

**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  
March 10, 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. Snyder, and Mayor Crowley.

Absent: Mr. Martinez

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 commented on the agenda we had indicated Mr. Knutelsky was going to be here; since Mr. Martinez could not make it we will reschedule Mr. Knutelsky for another time.

**COMMITTEE REPORTS**

Mr. Limon reported there are a few things on personnel that the administrator will say in her report. We have a meeting set with the FOP hopefully the end of this month.

Mr. Giordano reported the awards committee met we have a senior of the year in mind; he has spoken to the Council and we all agree on it. We will forward the name to Recreation to have the appropriate signs made and take care of the other stuff for Spring Fling. Mr. Giordano reported recreation will be meeting on Thursday; they are continuing to work on areas where they can look into the possibility of a Carnival and going over their regular agenda items.

Mr. Snyder reported the finance committee met on February 27, we went over the budget line by line, what they came up with will be introduced at the next Council meeting. When he mentioned to the Council if you had any questions regarding the budget to ask himself, CFO, Mayor or Administrator with regards to the budget. We do have a workshop we can use on [March] 18th, if we desire to meet and go over the budget not line by line by each department itself.

Mr. Babcock had nothing to report.

Mr. Dabinett reported everyone has a letter from him dated March 2 in regards to the towing ordinance, he met with Mr. Babcock and reviewed other towns towing ordinance. Mr. Dabinett commented on some of the modifications made from what was proposed at the prior Council meeting.

Mayor Crowley commented this is on the agenda to be discussed later tonight.

Mr. Dabinett commented Mr. Snyder and I along with the CFO and Administrator went over the budget, he doesn't think any of us are perfectly happy with it but we went over it surgically as possible and did the best we could for the tax payers in this town.

Ms. Hough, Clerk reported March 30 at 4:00PM is the deadline for filing the primary petition for municipal office or the petition for a member of the Party County Committee. This year the Party County Committee petition is for the Democrat party. The petitions are to be filed with the Municipal Clerk. If anyone has any questions give me a call.

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Mr. Ursin, Esq. had nothing to report.

Mrs. McHose reported Mr. Knutelsky who is our town [engineer] would have been here tonight, there are a few things he asked me to pass on. We have some information of the demolition of the two buildings on Route 23 across from the Sit and Chat Diner. The contractor has indicated to the Borough he needs to wait until some of the snow melts before he get started, so we are looking at early April to get moving on the demolition of those two buildings.

Mrs. McHose commented Mr. Knutelsky was also going to talk about this grant we have received from NJ Department of Transportation for Safe Sidewalks, he will address that next time. There is a possibility of tying in some of that grant to the pond plans for the trails there.

Mrs. McHose commented under personnel we have two employees who have finished their probation period and they will be getting their pay increase and we will have it on the next agenda.

Mayor Crowley reported April 22 and 24 is the conference for NJ Conference of Mayors, in Atlantic city. On Monday is the Sheriff Open House, everyone is invited to see the communication center. They are asking people to get involved in that in the future. Mayor Crowley commented he will not be able to attend due to a Planning Board meeting; if anyone would like to go call Robin and she will put your name in.

Mayor Crowley commented this morning there was a lot of black ice around our people were out early, he expects tonight the snow will melt again and freeze up again. There will be a lot of black ice and fog tomorrow so be careful driving. Brian has his crew out to take care of the ice.

**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. Dabinett. All were in favor.

Dick Durina, 23 Lozow Road, Franklin stepped forward. Mr. Durina asked Mayor Crowley if under item I new business number 8 payment for former administrator are you going to open that section of the meeting to the public.

Mayor Crowley commented no.

Mr. Durina asked what the status of the DPW employee negotiations.

Mayor Crowley explained we are in negotiations.

Mr. Durina commented it has been four years at the tax payers' expense. Mr. Durina asked about the cost of these negotiations. Mr. Durina commented on the treatment of DPW employees and unions.

Jackie Espinoza, JCP&L, stepped forward. Ms. Espinoza commented on a good note we will not be working on the circuits for Franklin this year because the reliability has been very good, we did a lot of reliability work in 2013 so that paid off. Ms. Espinoza commented she is also on the Board of the Chamber of Commerce; on May 3rd there will be Sussex County Day; additional information will be coming out.

Mr. Dabinett commented he lives on Corkhill Road, his section of Corkhill Road is fed through Ogdensburg, every time we have a power outage we are always the last

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ones in Franklin to get feed. The rest of the town is fed through Hamburg and other places and it goes up to the Police Station on Corkhill. When there are storms most of the town gets their power on in two or three days and we are into 9 days. I hope you address that.

Ms. Espinoza commented it really depends on where the damage is. Ms. Espinoza explained.

Mr. Limon questioned work being done on High Street.

There was a brief discussion.

Mr. Giordano asked if open house can be in a different location other than Morristown.

Ms. Espinoza explained having the presentation at a different location.

There being no one else present who wished to address the Governing Body, Mr. Limon made a motion to close the meeting to the public, seconded by Mr. Babcock. 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 February 25, 2015 from Melissa Rockwell, Sussex County Tax Administrator Re: Preliminary Equalization Table.
2. Letter dated February 21, 2015 from Monica B. Miebach, CFO,QPA to Alison McHose, Mayor Crowley and Council Re: Water Refunding Bond.
3. Letter dated February 17, 2015 from Sussex County Integrated Municipal Advisory Council to Franklin Borough Mayor and Council Re: 100% smoke free outdoor parks and recreational areas for Franklin Borough, NJ.
4. Township of Andover Resolution R2015-47 regarding the restoration of funding to State Park Programs which will suffer cuts due to diversion of corporation business tax funds due to public approval of New Jersey Ballot Question 2.
5. Letter received March 4, 2015 from Alfonso Caliendo to Mayor and Council Re: Property Taxes.

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

1. Municipal Court report for January, 2015.
2. GovDeals Vehicle Auction report for January 20, 2015 to January 23, 2015.
3. Construction Permit Activity report for February, 2015.
4. Tax Department report for February, 2015.
5. Construction report for February, 2015.
6. COH report for February, 2015.
7. Zoning Officer report for January, 2015.
8. Zoning Officer report for February, 2015.

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

1. None Filed

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

1. Payment of bills for the meeting of March 10, 2015.

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Mr. Limon made a motion to approve the consent agenda of March 10, 2014.  
Seconded by Mr. Babcock.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

**OLD BUSINESS**

Mr. Limon commented at the last meeting we discussed hiring another DPW employee, we are going to advertise and looking into that shortly.

**NEW BUSINESS**

Approval of the Minutes

Mr. Snyder made a motion to approve the regular meeting minutes and executive session meeting minutes for February 24, 2015. (Absent: None) Seconded by Mr. Babcock.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

Application for Special Event Permit

Mr. Snyder made a motion to approve the application submitted by Elaine Tizzano and Mary Burns for a walk in Franklin Borough in conjunction with the Center for Prevention and Counseling to raise awareness of drug addiction. The event will take place on August 15, 2015 from 12:00PM to 3:00PM with a rain date of August 16, 2015. Seconded by Mr. Babcock.

Mrs. Tizzano commented everyone has been really great, she wanted to put this in conjunction with Mary Burns to spearhead a walk to raise awareness for drug addiction. To learn, get the word out, to help others who are in the same situation. We have a lot of young children dying my son being one on a drug overdose. Many in our community, in our County and many in our Country. Mrs. Tizzano commented she thought joining together in our town and getting people aware and helping others; use that money to scholarship those with drug addiction problems that need more than just the 30 days that insurance covers. Some people don't even have insurance. With the money raised we would like to donate to the Center of Prevention for those in needs. Maybe change the stigma so people aren't so ashamed of drug addiction; it is an illness and that is the word we want to get around.

Mr. Dabinett commented he thinks it is a very worthy cause.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

Adoption of Ordinance #1-2015 Police Station Upgrades

Mr. Snyder made a motion to adopt Ordinance 1-2015 "AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$8,700.00 FROM RESERVE FOR IMPROVEMENT TO MUNICIPAL PROPERTY BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY. Seconded by Mr. Dabinett.

**Prior to final roll call Mayor Crowley opened the meeting to the public for any comments regarding Ordinance #1-2015**

No one from the public stepped forward.

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Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions: None

Adoption of Ordinance #2-2015 Municipal Server and Upgrades

Mr. Snyder made a motion to adopt Ordinance 2-2015 "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. Giordano.

**Prior to final roll call Mayor Crowley opened the meeting to the public for any comments regarding Ordinance #2-2015.**

No one from the public stepped forward.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

Discussion on CY 2015 Municipal Budget

At this time there was a discussion on the CY 2015 Municipal Budget.

Mrs. McHose commented on the budget workshop for March 18, 2015 at 7:00PM. Everyone is invited to attend.

Agreement for Certified Recycling Professional

Mr. Snyder made a motion to approve the agreement between Borough of Franklin and SCUMA to retain the services of SCMUA for a Certified Recycling Professional that will be responsible for executing the mandatory annual municipal recycling tonnage report in the amount of \$250.00 annually. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

Resolution 2015-23 2014 Tonnage Grant Application

Mr. Snyder made a motion to adopt resolution 2015-23 authorizing the Borough's Certified Recycling Professional to submit the 2014 recycling tonnage grant application to NJ Department of Environmental Protection. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

Resolution 2015-24 Payment to former Administrator

Mr. Snyder made a motion to adopt resolution 2015-24 authorizing the CFO to pay former Administrator, James Kilduff the sum of \$12,234.41 for unused sick days and vacation days. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Snyder, Babcock, Giordano, Limon

Nays: Dabinett Absent: Martinez Abstentions:

Approval of New Jersey State Firemen's Association membership Application

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Mr. Snyder made a motion to approve the application for membership of Corey M. Houghtaling, 6 Oak Street, Franklin, to the Franklin Fire Department as recommended by Troy Kays, Franklin Fire Department Chief. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Snyder, Dabinett, Giordano

Nays: None Absent: Martinez Abstention: Babcock, Limon

Proclamation Commending (NORWESCAP)

Mr. Snyder made a motion to approve the Proclamation Commending Northwest NJ Community Action Partnership, Inc. (NORWESCAP) upon the occasion of celebrating their 50th Anniversary of Community Action. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

Resolution 2015-25 Hardyston/Franklin Municipal Alliance Grant

Mr. Snyder made a motion to adopt resolution 2015-25 authorizing submission of a Strategic Plan for the Governor's Council on Alcoholism and Drug Abuse Grant for Fiscal Grant Cycle July 2015-June 2019. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

Discussion on changes to the Towing Ordinance

At this time there was a discussion regarding changes to the towing ordinance.

Mr. Dabinett commented he and Mr. Babcock met on the 21st and reviewed the towing ordinance from the towns of Newton, Byram, Hardyston, Ogdensburg, Sparta, Hamburg, Vernon, Jefferson, Andover and the State Police. There are a few changes to what he originally proposed two weeks ago; everybody should have a copy.

Mayor Crowley asked if the Council had any questions or discussion on this. This was talked before twice, once with Mr. Dabinett and once going back about 6 months ago. This is up to the Council if it is something you want to do or not do. Mayor Crowley asked for some direction from the Council.

Mr. Giordano commented he would support this at this point.

Mr. Snyder commented he has no problem with it.

Mayor Crowley commented the consensus is to go forward. Mayor Crowley asked Mrs. McHose administrator to make this up into an ordinance and we will have the first reading next time.

**ADDENDUM**

Resolution 2015-26 Amending the Temporary Budget

Mr. Snyder made a motion to adopt resolution 2015-26 amending the temporary budget to allow capital expenditures. Seconded by Mr. Limon.

Mrs. McHose commented for those of you who were not at the last meeting, there was some discussion about the Fire Department Chief Vehicle. Mrs. McHose commented initially the discussion was they were going to ask for \$4,000 from their

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line item. Then tonight Mrs. McHose was given a letter and there was some discussion after the conversation Mrs. McHose had. Mrs. McHose commented they would like to request the full \$13,000.

Bill Drum, Secretary for the Franklin Fire Department, 37 Buckwheat Road, Franklin. Mr. Drum commented the Franklin Fire Department has approximately a 20 year old instant command vehicle, which at this time is in a condition that it cannot properly function. This particular dealer came to the fire department with an opportunity to upgrade from what our current vehicle is. This vehicle is much larger; capable to put in our equipment that we need and provide us with something that is up to date and that is functional for a period of time.

Jim Raperto, President of the Franklin Fire Department, 13 South Street, Franklin. Mr. Raperto commented we approached this first asking for \$4,000 to make the down payment and we [the Fire Department] would make the payments. We thought more, get the whole amount, it would be easier this way it is paid off and the benefit to us and work better for the town it would carry more stuff to the scenes.

Mayor Crowley commented he doesn't have any problems with you having the vehicle; the problem he has is we talked about a \$4,000 down payment and you would have the loan to pay off over time. Now, at this late hour, you come in and want \$13,000, that is a \$9,000 dollar difference. Our CFO is not here and he doesn't even know if we have that amount in the line item. This was not on the agenda he would suggest to the Council not to take action on this tonight since it was not on the agenda and we don't have any input from the CFO.

Mr. Ursin stated the Council can't approve the \$13,000 request tonight because the CFO hasn't certified that the funds are available so you can't vote on the expenditure and obviously she is not here. It is the Council's decision whether to table and put this on the next agenda or whatever action you want to take but you could not approve the amended request.

Mr. Babcock commented so the audience knows this is out of their cap.

Mayor Crowley commented we will talk about this with the CFO and bring it back to the next meeting.

Mr. Ursin commented you should take action, this is two items that have now appeared on the addendum if you want to take a vote to table this to the next meeting.

Mr. Snyder made a motion to table the resolution to the next meeting. Seconded by Mr. Dabinett.

Mayor Crowley asked we had a motion and a second.

Mr. Ursin commented the tabling motion supersedes it, so you can vote on the tabling motion and it resolves it.

Upon roll call vote:

Ayes: Snyder, Babcock, Dabinett, Giordano, Limon

Nays: None Absent: Martinez Abstentions:

**EXECUTIVE SESSION**

There was no executive session.

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**MISCELLANEOUS COMMENTS**

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Babcock made a motion to adjourn the meeting at 7:36p.m., seconded by Mr. Snyder. All were in favor.

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Paul B. Crowley, Mayor

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Robin Hough, Borough Clerk