

**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
May 13, 2014**

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, Mr. Fanale, Mr. Giordano, Mr. Limon, Mr. Snyder, 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."

Mayor Crowley apologized to the public for the last minute cancelation of the April 22 meeting, due to lack of quorum.

COMMITTEE REPORTS

Mr. Fanale had nothing to report.

Mayor commented we need to move on the ordinance for campers.

Mr. Fanale stated everything has been submitted.

Mr. Kilduff commented the information has been referred to the attorney to draft an ordinance.

Mr. Babcock had nothing to report.

Mr. Zschack had nothing to report.

Mr. Snyder had nothing to report.

Mr. Giordano informed everyone the recreation sign is wired and functioning, the shed for the girls softball has been done. There are fireworks to approve on the agenda tonight and recreation committee is having a workshop on Wednesday.

Mayor Crowley asked are both trailers being used for storage.

Mr. Giordano commented to his knowledge only baseball is using the one trailer. At one time the Girl Scouts wanted to use the other trailer; at one time the recreation pond committee wanted to get rid of the trailer.

There was a brief discussion regarding the trailer.

Mr. Limon commented he has updates on contract negotiations. Mr. Limon requested an executive session. Mr. Limon reported he met with the Historical Society regarding their lease; it was an informal meeting, hopefully we can work on something soon. Mr. Limon informed everyone there will be an Uncle Floyd comedy show at the Fire Department next month.

Mr. Ursin, Esq. had nothing to report.

Mr. Kilduff reported some items from the following administrators report which is also on file in the clerk's office.

Borough Sites and Street Issues

The Borough has received confirmation the New Jersey Department of Transportation has awarded a FY2014 Municipal Aid Grant for improvements to High Street in the amount of \$183,000. The grant is for milling and paving the full length (2,200') of High Street, replacing 1,400' of curbing from Rt. 23 to Parker Street and constructing approximately 1,400' of sidewalk. While the award of this grant is very good news for Franklin, the Council is

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advised the total project cost is approximately \$279,500. The Borough will need to contribute \$96,500 to complete the project.

The New Jersey Department of Environmental Protection Bureau of Dam Safety and Flood Control has sent the Borough official notification of a SATISFACTORY rating for the Franklin Pond Dam in concurrence with a recent inspection report. Regular inspections are required every two years.

Recreation sign lighting has been completed. A new roof has been installed on the softball shed. New netting has been installed on the third base line of the Little League field. The Concession stand and bathrooms have been cleaned and disinfected. Repairs have been made to the lighting fixtures and stove. Water has been turned on for field use. Musco lighting has visited the Borough ball fields and is preparing a proposal for automated light control of the football and baseball fields. The pond dam sheds have been scheduled for painting. The DPW manager has received pricing options for trash/recycling receptacles.

CM Franklin has demolished the former Kulsar's garage in preparation for development of a new STS Tire Store and Auto-Zone Auto parts store. Construction permits for Auto Zone have been issued. The developer is finalizing condominium association documents for the two tenants. Construction work on Rt. 23 is expected to start next week.

The ordinance committee has provided draft recommendations for changes to Borough ordinances regarding commercial and recreational vehicles in residential zones, boating, fishing and garage sales. The attorney has been asked to draft these ordinances for review and introduction.

A meeting was held with Braen Aggregates on May 2 to discuss plans for the repaving of Corkhill Road. As a result of their site plan approval, Braen has an obligation to repave a section of Corkhill, approximately 600' in length. The Corkhill Road project will go out for bid in the hope of securing the most favorable pricing for paving of Corkhill Road.

Financial Control/Legal Issues

The Borough's adopted budget has been forwarded to Trenton. The budget can be viewed on the Borough's website. Three prior year budgets are also posted on the Borough's website.

Bond anticipation notes are due in August. By June the Council will need to determine the Borough's financial needs. A meeting will be scheduled with the Finance committee to discuss financing essential projects including road resurfacing, I & I repair work, and new equipment.

License renewals have been sent to holders of liquor licenses for the period July 1, 2014 to June 30, 2015. The Borough has 14 liquor licenses: 3 club, 3 distribution and 8 consumption. This year three licenses require special rulings from the Alcohol Beverage Control (ABC).

The Council on Affordable Housing (COAH) has announced new, court ordered, third round substantive rules for affordable housing obligations. Under the proposed rules, the Borough has a fair share obligation of 39 units from 2014 through 2024 and a rehabilitation share of 15 units. COAH will conduct a public hearing in July with final adoption anticipated in October.

Late notices have been sent to approximately 150 residents who have not registered their dogs for the year 2014. The State requires all dogs have valid rabies certification through November 1st before they can be licensed.

Approximately 50 food handler license renewal applications have been sent out to businesses within the Borough. Licenses must be renewed by June 30th.

The Borough was one of dozens of municipalities receiving a Government Records Council complaint relating to disclosure of compressed data files from the tax assessor's office. All files have been provided; the Borough attorney filed a response to the GRC last week.

Operational/Personnel Matters

The Fire Department responded to a call on Brick Row yesterday. One of our Firemen, Bill Drum was taken ill at the scene and is listed in serious condition at Morristown Hospital. Please keep Bill and his family in your prayers.

Keri Marino, the treasurer for the Recreation Commission has announced her resignation as a result of her appointment as President for D.A.S.I. Keri was a valuable volunteer member of Rec and will be missed.

The F.O.P. representative for the Police Chief has sent the long awaited proposal for the Chief's contract which ended December, 2013. The F.O.P negotiator is asking for a 4% raise each year for the next three years.

A police officer candidate to whom a conditional offer of employment had been made has withdrawn his application. A resolution authorizing changes to the hiring policy and a new hire is on tonight's agenda.

Land Use Matters

A summary judgment has been issued in the matter of Durina & Durina, et al vs James & Anna Elekes. The plaintiff's claims were dismissed with prejudice as the court affirmed a prior decision granting the removal of a deed restriction prohibiting commercial development. This decision removes a serious impediment to the construction of a Walgreen's pharmacy. A lawsuit appealing the Zoning Board decision to deny a conditional use variance for a drive thru remains intact. Meanwhile, the developer has made application to the Planning Board for an amended preliminary and final site plan to include a drive-thru use based on the current ordinance.

Long-term and Capital Projects

Proposals for the firehouse gas boiler conversion project were opened on April 17th. The two prices received, Willco, (\$71,972) and Frey Plumbing & Heating, (\$63,000) were higher than anticipated and well in excess of the bid threshold. The engineer is reviewing the specifications for new bidding.

The Engineer has requested price quotes by May 1st for an Inflow and Infiltration (I & I) study for the first of 5 designated areas in the Borough. Specifications include video cameraing of 10,000 linear feet of sanitary sewer line, pressure cleaning and a detailed report on the condition of the lines. This work is to be followed by bids for rehabilitation, repair and/or replacement of damaged or obsolete sewer lines.

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The Mayor, Administrator, CFO/QPA and DPW Manager met to discuss capital needs on April 17th. More meetings are planned to develop a list of equipment needs for the Council's consideration.

Miscellaneous

On Friday, April 11th the Borough Clerk conducted a drawing to determine candidate position on the ballot for the June 3rd primary. For the Republican Party candidates for Franklin Council, the results were as follows: 1. Robert Dabinett; 2. Judy Stampono; 3. Michael Rathbun; 4. Joseph Limon. For Republican County Committee, District 2, (Male) the ballot position shall be: 1. John Peter Vahaly; 2. Michael Rathbun.

The Senior Spring Fling was held on Saturday, April 12th at the Franklin Firehouse. The event honoring our Seniors was well attended. We congratulate Lou Kulsar on being named "Senior of the Year".

Recreation is proceeding with plans for Franklin Day on July 12th. Approval for fireworks on July 12th is on tonight's agenda.

Lt. Governor Kim Guadagno and the 24th legislative district met with approximately 50 municipal and county officials on Tuesday, May 6th to discuss issues relating to the district. Franklin was represented by the Mayor and Administrator. Among the issues discussed were the Highlands Master Plan, Senator Oroho's corridor legislation for the Highlands, economic development and tourism, and the 2% interest arbitration cap.

Residents are reminded Saturday, June 7, 2014 from 7AM to 2PM is Household Hazardous Waste Day at the Sussex County landfill on Rt. 94. Residents may bring old paints and solvents to the facility for safe disposal. Contact SCMUA for details.

Mayor Crowley reminded everyone the Fire Department dinners and fundraisers support them; if you have the time please support the Fire Department.

Mayor Crowley commented the Wallkill Valley First Aid Squad has had some fundraisers also and to support the First Aid Squad.

Mayor Crowley commented the annual financial statement needs to be done on line this year; the form will be allowed to be viewed on line so the public can see them. If you have any problems call the clerk so you can get that paper work in.

Mayor Crowley explained we got a great grant for paving but the Borough has to come up with \$96,000. It is nice to get grants but even when we get them we have to throw in part of the money.

Mayor Crowley reported May 4 started Municipal Clerk's week and recognized the clerk for all her work.

OPEN PUBLIC SESSION

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

Jim Williams, 279 Wildcat Road, Franklin, stepped forward. Mr. Williams commented the Council approved back in October replacement of boilers which is on the agenda tonight; they had to reject those bids. Mr. Williams commented the Fire Department has a 550 gallon oil tank that is behind the building, in a basin, covered with a roof in front of it to protect it. When the boiler is installed we would no longer have a need for the oil tank; then explained a plan to convert the oil tank to gas. Install an electric pump on the tank then the Fire Department to pull up to the back of the building and fill up with fuel. He would also invite the road department to fill up their trucks as well as the ambulance squad and water department. The fuel is not for sale so we wouldn't have to change the tank, it would save miles driving over to Hardyston. It would save time for Municipal Employees, miles on the truck and ten cents a gallon sir charge.

Mayor Crowley informed Mr. Williams that his three minutes was up.

Mr. Williams passed out a handout with information on installing a pump and started to explain.

Mayor Crowley stated we need to get all this paper work together so this can be on the agenda for the next meeting. Then we can spend more time on this and discuss the whole thing.

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Sean Kidd 3 Evans Street, Franklin, stepped forward. Mr. Kidd commented on the trailer for the use of the Girl Scouts. This weekend is the fifth annual Boy/Girl Scout weekend we have 92 kids from Franklin spending the weekend down there, the Boy Scouts have a designated area to store their equipment down there and the Girl Scouts do not. Mr. Kidd asked if the Borough considers getting rid of the trailer to consider space down there in the near future.

Mayor Crowley commented this should be brought up at the recreation meeting tomorrow.

There was a brief discussion regarding the trailer.

Joe Martinez, 39 Woodland Road, Franklin, stepped forward. Mr. Martinez commented the netting was put up down at the field, it looks great. The only problem the net is already getting torn up. He understands the Borough is trying to save money by buying something cheaper but we have time to return the net now because of the poor quality it's in. Mr. Martinez asked about the NFL filming in town and asked about funds for filming in the town.

Judy Williams, 279 Wildcat Road, Franklin, stepped forward. Mrs. Williams explained the pot hole issues on Wildcat Road. It is deteriorated rapidly, the road department has been there this week trying to repair as much as they can. There are many, many pot holes and it is getting to be a dangerous situation. What the Council might not realize is the last time this road was resurfaced in its entirety, was when Mr. William Hodas was the Mayor. Mrs. Williams asked for the Council to consider resurfacing Wildcat Road either this year or next year.

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

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. Letter dated April 2, 2014 from Yut'se O. Thomas, Director, Office of School Finance, NJ Department of Education to Municipal Clerks Re: 2014-2015 Municipal Percentage Shares for Tax Levies for Regional School Districts and Districts Merged Pursuant to P.L. 209, c78.
2. Letter dated March 28, 2014 from Diane E. Zalaskus, P.E. Bureau Chief, Bureau of Water System Engineering NJDEP to Mayor and Council of Franklin Borough.
3. Letter dated April 7, 2014 from Linda A. Jensen to James C. Kilduff, Administrator Re: Claim #043921 (Nov. 16, 2013 motor vehicle accident).
4. Letter dated April 15, 2014 from James C. Kilduff, Administrator to Linda Jensen Re: April 7th correspondence, motor vehicle accident.
5. Letter dated April 8, 2014 from James C. Kilduff, Administrator to Joseph Novak, Principal Immaculate Conception School Re: Safe Route to School Grant.
6. Letter dated April 8, 2014 from James C. Kilduff, Administrator to Mary Alonso, President, Franklin Board of Education Re: Safe Routes to School Grant.
7. Memorandum dated April 10, 2014 from Elaine A. Morgan, Clerk of the Board of Chosen Freeholders to All Sussex County Municipal Clerks Re: 1. Bond Ordinance providing for various 2014 general capital improvements for the Sussex County Technical School, Located within the County of Sussex, State of New Jersey Appropriating \$1,902,000.00 Therefore (including a \$354,000.00 grant from the State of New Jersey) and authorizing the issuance of

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- \$1,548,000.00 Bonds or Notes of the County of Sussex, State of New Jersey, for financing a portion of such appropriation. 2. Bond Ordinance providing for various additional 2014 Capital Improvements by and in the County of Sussex, State of New Jersey appropriating 5,687,850.00 Therefore and Authorizing \$5,417,000.00 Bonds or Notes of the County to finance part of the costs thereof.
8. Letter dated April 14, 2014 from James C. Kilduff, Administrator to Hillside Estates at Franklin LLC. Re: Borough of Franklin Public Auction.
 9. Letter dated April 14, 2014 from James C. Kilduff, Administrator to Arthur and Mary Settembrino Re: Borough of Franklin Public Auction.
 10. Memo dated April 14, 2014 from James Kilduff, Administrator to Thomas Knutelsky, Borough Engineer Re: Franklin Pond Recreation Area.
 11. Memo dated April 11, 2014 from James Kilduff, Administrator to Brian VanDenBroek, Public Works Manager Re: Pond Recreation Area & Memorial Day Parade Preparations.
 12. Letter dated April 10, 2014 from Denise Becton RMC/CMR Township of Franklin to Mayor and Council Members Re: Resolution to support a water tax to fund the loss of Land Equity for Property Owners in the Highland Region.
 13. Letter dated April 16, 2014 from Melissa Rockwell, Tax Administrator, Sussex County Board of Taxation to Michael Bryan, Acting Director/Division of Taxation cc Municipal Clerks and Municipal Assessors Re: Resolution adopted April 16, 2014 and Final Equalization Table for the County of Sussex for the year 2014.
 14. Email dated April 23, 2014 from John M. Mitch, RMC, CMC Municipal Clerk Woodbridge, MCANJ President to NJ Clerks Re: Resolution recognizing Municipal Clerk's week.
 15. Memorandum dated May 1, 2014 from John H. Eskilson, County Administrator to all Sussex County Municipalities Re: New Jersey State Fair/Sussex County Farm and Horse Show.
 16. Resolution #14-69 from Lauren Kirkman, RMC Municipal Clerk for Vernon Township Re: Support of Water Tax to Fund the Loss of Land Equity for Property Owners in the Highlands Region.
 17. Memo from Robin Hough, RMC to the Board of Health Re: Dog Licensing.
 18. Resolution from the Township of Wall raising awareness of Fibrodysplasia Ossificans Progressiva.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court Report for March, 2014.
2. Health Department report for March, 2014.
3. Construction Permit Activity Report for March, 2014.
4. Police Department Report for March, 2014.
5. Tax Department Report for March, 2014.
6. Wantage Township Shelter/Pound Annual Report for the calendar year 2013.
7. Tax Department report for April, 2014.
8. Zoning Officer Report for April, 2014.
9. Construction Permit Activity Report for April, 2014.
10. COH report for April, 2014.
11. Construction report for April, 2014.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Request from Cub Scout Pack 90 to hold their Annual Soap Box Derby to be held on Sunday, June 22, 2014.
2. Application for the Girl Scouts to use the Senior Center on May 16, 17 and 18 from 5:00PM to 12:00 AM.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

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1. Payment of bills for the meeting of April 22, 2014.
2. Payment of bills for the meeting of May 13, 2014.

Mr. Snyder made a motion to approve the consent agenda of May 13, 2014. Mr. Babcock asked to remove number 4 letter from Ms. Jensen, from the consent agenda. Mr. Snyder made the motion to accept the consent agenda removing number 4. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Fanale commented on the issue with Ms. Jensen, after reading the letter, regardless of the findings of the insurance company and our insurance is going to find in favor of the police department, that was the situation that caused this accident. Ms. Jensen is only asking for \$250 which is what she had to pay out. Mr. Fanale commented we should make good on this and reimburse Ms. Jensen.

Mayor Crowley explained this was passed to the insurance company, the insurance had an investigation, sent field investigators out and what the insurance company concluded is we are not liable.

Mr. Babcock commented she [Ms. Jensen] is a respected woman, she did the right thing.

Mayor Crowley stated when he talked to the employees she [Ms. Jensen] talked to in town, she wasn't treated rudely, she didn't get the answer she wanted.

There was a discussion on whether the Borough should refund the \$250 after the insurance company reported the Borough was not liable.

Mr. Fanale made a motion the Borough pays the \$250 dollars to Mrs. Jensen to cover the financial cost she sustained from this accident. Seconded by Mr. Babcock.

The discussion continued whether this would set a precedent.

Mr. Ursin stated he would encourage the Council to follow standardized procedure which include having the insurance company investigate and determine whether to pay claims. For you to contradict your insurance company it does set a precedent.

Upon roll call vote:

Ayes: Babcock, Fanale,

Nays: Limon, Snyder, Zschack Absent: None Abstentions: Giordano

NEW BUSINESS

Approval of the Minutes

Mr. Zschack made a motion to approve the regular meeting minutes for April 8, 2014. Seconded by Mr. Limon. (Absent: None)

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

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Adoption of Ordinance #6-2014 Setting a Range for Salaries

Mr. Zschack made a motion to adopt Ordinance 6-2014 "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY" Seconded by Mr. Limon.

Mayor Crowley commented this does not give increases to anybody it just sets a range for what those people get.

Mr. Giordano asked all the salaries in these positions have a minimum of what is stated right now.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance #6-2014

No one from the public stepped forward.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Resolution 2014-28 Authorization to Provide Street Sweeping

Mr. Zschack made a motion to adopt resolution 2014-28 authorizing Prism Maintenance, Inc. to provide Street Sweeping in the amount of \$5,750.00. Seconded by Mr. Limon.

Mr. Babcock asked if they can provide street sweeping do down by the Firehouse.

Mr. Kilduff explained.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Resolution 2014-29 Authorization to Purchase a Power Mower

Mr. Zschack made a motion to adopt resolution 2014-29 authorizing the purchase of a new Scag Mower, Bassani Power Equipment in the amount of \$10,350.00. Seconded by Mr. Giordano.

Mr. Giordano asked about using parts of the old mowers.

Mayor Crowley explained if a lawn mower is still working it will be used.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Resolution 2014-30 Authorization to Purchase Fireworks

Mr. Giordano made a motion to adopt resolution 2014-30 authorizing the purchase of fireworks from Garden State Fireworks Inc for Franklin Night in the amount of \$5,000.00. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

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Resolution 2014-38 Authorizing Fireworks Display

Mr. Giordano made a motion to adopt resolution 2014-38 authorizing Fireworks display in the Borough of Franklin on "Franklin Night" at the Franklin Pond Recreation Area. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Resolution 2014-31 Authorization to provide Pond Weed Management

Mr. Giordano made a motion to adopt resolution 2014-31 authorizing Aquatic Technologies Inc. to provide weed management in the amount of \$12,877/annually for the years 2014 and 2015. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Resolution 2014-32 Hiring a New Police Officer

Mr. Giordano made a motion to adopt resolution 2014-32 authorizing the implementation of a process to hire a new police officer. Seconded by Mr. Limon.

Mr. Zschack commented it [the resolution] talks about a process but doesn't explain a process who is doing the interview, who is the authority in bringing names to the Council, it really isn't a process it is more of setting the criteria.

Mayor Crowley stated it would set the criteria and allow us to advertise. The Council can always change the process.

Mr. Zschack commented he thought the whole idea was to set a process. This (resolution) in his opinion does not set a process.

Mr. Giordano stated we have gone around and around with a process that we had for a long time. Mr. Giordano commented he would like to have the Police Chief basically administrate the process and have him bring three candidates to us [the Council] and we chose who we hire. Mr. Giordano commented what we have been doing hasn't worked.

Mayor Crowley suggested to act on this motion and then if you want to change the process give us a chance to write it up.

Mr. Kilduff commented this resolution changes the hiring requirements, that was a concern with all those that participated in the last one, the requirements gave the Borough a smaller pool. Mr. Kilduff explained the changes.

There was a discussion on the resolution.

Mr. Ursin commented your are voting on the words in the resolution not the description on the agenda.

Mr. Giordano asked if we could change this to vote on authorizing the implementation of a process to hire a new police officer to be administered by the Police Chief and to be reviewed by the Council at the next meeting.

Mr. Ursin stated you can change this anyway you would like.

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Mr. Giordano stated he would like to change it that way.

Mayor Crowley commented we have a motion and a second on the floor.

Mr. Ursin stated you have a motion on the table right now; you can either vote on the motion on the table vote it up or down, or someone can make a motion to amend the motion on the floor and have a separate vote on the amendment.

Mr. Giordano made a motion to amend his original motion implement a process to hire a police officer to be administered by the Police Chief and examined by the Council at the next meeting. We want to vote for a process given the Chief to implement the hiring process, be the hiring authority.

Mr. Ursin stated he would not be the hiring authority, your motion would make him a one man committee to report back to the Council.

Seconded by Mr. Zschack.

Mr. Ursin stated this is a vote to amend the motion, if you vote yes to amend the motion it still has to be voted on, this is just on the amendment.

Mr. Giordano commented what he is proposing is to allow the Chief of Police to develop a process to be implemented to hire a new police officer and bring it back to the Council at the next meeting to be voted on.

Mr. Limon stated not the hiring authority.

Mr. Giordano stated no he is going to bring us a process.

Mayor Crowley stated the Council is the hiring authority.

Mr. Ursin said this is a motion to amend the resolution to get the resolution to a vote.

Mr. Giordano commented the chief will bring the process to the Council and then the Council would or would not approve that process.

Mayor Crowley commented we will have a vote on the amendment.

Upon roll call vote to amend the motion:

Ayes: Limon, Zschack, Fanale, Giordano

Nays: Babcock Absent: None Abstentions: Snyder

Mr. Ursin stated for the record the vote that you are taking now is to adopt the qualifications that are in the written resolution as amended by Mr. Giordano's amendment which would direct the Chief of Police to propose a hiring procedure and present it at the next meeting. A yes vote would set both of those things in motion the qualifications and the request to the Chief to come to the next meeting with a proposal as to how the next round of hiring would go. That is what the vote is right now.

Mr. Fanale referred to the criteria, education, is there a reason why there is a bachelor's degree in say culinary arts acceptable, is there any reason why we couldn't require a bachelor's degree in criminal justice.

Mayor Crowley stated, you could but we found the last time around we had to disqualify some good candidates because we made the requirements to strict.

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Mr. Fanale stated in the interest of the public he believes the appropriate degree should be [criminal justice].

Mayor Crowley commented he agrees but you would be really narrowing the pool of applicants.

There was a discussion on the criteria.

Mr. Fanale made a motion to amend the amended motion to read under number 6 Bachelors degree from or an associates degree or 60 college credits in Criminal Justice. Seconded by Mr. Giordano.

Mr. Ursin said once again this is an amendment to amend the amended resolution to increase the qualifications as said forth at what was originally written.

Mr. Fanale read the qualifications.

Mr. Ursin stated it is amended what was written with the insertion of the distinction of "in Criminal Justice", those are the three words added. Mr. Ursin commented you are voting on the amendment again up or down this will come up for a final vote.

Upon roll call vote to amend the amendment of the original motion:

Ayes: Zschack, Babcock, Fanale, Giordano

Nays: Limon Absent: None Abstentions: Snyder

Mr. Ursin stated you have a resolution that has been amended twice, it has been amended to include the distinction "in Criminal Justice" those three words and from Mr. Giordano that the police chief will come back to the Council verbally or in writing at the next Council meeting proposing a process to be followed for the Council's consideration. That is the motion that is up for now.

Upon roll call vote on the original motion:

Ayes: Limon, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: Snyder

Resolution 2014-33 Cancelling Outstanding Check Balances

Mr. Giordano made a motion to adopt resolution 2014-33 for the Municipal Court to cancel outstanding check balances within the general account due to checks not returned or unclaimed totaling \$9.00. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Resolution 2014-34 Rejecting Bids for Firehouse Heating System

Mr. Giordano made a motion to adopt resolution 2014-34 rejecting bids for the Firehouse Heating Systems Replacement, from Frey Heating & Plumbing LLC in the amount of \$63,000 and Willco Air Conditioning, Refrigeration & Heating Inc in the amount \$71,972. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Zschack, Fanale, Giordano

Nays: None Absent: None Abstentions: Limon, Snyder, Babcock

**MINUTES OF THE MEETING OF THE
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46 MAIN STREET, FRANKLIN, NJ
May 13, 2014**

Resolution 2014-35 Requesting Approval of items of Revenue and Appropriation

Mr. Giordano made a motion to adopt resolution 2014-35 requesting approval of items of revenue and appropriation NJS 40A:4-7 for the sum of \$4,000 to be appropriated under the caption Click It or Ticket Grant. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Giordano

Nays: Fanale Absent: None Abstentions: None

Resolution 2014-37 Tax Identification Statement

Mr. Snyder made a motion to adopt resolution 2014-37 Tax Identification Statement. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Giordano

Nays: Fanale Absent: None Abstentions: None

Crossing Guard Resignation

Mr. Snyder made a motion to accept the resignation for crossing guard Ann Grabkowski, effective immediately. Seconded by Mr. Limon.

At this time it was determined that item number 12 [resolution 2014-36 was skipped over in error]

Mr. Ursin advised to finish number 14 since there is a motion and a second on the table and go back to number 12.

Upon roll call vote on number 14 accepting resignation:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Resolution 2014-36 Supporting Click It or Ticket (#12)

Mr. Snyder made a motion to adopt resolution 2014-36 supporting the Click It or Ticket Mobilization of May 19 - June 1, 2014. [seconded motion could not be heard]

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Giordano

Nays: Babcock, Fanale Absent: None Abstentions: None

Crossing Guard Change of Employment Status

Mr. Snyder made a motion to approve the change of employment status for Margaret Wellenheider and Rose Breidenstein from substitute crossing guards to permanent crossing guard as recommended by Lynn Warr Prtorich, Head Crossing Guard. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

Crossing Guard Employment

Mr. Snyder made a motion to approve hiring Cara Ross as a substitute crossing guard as recommended by Lynn Warr Prtorich, Head Crossing Guard pending satisfactory physical exam. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

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Resolution 2014-39 Coin Toss Fundraiser

Mr. Snyder made a motion to adopt resolution 2014-39 of the Governing Body approving a Coin toss Fundraiser on June 28, 2014, August 2, 2014 and September 6, 2014 as requested by the Walkill Valley First Aid Squad. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale,
Nays: None Absent: None Abstentions: Giordano

Mr. Giordano pointed out he abstained because this was on Mabie Street and Rte 23.

Approval of Part Time Summer Help utilizing Clean Communities Funds

Mr. Snyder made a motion to authorize the administrator to utilize Clean Communities funds to hire up to 5 students at \$7.25 per hour, up to 20 hours a week for 6 weeks during the summer and one adult student at \$9.50 per hour, up to 25 hours a week for 9 weeks during the summer. The work to be performed is litter control and related Clean Communities projects. Seconded by Mr. Limon.

There was a discussion regarding minimum wage.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano
Nays: None Absent: None Abstentions: None

Resolution 2014- 40 Littell Center Fees

Mr. Snyder made a motion to adopt resolution 2014-40 supporting modifying the rules governing the Littell Center to waive all use fees for non-profit organizations that can provide proof of its 501 (c)3 status and proof that its activities are located primarily in the Borough of Franklin. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano
Nays: None Absent: None Abstentions: None

Resolution 2014-41 Purchase of Police Lockers

Mr. Snyder made a motion to adopt resolution 2014-41 authorizing the purchase of police lockers from Salsbury Industries in the amount of \$7,931.25. Seconded by Mr. Giordano.

There was a brief discussion on the need for new lockers.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano
Nays: None Absent: None Abstentions: None

Resolution 2014-42 Awarding a Contract for a Camera Inspection of Sewer Mains

Mr. Snyder made a motion to adopt resolution 2014-42 awarding contract to Advanced Plumbing and Drain Cleaning, Inc. for a Camera Inspection of Sewer Main in the amount not to exceed \$32,000. Seconded by Mr. Limon.

There was a discussion on the resolution.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano
Nays: None Absent: None Abstentions: None

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Certification for Rescue Squad Contribution

Mr. Snyder made a motion to approve the acceptance of the Sussex County Contribution to the Wallkill Valley First Aid Squad in the amount of \$2,800.

Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack, Babcock, Fanale, Giordano

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

Mr. Limon commented there is no longer a need to go into executive session.

MISCELLANEOUS COMMENTS

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at p.m., seconded by Mr. Fanale..

All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Borough Clerk