

**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 22, 2015**

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

Absent: Mr. Babcock, Mayor Crowley

Council President Giordano led the assembly in the flag salute.

Council President Giordano 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 reported we have the FOP contract and he hopes we all support that and also the DPW [contract].

Mr. Snyder reported the finance committee wasn't able to go over the capital projects until next year.

Mr. Martinez had nothing to report.

Mr. Dabinett had nothing to report.

Mr. Giordano reported recreation had their final meeting of the year last week, we have some new members coming on next year, we do have an open position on recreation so he would encourage anyone interested to apply. The Borough also has several other open positions possibly for EDC which we also encourage people to apply.

**OPEN PUBLIC SESSION**

Mr. Dabinett 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 Lozar Road, Franklin, stepped forward. Mr. Durina wished everyone a Merry Christmas and a Happy New Year. Mr. Durina commented he is looking forward to 2016 where he can stand up in a crowd and say I'm from Franklin and I'm proud of it.

There being no one else present who wished to address the Governing Body, Mr. Martinez made a motion to close the meeting to the public, seconded by Mr. Dabinett. All were in favor.

Council President Giordano asked the attorney for his report.

Mr. Ursin, Esq. requested a brief opportunity to update the Council on the Franklin Meadows litigation in closed session.

**CONSENT AGENDA**

Council President Giordano 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):

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1. Letter dated December 3, 2015 from John Hatzelis, Administrator, SCMUA, to Mayor Crowley Re: Estimated Annual Charge - FY2016.
2. Memo dated December 15, 2015 from Chief Eugene McInerney to Alison McHose, Borough Administrator Re: Payment Step Increase.
3. Letter dated December 2, 2015 from Andrew Thomas, Licensed Site remediation Professional to Mayor, Town Council and Municipal Clerk Re: Response Action Outcome.

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

1. Construction Permit Activity report for November, 2015.
2. Municipal Court report for November, 2015.
3. Health 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 22, 2015.

Mr. Limon made a motion to approve the consent agenda of December 22, 2015.

Mr. Giordano commented he has several items on the consent agenda he would like to have removed. They are in the bills, we aren't going to be able to get any answers on these things unfortunately but he does want to enter this into the record. Mr. Giordano commented he has an issue with PO 24495 which is a move car fee for Mark's Paving in the amount of \$1,230.00. Mr. Giordano commented he doesn't want to speculate as to what it is other than maybe there were cars parked in an area we were going to pave. Mr. Giordano commented he would like to know if the Borough was going to get reimbursed for that fee. The second one is similar it is a move extra administrative fee for Marks Paving of \$92.62. The actual check numbers are 42066 and 42067.

Mr. Limon commented he will make his motion with those off.

Mr. Snyder commented PO 24462, check number 42099, [Ken Wentick and Associates] in the amount of \$3,500.00.

Mr. Limon commented we will include that one as well.

Mr. Dabinett commented that was supposed to have been removed, it has been questioned already.

Mr. Giordano commented we will remove those three items and request Mr. Limon to amend the motion.

Mr. Ursin commented the motion is to adopt the consent agenda with those three items removed.

Mr. Limon commented yes, that is correct. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: None

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**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

Approval of the Minutes

Mr. Limon made a motion to approve the regular meeting minutes for December 8, 2015. (Absent: Mr. Martinez) Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: Martinez

Mr. Limon made a motion to approve the workshop meeting minutes and the executive session meeting minutes for December 16, 2015. (Absent: Mr. Babcock, Mr. Limon, Mayor Crowley) Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano

Nays: None Absent: Babcock, Mayor Crowley Abstentions: Limon

Resolution 2015-97 Statewide Insurance Fund Appointing a Fund Commissioner

Mr. Limon made a motion to adopt resolution 2015-97 appointing Alison Littell McHose, as the Fund Commissioner for the Local Unit for the year 2016 and Darlene Tremont, as Alternate Fund Commissioner for the Local Unit for the year 2016. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: None

Resolution 2015-98 Appointing a Risk Management Consultant

Mr. Limon made a motion to adopt resolution 2015-98 appointing Wayne Dietz, Skylands Risk Management Inc. as the local Risk Management Consultant and the Borough Administrator as the authorized representative of the public entity is hereby authorized to execute the Risk Management Consultant's Agreement for the year 2016. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: None

Risk Management Consultant's Agreement

Mr. Limon made a motion to approve the 2016 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: None

Council President Giordano asked to table number 5, to the first regular meeting in the new year. We haven't had time to go over this with the Attorney to clarify all the positions and questions they might have.

Council President Giordano made a motion to table number 5 [DPW Contract] and number 6 [Resolution 2015-100 DPW Foreman] for the same reasons. Seconded by Mr. Dabinett.

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Mr. Ursin commented to table these items to the 12th [January, 2016] the first regular meeting.

Council President Giordano commented correct.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: None

Substitute Crossing Guard

Mr. Giordano made a motion to confirm the Mayor's appointment of Charlotte Drum as a substitute Crossing Guard as recommended by Lynn Warr Prtorich, Head Crossing Guard. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: Martinez

Council President Giordano commented number 8 is the FOP contract, he would like to see the Council table this as well, to the first regular meeting of the next year. Again, with the reason being the Council has not had enough time to go over this with our attorney.

Mr. Giordano made a motion to table item number 8 [FOP contract] to the first regular scheduled meeting in 2016. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Martinez, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: Snyder

**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 Franklin Meadows Litigation matters. Mr. Ursin commented for the purpose to discuss the litigation. Motion seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: None

Council President Giordano informed the public the Council may take action on an item after the executive session.

Mr. Ursin commented there may be one item coming out of executive session to take action on.

After meeting in closed session, the Governing Body returned to their seats at 7:48p.m. and Council President Giordano declared the meeting to be reconvened into open public session.

Mr. Ursin commented what he would suggest based upon what is going on with the Franklin Meadows law suit, the fact we had a discussion with the Judge this week and that we have a further conference on January 21, and given the Christmas Holiday and garbage issues the Council could consider making a motion to authorize

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the Administrator to arrange for additional garbage pickups between now and January 21.

Council President Giordano made a motion to authorize the Administrator to authorize additional pickups at Franklin Meadows until the 21st of January. Seconded by Mr. Martinez.

Upon roll call vote:

Ayes: Martinez, Snyder, Dabinett, Giordano, Limon

Nays: None Absent: Babcock, Mayor Crowley Abstentions: None

**MISCELLANEOUS COMMENTS**

Council President Giordano commented he would like to wish everybody a Merry Christmas, have a good New Year. Everybody up here on Council is looking forward to a new year, we are going to have a new Council, a new Mayor coming in. We are going to have a different outlook on what is going on in the Borough in a lot of ways. We are going to make some changes, we are going to be proactive and he thinks everybody will be surprised. Mr. Giordano is hoping next year is a big year. Mr. Giordano commented he doesn't want to forget to acknowledge Paul Crowley, who was Mayor of Franklin for eight years, he was also on the Board of Education for many years, even though he lost the election to him, he would say to him, he appreciates all the work he has done over the time. Mr. Giordano commented he didn't always agree with him on some items but he does believe when you sit in this chair your are not going to always agree with everybody and he does believe what he [Mayor Crowley] was doing was in the best interest of Franklin at the time he did it. As anyone who sits in these chairs would agree it is not easy to do. Mr. Giordano wished Mayor Crowley well with whatever he does in the future.

Mr. Snyder wished Mayor Crowley the best and thanked him for all his dedicated service to the town.

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

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 7:52p.m., seconded by Mr. Martinez. All were in favor.

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Paul B. Crowley, Mayor

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Robin Hough, Borough Clerk