

**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
December 23, 2014**

Council President Limon explained the Mayor called, he has an issue with his grandson and said to start the meeting.

Council President Limon 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. Giordano, Mr. Limon, Mr. Martinez, Mr. Snyder and Mr. Zschack.

Absent: Mayor Crowley

Council President Limon led the assembly in the flag salute.

Council President Limon 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."

COMMITTEE REPORTS

Mr. Giordano reported in general recreation had a successful year.

Mr. Snyder had nothing to report.

Mr. Zschack had nothing to report.

Mr. Babcock had nothing to report.

Mr. Martinez had nothing to report.

Mr. Limon had nothing to report.

Mr. Kilduff was not present but had submitted the following administrators report to the Council. This report is also on file in the clerk's office.

Financial Control/Legal Issues

Passaic County Energy Cooperative (PCEC) reported two bids were received on December 12th for electrical energy supply in connection with the government energy aggregate program. Based on the bids received the County decided not to award a contract and will consider next steps for rescheduling another auction after the holidays.

The public hearing on the Borough's \$2.5M bond refunding program is on tonight's agenda. The ordinance was duly noticed in the New Jersey Herald on December 14, 2014.

Operational/Personnel Matters

The Police Department's new hire, Patrolman Zachary Oren began work on December 15th. A formal welcome/ swearing-in ceremony is planned for the January 13th Mayor and Council meeting.

On December 1st the FOP asked to postpone a scheduled contract negotiations meeting. A FOP proposal was to be completed the next day in response to the Borough proposal. The Borough never received any proposal. In a telephone conversation today, the FOP representative, Daniel Schick, advised the FOP is waiting until the New Year to offer a proposal. Previously the Borough had received a string of emails claiming it (the Borough) was guilty of delaying an exchange of proposals and commencement of negotiations. The Borough sent its proposal on November 14th.

Land Use Matters

The Planning Board is preparing to move ahead with a Master Plan Re-examination Report and Amendment to address the Highway Commercial (HC) zone. The Board has obtained an estimate from the Planner and will require funding of approximately \$12,000.

Weis Markets met with NJDOT last week regarding their proposed plans to move ahead with a traffic signal at the Weis entrance driveway. The installation of a traffic signal was originally to be constructed by Walmart as part of their now defunct Big Box project. NJDOT is reviewing the application and has requested additional information.

Hardyston Township has announced the Hardyston Township Ambulance Squad has closed its operations. At the same time Sparta Ambulance has announced plans to conclude the second ambulance service by April. Sparta has already expressed a desire to end the daytime ambulance program.

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Miscellaneous

The 2015 Municipal Calendar is now at press. Delivery to residents is tentatively scheduled for December 31st. Many thanks to Darlene Tremont for her efforts in preparing the calendars with assistance from Robin Hough.

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.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented this is the season to put politics aside and wished everyone a Merry Christmas and a healthy and Happy New Year for the Council and Employees.

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. Giordano. All were in favor.

CONSENT AGENDA

Council President Limon 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 December 2, 2014 from William G. Dressel, Executive Director NJLM to Municipal Clerk Re: 23rd Annual Mayor's Legislative Day, February 4, 2015.
2. Letter dated December 1, 2014 from John Hatzelis, Administrator, Sussex County Municipal Utilities Authority to All SCMUA Customers Re: Adopted FY 2015 Rate Schedule.
3. Email from Rob Owens to Borough Clerk Re: traffic light at 23 and Franklin Ave.
4. Letter dated December 15, 2014 from James C. Kilduff, Administrator, to Official Payments Corp. Re: Notice: Termination of Service.
5. Letter dated December 5, 2014 from Andrew Thomas, License Site Remediation Professional to Mr. Palomino Re: Response Action Outcome.
6. Township of Byram Resolution 189-2014 to support restoration of funding to State Parks Programs which will suffer cuts due to Diversion of Corporation Business Tax Funds due to Public Approval of New Jersey Ballot Question 2.
7. Memo dated December 18, 2014 from James Kilduff, Administrator to Mayor & Council Re: Master Plan Re-examination Report.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Permit Activity Report for November, 2014.
2. Municipal Court Report for November, 2014.
3. Health Department Report for November, 2014.
4. Zoning Officer Report for November, 2014.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of December 23, 2014.

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Mr. Giordano made a motion to approve the consent agenda of December 23, 2014.
Seconded by Mr. Babcock.

Upon roll call vote:

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

Nays: None Absent: Mayor Crowley Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Snyder made a motion to approve the regular meeting minutes for December 9, 2014. (Absent: none) Seconded by Mr. Giordano.

Upon roll call vote:

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

Nays: None Absent: Mayor Crowley Abstentions: None

Approval of the Minutes

Mr. Snyder made a motion to approve the executive session meeting minutes for December 9, 2014. (Absent: Zschack) Seconded by Mr. Babcock.

Upon roll call vote:

Ayes: Martinez, Snyder, Babcock, Giordano, Limon

Nays: None Absent: Mayor Crowley Abstentions: Zschack

Adoption of Ordinance #12-2014 Refunding Bond Ordinance

Mr. Snyder made a motion to adopt Ordinance #12-2014 "REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,500,000 REFUNDING BONDS OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY". Seconded by Mr. Babcock.

Mr. McBriar reminded Council President Limon to have a public hearing on the ordinance.

Prior to final roll call, Council President Limon opened the meeting to the public for any comments regarding ordinance #12-2014.

No one from the public stepped forward.

Upon roll call vote:

Ayes: Martinez, Snyder, Zschack, Babcock, Giordano

Nays: Limon Absent: Mayor Crowley Abstentions: None

Resolution 2014-94 Property Tax Exemption

Mr. Snyder made a motion to adopt resolution 2014-94 authorizing the Tax Collector to refund the pro-rated share of the 2nd quarter taxes in the amount of \$1,229.24, \$1,631.34 for the 3rd quarter and \$1,631.34 for the 4th quarter taxes for a total of \$4,491.92 to Ralph G. Storer, 25 Woodland Road, Block 2301 Lot 11 due to the Department of Veteran Affairs declaring him permanently disabled. Seconded by Mr. Giordano.

Mr. Limon commented once again we have a tax exemption that we have paid the District School, Regional School and the County School Tax and we are refunding not recouping anything from the said entities mentioned. Mr. Limon commented it is a red flag issue that always happens that we are on the hook for. That is why he

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always votes no on these, not because they are a veteran, we already paid the schools and the County off, but we (the Borough) isn't receiving anything back after we grant the exemption. Mr. Limon stated he thinks that is wrong, he doesn't know where we can go with that in the future. If we (the Borough) are refunding it then we should receive some sort of return from the schools.

Upon roll call vote:

Ayes: Snyder, Zschack, Babcock, Giordano

Nays: Limon Absent: Mayor Crowley Abstentions: Martinez

Approval of Taxi License Application

Mr. Snyder made a motion to approve the Taxi License Application submitted by Stephen Collins trading as Anytime Taxi for the year 2015. Seconded by Mr. Zschack.

Upon roll call vote:

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

Nays: None Absent: Mayor Crowley Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Snyder wished everyone a Merry Christmas and a Happy Healthy New Year. In 2015 looking forward to a productive Council and God Bless.

Mr. Giordano wished everyone a Happy New Year and a Merry Christmas as well. Mr. Giordano commented Mr. Zschack, it has been his pleasure to serve on the Council with you, he learned a lot from Mr. Zschack personally and the town will be at a loss without you being up here.

Mr. Martinez wished everyone a Merry Christmas and Happy New Year.

Mr. Babcock commented the same.

Mr. Zschack commented a Happy and Healthy Holiday.

Ms. Hough wished everyone a Merry Christmas.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 7:11p.m., seconded by Mr. Snyder. All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Borough Clerk