

**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 27, 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. Fanale, Mr. Giordano, Mr. Limon, Mr. Snyder, Mr. Zschack, and Mayor Crowley.

Absent: Mr. Babcock

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."

**PUBLIC AUCTION**

Mayor Crowley explained at this time there will be a public auction for sale to the highest bidder the following Borough owned properties: Block 2702 Lots 14 and 15 and Block 2702 Lot 16, in accordance with Ordinances #4-2014 and #5-2014.

Mayor Crowley asked is any one here that would like to take part in this public auction.

No one from the public stepped forward.

Mr. McBriar stated let the record reflect there have been no bids received as a result of this auction. It would be appropriate to make a formal motion to close the auction at this time.

Mr. Zschack made a motion to close the auction. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Snyder, Zschack, Fanale, Giordano, Limon

Nays: None Absent: Babcock Abstentions: None

**PRESENTATIONS**

Jim Williams 279 Wildcat Road, Franklin made a presentation regarding converting the Firehouse oil tank to fuel for Borough use.

Mr. Williams commented at the Fire Department there is a 550 gallon oil tank behind the building. In October the Council voted to upgrade the boilers from oil to natural gas boilers, the oil tank is protected, in a containment basin with bollards in front of it. When the Fire Department goes to natural gas, that tank would sit there and become useless. Mr. Williams commented his proposal is to keep that tank there, the Borough has four fire trucks that run on diesel fuel. What he is proposing is to keep that tank, put a pump in there. Mr. Williams explained the different trucks the Borough has and this would also be opened up to the Borough and the ambulance squad to use the diesel fuel.

Mr. Williams explained the savings in time for Borough employees, savings of 10cents per gallon surcharge that Hardyston charges and savings on mileage for Borough vehicles. Mr. Williams gave examples of how this would benefit the Borough, Fire Department and Ambulance squad.

Mr. Williams read from a proposal from Petro Mechanics: Gas electronic heat control and a gas pump. The electronic heat control \$3,135 and the pump would be \$3,020 totaling \$6,155.

Mr. Williams explained how he would check the gage on the tank and when the tank was low call for a delivery.

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There was a discussion on money received due to Hurricane Sandy, if the tank could be made larger, DEP regulations, security, the fact the fuel is not being sold, risks from the insurance company, putting a tank down at the Borough garage and the police department usage of gasoline.

Mayor Crowley advises Mr. Williams to work with Mr. Kilduff to write the proposal up, get quotes needed to Monica Miebach so we can write it up.

Mrs. Miebach, CFO replied she needs more than one quote.

Mayor Crowley stated get all the paper work together so it can be put in the form of a resolution.

**COMMITTEE REPORTS**

Mr. Limon had nothing to report.

Mr. Giordano reported recreation has a meeting tomorrow, the time has been changed to 8:30.

Mr. Snyder had nothing to report.

Mr. Zschack had nothing to report.

Mr. Fanale had nothing to report.

Mr. McBriar, Esq. had no report from the attorney's office.

Mr. Kilduff reported some of the items from the following Administrator's report which is also on file in the Clerk's office.

Borough Sites and Street Issues

Following award of the \$183,000 NJDOT local aid grant for High Street improvements, the Borough engineer has been asked to begin survey/engineering work on this project.

The Franklin Band has responded to the Administrator, indicating they are interested in renewing their lease for space at the Senior Center. The attorney has been asked to draw up a new lease for the next Council meeting. Lease payments were \$1.00/year.

Financial Control/Legal Issues

The Borough's audit firm, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. has completed its audit for the year 2013. The auditor conducted a preliminary review with the Administrator and CFO last week. The full report will be presented at the next Council meeting. A letter detailing the firm's responsibilities for the audit is included in tonight's consent agenda.

The Borough is holding a tax sale certificate for Block 501, Lot 4, a 3.046 acre property with address at 80 Scott Road. An investor has expressed interest in acquiring the tax lien. Assignment of the tax lien will result in payment of taxes for this property. The Borough attorney is preparing lien assignment documents for action at the next Council meeting.

The Horizon Healthcare Public Employer Trust agreement for dental care is on tonight's agenda. The trust is offering a one year increase at 3% or a two year contract at 5%. The Borough's current budget projected a 4% increase. Acceptance of the 5% option would require the Borough to absorb the amount over budget.

The Borough's completed recycling tonnage grant application will be sent out next week. This year the Borough is reporting an additional 230 tons of recycled material over last year's report. Special thanks go to Darlene Tremont for her work in preparing the report. Joe Drossel also assisted with report gathering from local businesses.

Operational/Personnel Matters

The Personnel Committee has drafted a response to the FOP demands for the Chief's contract. A response letter is expected to be sent out this week.

The DPW negotiating team has asked for new meeting dates. A new meeting date and time has now been scheduled for June 12<sup>th</sup>.

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Land Use Matters

On May 19<sup>th</sup> the Planning Board approved, by a 6-1 vote, an amended preliminary and final site plan application for Walgreen's Pharmacy with the addition of a drive-thru use. A pending appeal filed against the Zoning Board will likely be dismissed.

In the matter of Brian Drost and 91 mains Street LLC vs the Board of Adjustment and the Borough, the plaintiff has dropped the charges against the Borough as a result of a settlement and approval by the Zoning Board which granted 1 ground floor apartment for the rear of the building. A similar stipulation of dismissal against the Zoning Board is expected in the near future.

Long-term and Capital Projects

Capital expenditures for the Borough's road revitalization plan and equipment are on tonight's agenda for discussion. In order to move forward, the Council must commit to funding road improvements to address the deterioration of the Borough's road system.

Miscellaneous

Yesterday was Memorial Day; the Borough conducted its annual parade and ceremony before a large crowd of Franklin residents and friends. As always, the success of the parade can be directly attributed to the many Franklin volunteer groups who actively participated in the solemn remembrance of those who have given their lives for our country. These groups include the American Legion, the Fire Department, the Wallkill Valley First Aid Squad, Boy and Girl Scout troops and other community organizations. We are grateful for these volunteer efforts and especially for those brave members of the armed forces who made the ultimate sacrifice.

Registered voters are reminded the primary election is one week from today: Tuesday, June 3<sup>rd</sup>. Polls will be open from 6AM to 8PM. There are two Franklin Borough Council seats open: Councilman Limon and Zschack. Councilman Zschack is not seeking reelection. Other primary elections include US Senate, House of Representatives, Freeholder and Republican County Committee.

Mayor Crowley thanked everyone involved with the Memorial Day parade, American Legion, Fire Department. Mayor Crowley said people don't understand how often the Fire Department responds, they were out the other night to help Hamburg and didn't get home until 4:00 in the morning. The Fire Department is having a fund raiser/comedy show Uncle Floyd June 14 if anyone wants tickets to talk to one of the fireman.

**OPEN PUBLIC SESSION**

Mr. Giordano 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.

No one from the public stepped forward.

There being no one present who wished to address the Governing Body, Mr. Snyder made a motion to close the meeting to the public, seconded by Mr. Limon. 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 May 6, 2014 from John Nugent, Superintendent Wastewater Facilities SCMUA to James Kilduff, Administrator Re: Sewage Flows.
2. Letter dated April 14, 2014 (Received May 9, 2014) from Mattias Wallander, CEO, USAgain to Mayor Crowley Re: Certificate of Sustainability.
3. Letter dated May 13, 2014 from James Kilduff, Administrator to Ms. Hannah Lozaw, President of the Franklin Band re: Lease of space at the Senior Center.
4. Letter dated May 12, 2014 from Ferraioli, Wielkotz, Cerullo & Cuva, PA Certified Public Accountants to Mayor and Council Re: 2013 Audit.
5. Letter dated May 20, 2014 from James C. Kilduff, Administrator to Douglas Garrity.

**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

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1. Health Department Report for April, 2014.
2. Police Department Report for April, 2014.

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. None Filed

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 27, 2014.

Mr. Limon made a motion to approve the consent agenda of May 27, 2014.  
Seconded by Mr. Fanale.

Upon roll call vote:

Ayes: Snyder, Zschack, Fanale, Giordano, Limon

Nays: None Absent: Babcock Abstentions: None

**OLD BUSINESS**

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

**NEW BUSINESS**

Approval of the Minutes

Mr. Zschack made a motion to approve the regular meeting minutes for May 13, 2014. (Absent: None) Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Snyder, Zschack, Fanale, Giordano, Limon

Nays: None Absent: Babcock Abstentions: None

Resolution 2014-36

Mr. Zschack made a motion to adopt resolution/Proclamation 2014-36 supporting click it or ticket. Seconded by Mr. Giordano.

Mayor Crowley explained for a clear recorded we are voting on the same items as last meeting.

Upon roll call vote:

Ayes: Snyder, Zschack, Giordano, Limon

Nays: Fanale Absent: Babcock Abstentions: None

Discussion on Capital Improvement

At this time there was a discussion regarding roads, equipment and financing.

Monica Miebach, CFO was present for the discussion.

Mayor Crowley explained in the last couple of years the Borough has paid off a lot of debt one big thing are the roads, no one really wants to bond or borrow money but at the same time we need to do some good work on these roads. Mayor Crowley commented the Borough can't get by with just patching pot holes and playing catch up. These roads need to be done over a period of time and be paved. Mayor Crowley commented we received a grant from DOT; the Borough's part is substantial we need to go forward on that. Mayor Crowley explained if the Borough does not follow our part the Borough will not receive any money.

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Mayor Crowley explained the roads are picked by the engineer for a reason; the engineer picks out the roads he thought were in the worst shape or in a critical position; meaning they connect to an outside road such as Davis Road, Wildcat Road and Corkhill Road.

Mr. Kilduff explained last year the Council adopted an 11 year plan to repave all the Borough roads. Last year the projected amount for the first year of road improvements was \$410,000 and the Council budgeted \$275,000 to begin the project. By time we rolled the Bond Anticipated Notes for funding we lost a year and we didn't have sufficient funds to do the work for 2013. That particular work involved the first phase of Corkhill Road and Maple Road. Now the Borough is behind by one year. What we are proposing tonight is bonding that will help the Borough catch up and plan ahead for the next few years as well. We are going out for bids for Corkhill Road, with the first of funding we had to eliminate Maple Road from the project list for 2013 because of the lack of funds. Before the Council today is a summary of work that we are looking to get done which includes needed road work, capital purchases and additional funds for the Fire House, gas conversion project the Borough's contribution of \$99,500 for the High Street DOT grant, Local Aid grant, two snow plow assemblies in the amount of \$9,200, a stainless steel body with light etc. for \$18,300 and \$50,000 to put towards our County 631 sidewalk project. Mr. Kilduff reminded the Council on that particular project we were turned down on the DOT grant for Fowler Street and 631. We are going to try to move ahead with Safe Routes to Schools Grant and hopefully we will get that [grant].

Mr. Kilduff commented we propose two plans for the Councils consideration Plan A includes all the capital items he just listed above and the rehabilitation of selected roads in accordance with the adopted schedule through 2016. This plan will enable repaving of all or part of the following roads; Maple, Davis, Scott, Wildcat, Corkhill, High Street, Main Street and Green Street. Mr. Kilduff reminded everyone it is all or part, for example Main Street it is the first part. The amount to be bonded for these projects is approximately \$1,601,587.00.

Mr. Kilduff explained plan B is an alternate plan which eliminates the 2016 road improvement projects and covers the schedule from 2013 (the year we missed) through 2015. Projects eliminated include Wildcat Road from Maple to the town line, Main Street, phase one and all of Green Street. High Street is being rehabilitated through the NJDOT Grant provided we fund that appropriately. The estimated amount to be bonded for these projects would be \$1,289,000.00. Mr. Kilduff stated our CFO has structured our bond anticipation note payments to pay up money so that we can finance additional borrowing without impacting taxes. Mr. Kilduff commented he gives Mrs. Miebach a lot of credit for making prepayments on our ten year notes so the Borough is in a position where we can borrow money.

Monica Miebach, CFO, stepped forward and gave a lengthy explanation on the Borough's ability to borrow money. Mrs. Miebach explained the reason this was being presented tonight, BAND roll over, time line for a BAND, saving money by doing all the phases together and debt that was prepaid off.

The Council asked Mrs. Miebach questions, discussing Plan A and Plan B, amount being financed, 2017 additional debt will be freed up, interest rates, bond council fees, bands and bonds, amount funded last year, something has to be done the Borough is already behind two years and to proceed with the 11 year plan and play catch up.

Mayor Crowley commented at this point with consensus go with Plan A. Mayor Crowley asked if anyone on the Council is opposed to Plan A.

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Mr. Zschack commented on the importance of still going for the DOT grants.

Mayor Crowley commented to have Mrs. Miebach and Mr. Kilduff work on plan A and it will be coming back to the Council in the form of an Ordinance. For the public it will come back as an ordinance, it will be open for public discussion at that time.

Horizon Blue Cross Blue Shield Public Employer Dental Trust Rate

Mr. Zschack made a motion to approve Horizon Blue Cross Blue Shield Public Employer dental trust rate increase of 3% for the period July 1, 2014 to June 30, 2015. Seconded by Mr. Limon.

There was a brief discussion on this.

Upon roll call vote:

Ayes: Snyder, Zschack, Fanale, Giordano, Limon

Nays: None Absent: Babcock Abstentions: None

Discussion on Police Officer Hiring Process

At this time there was a discussion regarding a police officer hiring process submitted by the Chief of Police.

Mayor Crowley commented with accordance with the decision that was made at the last meeting. An ad was placed for a new police officer position with the changes as were voted on last time. The responses are coming into town hall. What you have is a hiring process that was recommended by the Chief of Police in the packet and one that is recommended by the Administrator. The process recommended by the administrator was done a year and a half ago, it was not acted on by the Council. The process by the chief would have the police department doing most of the work and taking most of the responsibility from early on doing interviews, background checks and at that time bring in the Mayor and Council at the last area when they have identified some candidates who had met their criteria. The administrator's process would be having the Mayor and Council get involved earlier on at the very beginning, go through some of the interviews and then decide with the police chief and some of the other officers, senior police officers that would be involved. At that time we would go toward a background investigation and ultimately back to the Council.

Mayor Crowley reminded everyone that ultimately the obligation of hiring is a function of the Mayor and Council, no one else, and there are some notes in there regarding what the process is and where the hiring authority is on this situation.

Police Chief McInerney moved forward to be part of the discussion.

Mr. Giordano commented he is in favor of the chief's policy because we have gone through the policy and what we have done to hire police officers for the past few times. We have one successful hire; we need to change it [the process], we need to let the guys that do the job actually let [them] bring the candidates and let us choose who we hire. The Mayor and Council are the hiring authority, this would eliminate 90% of the possibility of politicalization of the job or of the process. Let the guys that do the job bring us the candidates that are qualified, then we can chose the applicant we feel in our opinion is the best choice for us [the Borough]. Mr. Giordano commented Mr. Kilduff has a lot to do, let's let the guys in the police department take care of it this time, if it doesn't work out we can change this. We can make adjustments that we feel necessary for the next time. The Borough does need to hire someone.

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Mayor Crowley commented the last couple of times the problems we [the Borough] had was the pool was so small because of the restrictions we had put down as to who could apply. The last time around we only had one applicant, the time before we only had a couple of applicants.

Mayor Crowley commented if you ask for hire qualifications you cut down the pool, someone out there without that qualification may turn out to be a great cop is not even considered.

Mr. Fanale commented it hasn't shown that would be the case, certainly not in the department. Mr. Fanale referenced the qualification; an amusement park has greater criteria for hiring employees. This is completely unreasonable. He agrees the qualifications for hiring are independent of the process itself but to say there will be no politicalization of the hiring process by putting the people that are doing the work in charge of the screening seems contradictory itself. When we can assert our administrator doesn't have enough time to function as the appropriate authority when frankly he hasn't even been given a chance to act as the appropriate authority. The same can be said for sergeants, lieutenants and the background investigators should be fulfilling their jobs out on the field and doing their jobs. Mr. Fanale commented he doesn't see people that do this work and are going to be screening these employees are capable of doing it in any capacity or any more thorough than the appropriate authority, that is what he is here for.

Mr. Zschack commented 18 months or two years ago or so he sat through approximately 21/22 interviews of candidates for this position. Once we finished that process he has been asking for a process that is very similar to the Chiefs, to have them filter through and bring us [the Council] three to five names. As a Council make a decision on the final vote. Going through that process he felt a lot of time was wasted with candidates we really did not need to interview as a Council member. Mr. Zschack commented he felt this process from the Chief is the way to go and he backs that process.

Mr. Kilduff commented he thinks all those candidates we interviewed was a result of an old list which we have since retired. The process that is here is a lot different than what we have done. Since he has been Borough Administrator we hired two police officers, and it hasn't been easy but we need to go through this with whatever document [process] you wish to go with and be aware of the differences. The qualifications you can't divorce from the process in order to get your foot in the door you have to meet the basic qualifications. This Council spent time at the last meeting [reviewing] the qualifications and passing the resolution which we required the candidates have at least 2 years of college with a major in criminal justice, they could have a High School diploma if they had military background of 2 years. Prior to that we had a 4 year requirement. The qualifications that the Chief has provided require only a High School diploma. That is an important difference. The selection of officers for the first phase of interviews puts together a panel of police sergeants, lieutenants and background investigators, these are the people conducting the interviews. As an administrator his big concern is the amount of time and money being spent paying this panel of police officers when he thinks the job is appropriate to have the police chief, Mayor and committee to be involved in the interview process. The process removes the administration and appropriate authority from every aspect of the hiring process. If that is the Council's wish that is contrary to what is in our ordinances, that would be something for the Council to consider. The administrator's function such as advertising for all employment and hiring. Hiring he views is a management purgative. It is probably the most important thing we do so he pays a lot of attention to the quality of people we bring on staff. The proposal gives the police Chief 100% authority for hiring non sworn personnel position with no oversight from either the Governing Body or the administration.

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Mr. Giordano commented what you are describing is not what the ordinance says. Mr. Giordano referred to ordinance and read 60-7.

Mr. Kilduff commented we can get clarification from the attorney on the appropriate authority.

Mr. Giordano commented to let department heads do their job which would fall under 60-8 and read that section.

There was a discussion on the ordinance.

Mr. Limon commented 18 months ago you [the administrator] came out with your policy [process] why wasn't that followed 18 months ago.

Mr. Kilduff stated the Council never took action on it, no vote was taken.

Mr. Zschack referred back to the Chief's policy and the qualifications.

Chief McInerney commented he always has to have a designee in case he is not around on everything. In regards to the qualifications they are general qualifications as set forth under Title 40 for the hiring of a police officer. That is the explanation for what is in his SOP as we speak. The way you have it graded as a Council is fine, he had to have something in there to abide by Title 40 for it to be legal.

There was a brief discussion on qualifications.

Mr. McBriar commented the qualifications that were adopted by the Governing Body recently were done by resolution. To maintain continuity you may want to list them and then as a matter of course if you want to change the policy you can equally do that by resolution.

The discussion continued on the resolution and qualifications.

Mayor Crowley commented the last time even though it didn't work out, the first decision was made by himself the chief and administrator. We went through the applications they were collated by one of staff, we checked off what the requirements were and whether they had the requirements. That can be done by the police force which is what the chiefs recommendation is, but you are giving up your authority as a Council by letting the police force doing that before it comes to the Council and not having any input until there. All the information regarding the ordinances and the administrator's position enforces he should be involved from the very beginning.

Chief McInerney stated with all due respect you do the hiring no question about it, as far as the situation goes with the process he spent 35 years in this town providing public safety. That is his job, public safety to the citizens and to his men. The hiring process is a main component to that, which should be his responsibility. Chief McInerney commented he is not trying to take it away from anybody, the administrator is very busy. Going back 35 years ago he has always been a very diligent person, he performs all his duties with his heart and soul. If this is delegated to me this job will get done and it will get done effectively and efficiently. You [Mayor & Council] do the hiring no question about it. The process would probably be better through the department because it will be more structured, you will have people on the panel that understand what we are looking for. Who better to understand that with the qualifications specifically of having the 35 years in the town of service.

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Again, he is not trying to take anything away from anybody he is just trying to help out the best way possible.

Mr. Giordano commented it comes down to whether you trust the chief's judgment or not.

Mr. Fanale commented you can say the same thing for the administrator. Mr. Fanale referenced overtime.

Chief McNerney commented he believes we are the only Municipality that handles it the way we have been prior to 2011 everything went through the police department, that was before the administrator stepped into office, he believes the Mayor was here at that time.

Mr. Fanale commented just because it was done that way doesn't mean it was right.

Chief McNerney commented that is the normal course of events in most police departments.

Mr. Kilduff commented he thinks the chief is a very important initial part of the hiring policy and he would like to work with him in hiring any new police officer. That is what he is trying to get to.

Mr. Fanale commented that is outlined, the selection committee would be the Mayor, Administrator, Public Safety Chair and Police Chief would review all applications and select the best qualified candidate.

Mr. Kilduff stated the intent here is the police chief should be involved in it, where he has seen break downs in various parts of it that were handled in a way that causes some concern. For example he asked for a background check to be started back on January 6 and it was 3 months before he had gotten a written background check. Mr. Kilduff commented he has addressed that in this policy and it makes the chief primarily responsible for background checks. There are some improvements there and he would like to work with the chief. We have done it before, our first hire we worked very close together and it was very successful.

Chief McNerney commented the first time was very successful that was off of our old list that was the top five people out of 107.

Mr. Kilduff commented we retired the list so we are in a much better position. The Council adopted a different set of rules.

Chief McNerney stated to defend himself in regards to what you just stated to the Council in reference to you asking me to do a background check that was totally out of line with the consistency with the way we were directed to follow things from the past. Everything was suppose to be consistent and that wasn't consistent at that particular time.

Mr. Kilduff stated he would disagree with you, he sent you a memo.

Mr. Zschack asked to go back to the procedures we were discussing. He personally backs the chiefs policy with the qualification to match what the Council resolution [states].

Mr. Limon commented the administrator set forth a policy and that was never even attempted to be followed. Mr. Limon commented he thinks that is unfair, he isn't

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saying who is right or wrong either but he didn't have an opportunity to address his policy 18 months ago.

Mr. Zschack commented at that time the Council didn't think that was the way to go.

Mr. Giordano commented the longer we sit on this the longer the overtime builds.

Mayor Crowley stated the ad is in the paper, hopefully there will be a good pool of candidates this time.

Mr. Giordano made a motion that we follow the Police Chief's process with the addition of changes to the qualifications set forth by resolution 2014-32. Seconded by Mr. Zschack.

Mr. Snyder commented he has to say because of conflicts he has not said a word on this. For the public to know but he is listening.

Upon roll call vote:

Ayes: Zschack, Giordano,

Nays: Fanale, Limon, Mayor Crowley Absent: Babcock Abstentions: Snyder

Mr. Fanale made a motion to adopt the Administrator's hiring policy which is consistent with the current resolution. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Fanale, Limon, Mayor Crowley

Nays: Zschack, Giordano Absent: Babcock Abstentions: Snyder

Mayor Crowley commented we will move forward with the process outlined by the Administrator.

Discussion on Commercial/RV Ordinance

At this time there was a discussion on the draft Commercial/RV Ordinance.

Mayor Crowley commented for the public this is a discussion on a Council level, to get their thoughts together so it can be put into an ordinance. This will be brought to the general public in the form of an ordinance.

Mr. Fanale gave a the history of the ordinance, explained the discussions with the ordinance committee and Planning Board member Steve Zydon who has experience with heavy equipment. They addressed the issues at hand specifically with commercial vehicles. Mr. Fanale explained the different vehicles and what they had to review, weights of the vehicles, referenced a memo from the Administrator and trying to come up with an ordinance to make everyone happy which will not happen. Mr. Fanale commented the ordinance committee is not going to change the weight limit on every road and explained.

Mr. Zschack agreed with Mr. Fanale regarding the weight limits on the roads.

There was a discussion on the draft ordinance, weight limit of trucks, weight limit on Borough Roads, the appropriate weight limit for a residential neighborhood,

Mayor Crowley asked if anyone had a problem with the way the draft ordinance was presented. Mayor Crowley commented to go forward, get the lawyers to write it up so it can be introduced as an ordinance.

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Mr. Fanale continued with the RV part of the ordinance. Mr. Fanale explained there is nothing in here that is unreasonable, we removed the entire ordinance and basically rewrote the ordinance. Most of the ordinance is common sense, there are setbacks involved, item C is the one thing the committee was focusing on. This was in the event there could be a fire and the fire department needed access to the structure or maneuver around it. There is nothing on the ordinance that is unreasonable, if you live on a lot that is designed like his and you don't have reasonable space to keep it you need to understand before the residents purchase them.

Mr. Limon asked Mr. Fanale, you feel it is within everybody's realm.

Mr. Fanale commented we took out a lot, we basically started over.

Mr. Zschack commented this will allow the vehicle to be 25 foot of the right a way and ten foot from the house and six foot from the property line. If you follow that criteria you can park an RV in front of your lot. Those three criteria have to be met.

Mr. Snyder commented you can put an RV in front of your house.

Mr. Zschack commented if you have the room and if you match those three criteria.

There was a discussion on RV's, setbacks for parking an RV and setbacks for different zones.

Mayor Crowley asked the Council if they like the way it is written, the consensus is to move forward, it will be open to the public in the form of an ordinance.

Mr. Kilduff commented next month we will introduce this to the Council, this involves and land use ordinance so it will go back to the Planning Board for comments then back to the Council.

**EXECUTIVE SESSION**

There no executive session.

**MISCELLANEOUS COMMENTS**

Chief McInerney stepped forward and commented with all due respect to your decision, he has questions and concerns about this policy, he will forward in having this reviewed by his representatives.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 9:10p.m., seconded by Mr. Limon. All were in favor.

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Paul B. Crowley, Mayor

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Robin Hough, Borough Clerk