

**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
February 24, 2015**

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. Dabinett, Mr. Giordano, Mr. Limon, Mr. Martinez, Mr. Snyder, 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."

COMMITTEE REPORTS

Mr. Limon had no report.

Mr. Giordano reported recreation had a meeting on the 19th, we are working on Spring Fling and the possibility of the return of the Franklin Carnival. Recreation has to go over a couple of things with the Administrator and the Police Chief. EDC had a meeting on the 12th, it was a good meeting, the Municipal Planner Ken Nelson attended the meeting. They are talking about having the EDC have some input to some of the changes that could be planned for the Highway Commercial Zone. We might want to consider having the non Zoning or Planning Board members of the EDC to possibly get training in Land Use to have a better idea as to why the zoning needs a change or adjusting. There was also a discussion having a brochure for Franklin to highlight what good things we have going on in Franklin.

Mayor Crowley asked if there was a date for the Spring Fling.

Mr. Martinez commented April 11th.

Mr. Snyder reported the finance committee will meet with the CFO and Administrator to go over the Budget. The water and sewer part of the budget is almost finalized.

Mr. Babcock had nothing to report.

Mr. Martinez reported at the last meeting he reported a need for a first responder vehicle for the Fire Department. Unfortunately it did not make the agenda.

Mayor Crowley commented if you would like to talk about this now, go ahead.

Mr. Martinez commented the Fire Department has been looking for a first responder vehicle, the one they currently have is not working, they are having problems with it. The vehicle they are looking at is a 2009 Dodge Durango with 100,000 miles on it. The Fire Department is looking to finance it. The Borough does have line items for the Fire Department, what they are looking is to take \$4,000 from one of their line items to use towards a down payment of this vehicle, they are going to finance the rest. The old vehicle will be removed, sold out, basically they will swap insurance [remove one and replace the other]. The Fire Department is going to have Mr. Rome down at DPW have a once over look of the vehicle to make sure it is mechanically sound because of the mileage.

Mrs. Miebach, CFO commented we are on a temporary budget right now but yes they do have the money within the temporary.

Mrs. McHose commented she believes going forward the discussion will be to buy a used vehicle or a new vehicle. It seems for their budget purposes right now the

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used seems to be the way to go. The question is of course the condition of the vehicle. The Fire Department will be financing the rest of the purchase but they will use a portion of the money in their line item for the down payment.

Mr. Martinez asked about the finance.

Mr. Ursin stated the way he heard it described is the Borough would not be signing on the loan, the Borough couldn't sign on the loan. You would be funding what they use as the down payment and they [the Fire Department] would use their credit to finance it.

Mayor Crowley stated he would like to put this on the agenda for the next meeting and have a vote.

Mr. Martinez commented they are under a time crunch with the vehicle. It should have made the agenda, is this something we could vote on or not.

Mayor Crowley commented an item of this magnitude should be on the agenda so the public can see it beforehand.

Mr. Ursin commented he agrees [with the] Mayor, what might be helpful is if Mr. Martinez wanted he might poll the other Council people to see if anyone has an objection or in support so the Fire Department would be able to know to go forward and get it set aside.

Mayor Crowley asked the Council if there was an opposing to us purchasing the vehicle in this manner.

Mr. Snyder asked the name of the dealer.

Mrs. McHose stated Royal Pontiac in Sussex.

Mayor Crowley commented he doesn't see any opposition, firm this up and have it on the agenda for the next meeting.

Mr. Dabinett reported he met with Mr. Babcock as part of the ordinance committee. Mr. Limon was unable to attend the meeting. Mr. Dabinett commented they had discussed the towing ordinance, package. He hasn't had time to get anything in writing for tonight but he will for the next meeting. Mr. Dabinett commented they had met on the garbage and there will be another meeting tomorrow.

Ms. Hough had nothing to report.

Mr. Ursin requested a closed session with regards to litigation and personnel.

Mrs. McHose reported the bulk of her time in the past two weeks has been consumed with budget meetings and things are moving along. Today she had a conference call with the Commissioner of the Department of Community Affairs to discuss the State Budget and the legal decision on the pension repayment. Mrs. McHose commented we are hopeful it won't impact us in our budget formation this year, going forward we will see what happens in terms of the pension.

Mrs. McHose reported we held two garbage meetings and [we are] working on the language for the bid contract to be advertised. The next meeting [garbage] will be tomorrow at 4:00 in the big conference room it is open to the public and welcome your attendance. The goal is to save the residents and tax payers money on the

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contract and we are trying to be as careful as we can to make changes that will save us some money.

Mrs. McHose reported we will be meeting this Friday with the finance committee to go over the budget line by line. There will be a meeting tomorrow with the Recreation Committee and the Chief. Mrs. McHose reported she met with the Administrative Officer of the Courts they came up from Morristown to discuss moving the Clerk Court across the hall to the former Land Use Office. The Court Clerk falls under the AOC, therefore, we have to have approval to move any of their equipment and wiring. We got a go ahead on that.

Mrs. McHose reported she also got some quotes on cleaning carpets and some measurements on some replacement carpets where there is some damage. We are reviewing all the quotes and making decisions, conservatively and carefully.

Mrs. McHose reported she met with the CFO, Chief of Police and two detectives to discuss a contract we have with a firm that provided us with cameras for the police vehicles. There is a new law that has been signed by Governor Christie that will require each new vehicle to be equipped with recording devices and camera. We want to make sure we make the right decision to continue with the company that we have or seek a different quote.

Mayor Crowley reported the snow and ice is a big problem right now, the DPW is doing a great job trying to manage it, we do have more salt, depending on how long this weather keeps going will depend on how long we are going to keep going on over time and plowing. The DPW has been out in force and they are doing a great job.

Mayor Crowley reported two Franklin Officers saved a life of an overdose situation by using narcan. They were able to respond to somebody that had an overdose and bring them back utilizing this narcan which is now being kept in the police cars and available to officers on patrol. Lieutenant Smith and Officer Babcock were the officers involved, he would like to publicly praise them for their fast action and their use of this medication to bring around somebody that had overdosed.

Mayor Crowley commented on a Mayor Advisory he had for training this Saturday February 28 from the League of Municipalities, a half day course on budget. If anyone is interested to let the Clerk know.

OPEN PUBLIC SESSION

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

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina asked the Mayor if you could have an extra minute and a half.

Mayor Crowley agreed.

Mr. Durina referred to the December 9, 2014 meeting, when you [Mayor Crowley] made comments regarding his community service record. Mr. Durina commented he would like to defend his integrity. Mr. Durina referred to comments said on December 9. Mr. Durina gave an overview of his community service record since returning to Franklin in 1959 after his army tour in France. Mr. Durina read positive comments from letters, articles and newsletter called Our Town, from people he had worked with. Mr. Durina commented he comes to challenge the Mayor and Council for honest and open government and to spend our tax dollars wisely.

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Donna Arrigo, 33 Ben Franklin Drive, Franklin, stepped forward. Mrs. Arrigo asked how many of you [Council] read your packages before you come to this dais.

Mayor Crowley commented he believes they all do.

There being no one else 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. Franklin Borough Zoning Board of Adjustment Resolution and Annual Report adopted by the Zoning Board on February 4, 2015.
2. Resolution from the Board of Chosen Freeholders Regarding the Restoration of Funding to State Park Programs which will suffer cuts due to Diversion of Corporation business Tax funds due the Public Approval of New Jersey Ballot Question 2.
3. Resolution R2015-45, Township of Andover, requesting that the Sussex County Division of Engineering investigate, Study and Evaluate improvements to Newton-Sparta Road in the Andover township Corridor.
4. Resolution 15-43, Township of Vernon requesting the restoration of funding to State Parks Programs which will suffer cuts due to diversion of corporation business tax funds as a result of public approval of New Jersey Ballot Question 2.
5. Resolution 2015-14, Montague Township regarding the 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.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Health Department report for January, 2015.
2. Construction Department report for January, 2015.
3. COH report for January, 2015.
4. Construction Permit Activity Report for January, 2015.
5. Police Department report for January, 2015.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of February 24, 2015.

Mr. Limon made a motion to approve the consent agenda of February 24, 2015. Seconded by Mr. Babcock.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Martinez commented we had talked about the walking path over at Franklin Pond. We had to meet with Mr. Knutelsky as far as costs. Mr. Martinez and Mr. Knutelsky had discussed it, Mr. Knutelsky' observation was \$2,000 every two years for repaving. However, with that being said, Hardyston had the same allocation and have not had to use that fund for 15 years. The first time they had to repave was 15 years after having their track.

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Mr. Martinez commented as far as funds availability, he checked with Monica [CFO] and recreation does have the funds for the project from the Millie Hardin Fund. If we did move forward with this project, he is hoping the next meeting we can vote on it.

Mr. Dabinett commented he thinks a walking path would be excellent down at the pond, he would like to see a set of plans and specifications before we vote on anything by the Engineer.

Mr. Martinez commented we have that, the Engineer actually has the plan and specifications.

There was a discussion on the paths at the pond.

Mr. Martinez suggested to have Mr. Knutelsky at the next Council meeting if he has everything ready.

Mr. Snyder asked about the demolition of the buildings on 23, the weather has made it difficult for us.

Mayor Crowley commented he has to check on that to find out. He knows Mr. Knutelsky had been in touch with them.

Mr. Snyder commented if we are asking Mr. Knutelsky to come to the next meeting, have him give an update on that [demolition of the building on Route 23].

NEW BUSINESS

Approval of the Minutes

Mr. Giordano made a motion to approve the regular meeting minutes for February 10, 2015. (Absent: Mr. Snyder). Seconded by Mr. Babcock.

Upon roll call vote:

Ayes: Martinez, Babcock, Dabinett, Giordano, Limon,

Nays: None Absent: None Abstentions: Snyder

Contract with Space Wild Animal Farm Inc.

Mr. Giordano made a motion to approve the contract between Space Wild Animal Farm Inc. and the Borough of Franklin for removal of deer carcasses from municipal road right of ways at a fee of \$31.00 valid through December 31, 2015. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of New Jersey State Firemen's Association membership Application

Mr. Giordano made a motion to approve the application for membership of Steven Knebl, 7 High Point Circle, Franklin, to the Franklin Fire Department as recommended by Troy Kays, Franklin Fire Department Chief. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Martinez, Dabinett, Giordano

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

Resolution 2015-19 Nutrition Program Shared Service Agreement

Mr. Giordano made a motion to adopt resolution 2015-19 authorizing the Shared Service Agreement between the County of Sussex and Franklin Borough for the

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Franklin Congregate Nutrition Program at the Senior Center for the term January 1, 2015 through December 31, 2015. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2015-20 Temporary Budget

Mr. Giordano made a motion to adopt resolution 2015-20 amending the temporary budget to allow capital expenditures. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction Ordinance 1-2015

Mr. Giordano made a motion to introduce an Ordinance entitled "AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$8,700.00 FROM RESERVE FOR IMPROVEMENTS TO MUNICIPAL PROPERTY BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY." Seconded by Mr. Limon.

Mrs. Monica Miebach, CFO, explained the ordinance.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Public hearing will be held March 10, 2015.

Introduction Ordinance 2-2015

Mr. Giordano made a motion to introduce an Ordinance entitled "AN ORDINANCE APPROPRIATING THE SUM OF \$9,000.00 FROM RESERVE FOR PURCHASE OF OFFICE EQUIPMENT AND \$2,540.00 FROM THE CAPITAL IMPROVEMENT FUND BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY." Seconded by Mr. Limon.

Mrs. Monica Miebach, CFO, explained the ordinance.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Public hearing will be held March 10, 2015.

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Limon made a motion to adjourn into closed executive session to discuss personnel and litigation. Motion seconded by Mr. Babcock.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 8:52p.m. and Mayor Crowley declared the meeting to be reconvened into open public session.

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MISCELLANEOUS COMMENTS

Mr. Snyder commented he would like to discuss the hiring of a DPW employee it is already budgeted for this year. We need to take some action to look ahead to see if the elders of the Road Department are looking to leave we [the Borough]. We better have someone to step in to what they were doing. We need to advertise for that position for a new DPW employee and certain requirements for that person.

Mr. Babcock asked if that was part time or full time.

Mr. Snyder commented that would be full time.

Mr. Dabinett commented he would like to take that one step further and hire two full time people.

Mr. Snyder commented he doesn't know if we can do that this time.

Mayor Crowley commented we are going to be meeting about the budget on Friday, why don't we discuss it then.

Mr. Snyder commented with the budget he doesn't know if that would be beneficial to go for two but we definitely need to get one hired full time with the qualifications.

Mrs. McHose commented being this is her first budget cycle she was thinking about a minor change. Whereas, we are meeting with the finance committee on Friday and we are going to go line by line through every item, her feeling is the finance committee spends a tremendous amount of time [on this], she has already spent a tremendous amount of time with Monica going over these [items]. Monica has all the background and back up on these items. When we come to the Council rather than do a line by line again we are just going to do a general overview. If there are specific questions that come up from the members, we don't want to spend time during the presentation to the Council. Obviously we will do a presentation to the public but she wanted to make that clear.

Mr. Snyder commented if you do have questions regarding what we have talked about in the meeting, you can contact him, being the finance chairman of the finance committee or the CFO and or Administrator. The Mayor will also be sitting on this too.

Mr. Snyder commented get in contact with us with questions so we can evaluate that problem [before] sitting up here for discussion.

Mr. Babcock commented that is a good point, Alison, we did that in the past.

Mr. Giordano commented we need to do a salary adjustment for one of the [DPW] workers. He was put into the lower step of the guide.

Mrs. McHose commented she has that item for the personnel committee, she is going to be meeting with them and she has all the background on it.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:57p.m., seconded by Mr. Babcock. All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Borough Clerk