

**REGULAR AGENDA  
FOR THE MAYOR AND COUNCIL MEETING  
BOROUGH OF FRANKLIN,  
HELD AT THE MUNICIPAL BUILDING, 46 MAIN STREET  
FRANKLIN, NEW JERSEY AT 7:00 P.M. ON  
August 12, 2014**

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- A. **Mayor Crowley** will call the meeting to order; Clerk will call the roll.
- B. **Mayor Crowley** will invite all present to salute the flag.
- C. **Mayor Crowley** will state that "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. It has been properly advertised, and certified by the Clerk."
- D. **PRESENTATIONS**  
Robert G. Walker, Interim Superintendent, Walkkill Valley Regional High School District will address his letter dated July 28, 2014 Re: Resolution to eliminate Sussex County Technical School Tuition.
- E. **COMMITTEE REPORTS:** **Mayor Crowley** will allow each member of the Council, Borough Administrator, Borough Clerk, and Borough Attorney to present their respective committee report.
- Mayor Crowley** will offer the Mayor's Report.
- F. **OPEN PUBLIC SESSION:** **Mayor Crowley** will request a motion to open the meeting to the public, for any questions or comments concerning the good and welfare of the Borough. **All comments should be directed to the Mayor and kept to a 3 minute maximum per person.**

After giving all persons present an opportunity to address the Governing Body, **Mayor Crowley** will request a motion to close the meeting to the public and return to the regular order of business.

- G. **CONSENT AGENDA:** **Mayor Crowley** will request that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made, at this time.
- After all persons have had an opportunity to review the consent agenda and offer requests for changes, Mayor Crowley will request a motion to approve the consent agenda.

H. **OLD BUSINESS:**

I. **NEW BUSINESS:**

1. **Approval of the Minutes**

A motion is in order to approve the regular meeting minutes for July 8, 2014. (Absent: Fanale, Snyder)

A motion is in order to approve the special meeting minutes for August 5, 2014. (Absent: None)

2. **Resolution 2014-61 Cancellling unexpended and dedicated Balance.**

A motion is in order to adopt resolution 2014-61 cancelling unexpended and dedicated balance of the Grant Appropriation entitled "Distracted Driver Grant" in the amount of \$50.00.

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3. Resolution 2014-62 Tax Refund  
A motion is in order to authorize the tax collector to refund Michael Schneck, Esq., Trustee for KAJ Franklin LLC in the amount of \$3,439.23 due to a County appeal granted for the tax year 2014.
4. Resolution 2014-63 Cancelling Reserve Balance  
A motion is in order to adopt resolution 2014-63 cancelling the reserve balance for Reassessment of Taxes in the amount of \$200.00.
5. Resolution 2014-64 Purchase of a Police Vehicle  
A motion is in order to adopt resolution 2014-64 authorizing the purchase of one 2015 Ford Police Interceptor Utility, All Wheel Drive in the amount of \$36,851.00.
6. Resolution 2014-65 appointing Right to Know Compliance Officer  
A motion is in order to adopt resolution 2014-65 designating Administrator James Kilduff as the Borough's Right to Know compliance officer.
7. Resolution 2014-66 item of Revenue and appropriation  
A motion is in order to adopt resolution 2014-66 requesting approval of items of revenue and appropriation NJS 40A:4-87.
8. Resolution 2014-67 Tax Refund  
A motion is in order to adopt resolution 2014-67 (revising resolution 2014-50) authorizing the tax collector to refund Mr. Hokins for the 1st and 2nd quarter of 2014 the amount of \$2,400.82 and to cancel the 3rd and 4th quarter taxes of the Tax Year 2014.
9. Discussion (NJSA40:55D-64, Referral to Planning Board.)  
At this time the Council will consider the Planning Board's July 21<sup>st</sup> report prepared by Board Attorney David Brady regarding proposed Ordinance #7-2014. The ordinance amends sections of the land use ordinance related to commercial and recreational vehicles in residential zones. *(Note: in accordance with NJSA 40:55D-26, the Council "may disapprove or change any recommendations by a vote of a majority of its full authorized membership" . . .*
10. Ordinance #7-2014  
A motion is in order to adopt Ordinance #7-2014 "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING PORTIONS OF SECTION 161-32 ENTITLED "ACCESSORY STRUCTURES AND USES" AND PERTAINING SPECIFICALLY TO COMMERCIAL VEHICLES AND MOBILE DWELLINGS, TRAILERS, AND RECREATIONAL EQUIPMENT IN RESIDENTIAL ZONES"
- Prior to final roll call, Mayor Crowley will open the meeting to the public for any comments regarding ordinance 7-2014.**
11. Discharge of Mortgage  
A motion is in order to confirm the Discharge of Mortgage on August 12, 2014 for Henry and Mary Douma, 21 Scott Road, Franklin, in the amount of \$6,750.00.

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12. Shared Service Agreement with Sussex County

A motion is in order to approve a Shared Service Agreement with Sussex County for resurfacing of portions of Junction and Fowler Street and County contribution for a sidewalk extension at the southeast end of the E-07 Bridge.

13. Detective Assignment

A motion is in order to appoint the assignment of Robert Vander Ploeg to detective as recommended by Chief McInerney.

14. Conditional Offer of Employment

A motion is in order to authorize the Administrator to make a conditional offer of employment to the Police Officer recommended by the Selection Committee.

15. Resolution 2014-68 Demolition of the Ski Shop Property

A motion is in order to adopt resolution 2014-68 authorizing the Borough Administrator to proceed to obtain proposals for the demolition work of the Ski Shop Property referred to on the tax map as Block 606 Lot 29.

16. Resolution 2014-69 Environmental/Asbestos Report

A motion is in order to adopt resolution 2014-69 to approve undertaking an Environmental/Asbestos report for 429 Route 23, (Block 606, Lot 29); the report to be prepared by ABS Environmental Services L.L.C. not to exceed \$1,600.00 as per the recommendation of the Borough Engineer's letter dated August 8, 2014.

17. Passaic County Energy Cooperative Bid for Natural Gas

A motion is in order to authorize the Administrator to participate in Passaic County Energy Cooperative's bidding for retail supplier of natural gas to Borough Hall, commencing February, 2015, at the conclusion of the Borough's current contract with Metromedia Gas Service."

18. Discussion on Proposed Closure of Water Department Buildings

At this time there will be a discussion regarding the DPW Managers report concerning proposed closure of the Water Department Buildings along Franklin Ave.

19. Developers agreement Eden Properties (Walgreens)

At this time there will be a discussion regarding the developers agreement for Eden Properties. (Walgreens)

J. EXECUTIVE SESSION – IF REQUESTED

**Mayor Crowley** will request a motion to adopt a resolution to adjourn into Executive Session to discuss certain items excluded from the public.

THE OPEN PUBLIC MEETINGS ACT ALLOWS THE MAYOR AND COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES,

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FRANKLIN, THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

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THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE BOROUGH CLERK'S OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW.

Be further advised this Resolution shall take effect immediately.

- K. MISCELLANEOUS COMMENTS: **Mayor Crowley** will allow each member of the Governing Body to offer any miscellaneous comments which they may have at this time.
  
- L. ADJOURNMENT: **Mayor Crowley** will request a motion to adjourn the meeting.