a statement made at the last Mayor & Council meeting. Mr. Durina commented he thought the statement should have been reserved for the Zoning Board. Mr. Durina read the statement he was referring to. Mr. Durina gave reasons why he thought that statement should not have been made.

Mayor Crowley stated the questions you are bringing up are for the Zoning Board.

Mr. Durina asked for his signs not to be removed.

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Mayor Crowley commented he was not aware of any signs being removed. No one was directed to remove any signs.

Joann Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka asked when the Council is making comments sometime we can't hear. Mrs. Tatka commented that if we are here for a public meeting she thinks everyone's voice should be projected so that everything being said could be heard. Mrs. Tatka asked if anything was done with the reassessment.

Mayor Crowley stated he was talking with the tax assessor the other day; the Borough needs to start the process for the reassessment.

Mrs. Tatka asked if the County was helping with the detour roads.

Mayor Crowley commented there are weight limits on that small bridge by VanHorn's. The Borough has put more police over there on Davis and Scott Roads to go after trucks that are suppose to go around the official detours.

Mrs. Tatka commented she was talking about plowing.

Mayor Crowley stated the County only plows the County Roads the official detour is up through Hamburg and around.

Emily Basilwitch, Mill Street, Franklin, stepped forward. Ms. Basilwitch asked if there was a helmet law in Franklin for children on bikes.

Mayor Crowley stated the helmet laws are State laws and he doesn't know exactly what they are. At a certain age a child is suppose to have a helmet.

Ms. Basilwitch stated her concerns regarding children in Franklin not wearing helmets and her concerns regarding fixing up the Borough for the 100th year celebration.

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. Babcock All were in favor.

Mr. Giordano stated we have court attendants that carry firearms that we use for security in the Court. Mr. Giordano commented maybe the Court attends can work at the schools.

Mayor Crowley commented this is a matter for the Chief of Police.

OLD BUSINESS

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

NEW BUSINESS

Approval of Meeting Minutes

Mr. Snyder made a motion to approve the meeting minutes of the Regular Meeting held on January 8, 2013. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder

Nays: None Absent: Zschack Abstentions: None

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Resolution 2013-14 Appointing Municipal Attorney

Mayor Crowley commented it says in the Councils' packet that you are appointing John Ursin. Mr. Ursin is a Mayor's appointment as town attorney that was made at the Borough's reorganization meeting and approved by the Council. Mayor Crowley stated what you are approving is his firm Schenck, Price, Smith & King where he is now employed to be the backup for his legal work.

Mr. Snyder made a motion to adopt resolution 2013-14 appointing John E. Ursin, ESQ. of Schenck, Price, Smith & King, LLP as Municipal Attorney. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder

Nays: None Absent: Zschack Abstentions: None

Discussion on Borough Fuel Storage Systems

Mr. Kilduff commented during Super storm Sandy fuel became very scarce; we purchase fuel for our Borough Vehicles through Hardyston through a coop agreement. Hardyston has fuel storage over at their BPW facility. The fuel was in short supply and the Borough received notice from Hardyston that they were running low on fuel supplies as well. Mr. Kilduff stated that prompted him to start looking into the possibility of the Borough creating their own fuel depot at our DPW facility site and he has also met with a vender. This is a capital project tonight and he thinks it is important that the Council consider this and advise if the Borough is in a position to move forward with this or is this something the Council would prefer to table at this time. Mr. Kilduff commented he had received some preliminary pricing; he spoke to a representative from Convalt which is one of the tank manufactures. Mr. Kilduff explained advantages and disadvantages of having in house fuel storage systems and estimated pricing.

The Council discussed whether or not to pursue this capital project, other options that could be done or to consider this matter at another time. Other options discussed was having a card to use at a gas station in town or skid tanks.

Mr. Kilduff commented in summary given the costs we can look into less expensive options but we are not prepared to move forward at this time with a full installation of the type Mr. Kilduff was talking about.

Mayor Crowley stated he would say so; I don't think anyone is looking for a full installation because of the money. We can look into some of the other ideas and try to get information in case of an emergency.

Mr. Snyder asked Mr. Kilduff to look into the storage tank on Munsonhurst to see if it meets the capacity of what we need with the diesel fuel to be stored out there.

Mayor Crowley asked you mean at the wells.

Mr. Snyder said yes. Mr. Snyder wanted to be sure the tank meets the requirements.

Discussion on Proposed Jersey Central Power & Light (JCP&L) Rate Increase.

Mayor Crowley stated this is brought up because the Borough received a letter from the Mayor of Marlboro; he is trying to organize a group to go to the State BPU hearing and oppose their rate increase. He is looking for people to sign on in the legal aspects. Mayor Crowley stated his opinion; he agrees with him but Franklin Borough would not want to get involved in something to start paying legal bills for

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this when it is really up to the State and the State regulatory agencies to make this decision.

Mr. McBriar updated the Council on this complaint with the BPU. Mr. McBriar commented this could include additional litigation costs. At this point it would be recommended that additional investigation occur. Mr. McBriar stated with the direction of the Council; he or Mr. Kilduff could start looking into some of the enquires.

The Council had a brief discussion on the Proposed Jersey Central Power & Light (JCP&L) rate increase.

Discussion on request to close Hardystonville Road for St. Patrick's Day

Mayor Crowley explained the letter from Irish Cottage requesting to close Hardystonville Road and putting up a tent for St. Patrick's Day celebration. This has been approved before. As far as he knows none of the neighbors had any problems with it and as far as he knows there were no problems with the police as far as traffic.

Mayor Crowley suggested the Council pass this as a motion to allow the Irish Cottage to put up a tent for this.

Mr. Giordano made a motion to approve the Irish Cottage Inn request to close Hardystonville Road in front of the Cottage on St. Patrick's Day. Seconded by Mrs. Gardell.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder

Nays: None Absent: Zschack Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mayor Crowley referred to check number 37542 that was removed from the consent agenda.

Mrs. Gardell commented this was for banners. Mrs. Gardell stated there is a lot to do with the 100th celebration but this seems like a lot of money just for the banners; there is hardware involved but we only get 24 banners. Mrs. Gardell said there is nothing in there about the style of the banners. When Hardyston had their celebration they had banners that allowed for a second banner attached so you could look for sponsorships to help offset some of the costs. We could use the help with the financing.

Mr. Kilduff explained this is part of a project that goes back; it was a project the EDC had undertaken and we had appropriated funds for and we were in the process of ordering banners. There was a problem; the banners are more than what we anticipated. The sign of the banner was reviewed and approved by EDC. This was done quite awhile ago.

Mrs. Gardell asked if this was the logo on the website.

Mr. Kilduff the miner is what we selected. This is about getting something completed that has already been discussed and agreed to by all the parties. The price includes

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all the hardware which adds to the cost. The banners are two sided he thinks 2 x 5. The original intent was to put them on Main Street but with the anniversary we can put some down by the pond.

Mrs. Gardell questioned the hardware.

Mayor Crowley stated the banners will not be used just for the 100th Anniversary. They are not dated so they can be used after the 100th Anniversary.

Mrs. Gardell stated she thought the banners were for specific for the Anniversary the hardware is generic.

Mr. Babcock made a motion to approved check number 37542. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Giordano, Limon, Snyder

Nays: Gardell Absent: Zschack Abstentions: None

Mayor Crowley asked if there were any additional comments from the Council.

Mr. Babcock commented he would like to commend the Road Department guys for doing a good job.

Mr. Babcock also mentioned concerns regarding children wearing their bike helmets.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Babcock made a motion to adjourn the meeting at 8:35 P.M., seconded by Mrs. Gardell. All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Acting Borough Clerk