

**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 8, 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 this presentation is not on the agenda, however he would like to take this time to congratulate Mr. Babcock, elected Chief of the Fire Department for the next year. Mayor Crowley thanked Mr. Babcock for being in this position as Councilman for the last three years.

Mrs. McHose presented Mr. Babcock with a plaque and thanked him for his service.

Mr. Babcock commented this was an experience he will treasure, we didn't agree on a lot of things but we all put the best interest of Franklin first.

**COMMITTEE REPORTS**

Mr. Limon had nothing to report.

Mr. Giordano reported recreation will have their final meeting for the year next Thursday at 7:30pm and we encourage the public to attend.

Mr. Snyder had nothing to report.

Mr. Babcock had nothing to report.

Mr. Dabinett had nothing to report.

Ms. Hough, Clerk, had nothing to report.

Mr. Ursin, Esq. had nothing to report.

Mrs. McHose reported the majority of her time this week was spent working on the DPW contract and the FOP contract.

Mrs. McHose responded to Mrs. Tatka's request to the balance of the Affordable Housing Trust of the Borough of Franklin. As of the statement from the beginning of November the balance is \$233,755.70. There has been a lot of confusion over COAH in the recent months. The Governor shut down the whole Council on Affordable Housing, moving forward the Borough is still requiring COAH payments to be in compliance with what is left of the law.

Mayor Crowley reported the tree lighting was the other day, Mayor Crowley commented he heard it was very successful. There was a Venison Diner at the Fire House which was very successful.

**OPEN PUBLIC SESSION**

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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 Lozaw Road, Franklin, stepped forward. Mr. Durina commented on an application from Meenan Oil for a 30,000 gallon propane tank that was before the Zoning Board. This application was approved by the Zoning Board. Mr. Durina explained his concern about the existing water supply for fire protection in that area and explained fire flow and a fire flow test. Mr. Durina requested the Mayor and Council to authorized the flow test in that area.

Mayor Crowley commented he doesn't think we need to authorize it, the Administrator can do that with the DPW. Mayor Crowley explained specifically the law takes a decision of the Zoning Board out of the political realm and that is why nobody that is an elected official's on the Board of Adjustment. As far as he knows nobody here had anything to do with that decision. The decision was made by the Zoning Board came to completion, whether this decision regarding the tank can be reversed or not, he doubts. We can look into the capability of the Fire Department and to see if we need to upgrade the water flow in the area, fire hydrants and equipment in case a tank is built.

Mr. Babcock commented we [the Fire Department] had a meeting the other day about this. We are working with our OEM to get some prices on extra equipment for the trucks. It is a great idea what you just said about getting the water tested. We are working on that.

Mr. Durina commented on resolution 2012-40 and asked if the Mayor had time to review that and if there was any intent to fool the public.

Mayor Crowley commented there wasn't any intent, it was done at other times, there wasn't any intent to fool the public in his opinion.

Mr. Durina commented on the resolution.

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. Snyder. 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 December 1, 2015 from John Hatzelis, Administrator, SCMUA to all SCMUA Customers Re: Adopted FY2016 Rate Schedule.

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

1. Zoning Officer report for November, 2015.
2. Tax Department report for November, 2015.
3. Construction report for November, 2015.
4. COH report for November, 2015.
5. Police Department Report for November, 2015.

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

1. None Filed

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

1. Payment of bills for the meeting of December 8, 2015.

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Mr. Snyder made a motion to approve the consent agenda of December 8, 2015.  
Seconded by Mr. Babcock.

Upon roll call vote:  
Ayes: Limon, Snyder, Babcock, Dabinett, Giordano  
Nays: None Absent: Martinez Abstentions: None

**OLD BUSINESS**

Mr. Babcock commented they did a nice job on High Street, it looks great.

There was a brief discussion on the paving and a possible crack on Corkhill Road.

**NEW BUSINESS**

Approval of the Minutes

Mr. Snyder made a motion to approve the regular meeting minutes for November 24, 2015. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:  
Ayes: Limon, Snyder, Babcock, Dabinett, Giordano  
Nays: None Absent: Martinez Abstentions: None

Adoption of Ordinance 12-2015 Amending Chapter 92 and 119

Mr. Snyder made a motion to adopt ordinance 12-2015 "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, AMENDING CHAPTERS 92 AND 119 OF THE BOROUGH CODE ENTITLED "BOATS AND BOATING" AND "FEES." Seconded by Mr. Dabinett.

Mayor Crowley explained the ordinance.

**Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance 12-2015.**

No one from the public stepped forward.

Upon roll call vote:  
Ayes: Limon, Snyder, Babcock, Dabinett, Giordano  
Nays: None Absent: Martinez Abstentions: None

Adoption of Ordinance 13-2015 Amending Chapter 161 and 218

Mr. Snyder made a motion to adopt ordinance 13-2015 "AN ORDINANCE AMENDING CHAPTER 161, "LAND DEVELOPMENT" AND CHAPTER 218, "SIGNS." Seconded by Mr. Limon.

Mayor Crowley explained this ordinance was returned from the Planning Board, they had reviewed this without any changes, this went to them [Planning Board] after the first reading.

**Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance 13-2015.**

No one from the public stepped forward.

Upon roll call vote:  
Ayes: Limon, Snyder, Babcock, Dabinett, Giordano  
Nays: None Absent: Martinez Abstentions: None

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Resolution 2015-96

Mr. Snyder made a motion to adopt resolution 2015-96 requesting the approval of items of revenue and appropriation NJS 40A:4-87 in the amount of \$5,000 under the caption Drive Sober or Get Pulled Over - Year End Holiday Crackdown Grant. Seconded by Mr. Babcock.

Upon roll call vote:

Ayes: Limon, Snyder, Babcock, Dabinett, Giordano

Nays: None Absent: Martinez Abstentions: None

Mayor Crowley commented items 5 [Resolution 2015-97], 6 [Resolution 2015-98] and 7 [Risk Management Consultant Agreement], he would entertain a motion to table these, as some of the members have come to him and felt that there needs to be more discussion and background done on this.

Mr. Dabinett made a motion to table items 5, 6 and 7 to the next meeting. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Limon, Snyder, Babcock, Dabinett, Giordano

Nays: None Absent: Martinez Abstentions: None

Crossing Guard Change of Employment Status

Mr. Snyder made a motion to approve the change of employment status for Cara Ross and Ann Grabkowski from substitute crossing guards to permanent crossing guards as per recommendation of Lynn Warr Prtorich, Head Crossing Guard. Seconded by Mr. Limon.

Mr. Dabinett commented the correspondence we received November 20, states the resignations of Sherrie Douglas and Tameka Grant, permanent crossing guards effective immediately. Mr. Dabinett commented he assumes these two women are going to take their place. Does anybody know why these two ladies decided [to leave].

Mayor Crowley commented he is not aware of any reason.

Mrs. McHose commented one just retired and one got a full time job.

Upon roll call vote:

Ayes: Limon, Snyder, Babcock, Dabinett, Giordano

Nays: None Absent: Martinez Abstentions: None

Mayor Crowley asked for a motion to table item number 9 [resolution 2015-100].

Mr. Giordano made a motion to table that [item number 9] until the next meeting. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Snyder, Babcock, Dabinett, Giordano

Nays: None Absent: Martinez Abstentions: None

Shared Service Agreement for Deer Carcass Removal

Mr. Snyder made a motion to approve the Shared Service Agreement between Space Wild Animal Farm Inc. and the Borough of Franklin for deer carcass removal from Municipal road right a ways at a fee of \$31.00 per deer. Seconded by Mr. Limon.

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Upon roll call vote:

Ayes: Limon, Snyder, Babcock, Dabinett, Giordano

Nays: None Absent: Martinez Abstentions: None

Resolution 2015-99 Purchase of a Phone System

Mr. Snyder made a motion to adopt resolution 2015-99 authorizing the purchase of a phone system from Avaya IPO Phone System in the amount of \$5,384.00 for the Police Department. Seconded by Mr. Giordano.

Mrs. McHose explained the situation at the Police Department and the need for the phone system.

Upon roll call vote:

Ayes: Limon, Snyder, Babcock, Dabinett, Giordano

Nays: None Absent: Martinez Abstentions: None

Deed of Easement

Mr. Snyder made a motion to approve the Deed of Easement between the Borough of Franklin and the County of Sussex, granting the County of Sussex the right to maintain, repair, inspect, rebuild and/or install a bridge and bridge maintenance area within Block 1301, Lot 25 and Block 2401 Lot 6 and around County Bridge No. 1900 E-04. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Limon, Snyder, Babcock, Dabinett, Giordano

Nays: None Absent: Martinez Abstentions: None

Discussion on the FOP Contract

At this time there was a discussion regarding the FOP Contract.

Mrs. McHose commented today we finalized the agreement between the Borough and the Franklin Police. Mrs. McHose commented Councilman Martinez has not yet seen the last version of the contract so we will do this at a future meeting. The contract will be in place from January of this year 2015, and it will go until December 31, 2017. It is a three year contract. We kept it as close to the 2 percent cap as we could, it was a good negotiation.

Discussion on the DPW Contract

At this time there was a discussion regarding the DPW Contract.

Mrs. McHose commented we had another change that is why the item was held, we have come to a final [decision] on the DPW contract. That will be a two year contract effective January 1, 2016 to December 31, 2017. Again, all of the personal committee has not seen it, that is why the contract is not on for a vote tonight. It should be ready for the next meeting.

**EXECUTIVE SESSION**

There was no executive session.

**MISCELLANEOUS COMMENTS**

Mayor Crowley commented the next meeting is December 22, 2015, which is right before Christmas, we will try to keep it as short as possible, but he thinks there will be certain things that need to be brought up. In the past we have cancelled the

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meeting but he doesn't see that being possible this time. So count on the December 22, meeting and we will try to keep it as short as possible.

Mr. Snyder asked if we would have a quorum.

Mayor Crowley commented he assumes we will have a quorum, if anybody isn't going to be here let Mrs. McHose know.

Mr. Babcock thanked Mayor Crowley. Mr. Babcock commented working with you the last three years, it has been a pleasure.

Mr. Snyder thanked Mr. Babcock for his time the last several years.

Mr. Giordano thanked Mr. Babcock. Mr. Giordano commented being a volunteer is very difficult, a lot of people don't understand how difficult it is to be on the Council and see the things that we see that they don't necessarily understand. Mr. Giordano commented he was on the Council when you were Fire Chief prior, it was a good time for everybody and he is looking forward to working with you [Mr. Babcock] next year.

Mrs. McHose congratulated Mr. Babcock on being elected the Chief of the Franklin Fire Department for 2016.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Babcock made a motion to adjourn the meeting at 7:25p.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