

**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
January 12, 2016**

Mayor 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. Limon, Mr. Martinez, Mr. Rathbun, Mr. Snyder, and Mayor Giordano.

Absent: None

Mayor Giordano led the assembly in the flag salute.

Mayor 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."

Mayor Giordano commented he is adding a presentation for Alison McHose and asked if anyone would like to read the motion [resolution].

Mr. Snyder read a resolution honoring Alison Littell McHose.

Mr. Dabinett made a motion to adopt the resolution Honoring Alison Littell McHose for service to the New Jersey State Assembly. Seconded by Mr. Rathbun.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Mayor Giordano thanked Mrs. McHose for all her years of hard work, and thanked the Littell Family. Mrs. McHose thanked everyone for the nice surprise.

COMMITTEE REPORTS

Mr. Martinez reported he is working on updating the current purchasing process flow, this should be completed and sent out for finance committee to review.

Mr. Rathbun had nothing to report

Mr. Snyder reported the buildings and grounds committee has not been able to have a meeting yet, we are looking to do this in the near future after the new Council person comes on board.

Mr. Dabinett reported our new public utilities committee met last Thursday, himself, Mr. Snyder and Mr. Rathbun. Some of the items discussed were I & I studies that were done on McCann Street, Mitchell Ave. and the camera study proposed for Rte 23, Franklin Ave. The committee discussed the grant we have in place and grants we are applying for, capital improvements for well and water tanks, road paving for 2016, equipment purchases for 2016, hiring additional employees this year, questioned how much money is left in the 1.6 million dollar bond fund passed in 2014 and at some point the committee would like to look at the fee schedule.

Mr. Dabinett reported as chairman of the ordinance committee we have not had a chance to meet yet, hopefully within the upcoming days we will look and the fee schedules for the Borough.

Mayor Giordano commented the Borough Attorney is working on an ordinance for proposed landlord tenant nuisance, it will be done shortly and referred to you [the ordinance committee].

Mr. Limon reported he is happy to see item number 9 and 12 which is the DPW and FOP contract is on the agenda, he hopes we can ratify that this evening.

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Mrs. McHose reported the zoning officer is in the process of sending out letters to the residents of High Street to remind them of the Borough's existing snow removal ordinance. We have an ordinance in place that requires residents who have sidewalks in front of their homes to shovel and clear the sidewalks.

Mrs. McHose commented she did attend the meeting of the Public Utilities Committee, which was very productive. Mrs. McHose commented she met with the Borough attorney, who came here to meet with all the Borough Hall employees and outlined some of our goals. Mrs. McHose commented she is working on a yearend report which she is hoping to give at the January 26, meeting.

Mr. Prol, Borough Attorney had nothing to report.

Mayor Giordano reported we are shuffling some vehicles around in the Borough, it is on the agenda tonight for purposes of supplying the Fire Department a vehicle for the Chief's use. We are working on some ordinances that are nuisance related ordinances so we can have some work towards calming down some problems around town, neighbor/tenants/landlords stuff like that.

Mayor Giordano commented the Borough will not remove snow from private property, in the past we have plowed in areas where there are sidewalks such as Buckwheat Road, we will not be doing that this year. That is the landlord/tenants/homeowners responsibility, the Borough will not be doing that anymore. We do not have the man power or the equipment used to do that, it is not fair to the tax payer.

OPEN PUBLIC SESSION

Mr. Limon 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.

No one from the public stepped forward.

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. Dabinett. All were in favor.

CONSENT AGENDA

Mayor 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):

1. Letter dated December 29, 2015 from Marianne Smith, Township Manager to Alison McHose, Administrator Re: Construction Office Services 2015.
2. Letter dated December 21, 2015 from John Hatzelis, Administrator SCMUA to Mayor Crowley, Re: Actual Annual Charge FY2015, Quarterly Estimated Charge FY2016

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

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

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of January 12, 2016.

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Mr. Limon made a motion to approve the consent agenda of January 12, 2016.
Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Martinez made a motion as follows to amend the agreement previously entered into by and between the Borough of Franklin and the authorized collective bargaining unit representing the non-managerial employees of the Borough of Franklin Public Works Department dated January 1, 2014 through December 31, 2015, in order to formally establish the position of Foreman, as was previously approved by the Mayor and Council by way of a July 14, 2015 duly-adopted motion, and to provide for pay enhancement for the person holding said position in the amount of \$2.00 per hour, same being retroactive to July 15, 2015. Seconded by Mr. Limon.

Mr. Dabinett commented this increase will save the taxpayers of our town over \$5,000 dollars from the salary paid by the previous gentleman that held that position.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

NEW BUSINESS

ADDENDUM ITEM 1

Appointment of Council Member

At this time, **Mayor Giordano** will request that the Borough Clerk read for the record a letter dated January 9, 2016 from Virginia Littell, Franklin Municipal Republican Committee Chairperson, submitting three names to fill the vacancy for an interim Council Member to fill the remainder of Councilman Giordano's term.

Ms. Hough read the letter dated January 9, 2016 from Virginia Littell.

The names of the Candidates are:

Dawn Fantasia

Richard Knop

Stephen Skellenger

Mayor Giordano called for nominations to fill the vacancy created by Councilman Giordano's resignation. The interim Council Member term of Office shall end December 31, 2016.

Mr. Snyder made a motion to nominate Dawn Fantasia. Seconded by Mr. Dabinett.

Mayor Giordano asked if there were any other nominations. There were no other nominations Mayor Giordano asked for a roll call vote.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

The Borough Clerk administered the oath of office for Council member Dawn Fantasia.

The Council took a break at 7:20PM.

The Council reconvened at 7:30PM.

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Mayor Giordano commented we will have an executive session tonight, we are going to change the meeting a little, the executive session is going to be required for negotiations for a contract. We will be discussing the FOP contract in the executive session and when we come out of executive session there may be action taken.

Approval of the Minutes

Mr. Snyder made a motion to approve the regular meeting minutes and executive session meeting minutes for December 22, 2015. (Absent: Babcock, Mayor Crowley) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Snyder

Nays: None Absent: None Abstentions: Fantasia, Rathbun

Mr. Snyder made a motion to approve the reorganization meeting minutes for January 1, 2016. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: Fantasia

Resolution 2016-14

Mr. Snyder made a motion to adopt resolution accepting the project as complete at 429 Route 23 (Ski Shop and house) and to release performance bond no. 35490. Seconded by Mr. Martinez.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: Fantasia

Resolution 2016-15 Tax Refund

Mr. Snyder made a motion to adopt resolution 2016-15 authorizing the Tax Collector to refund Dennis Jengo, 47 Nestor Street, Block 607 Lot 55 a disabled person property tax deduction for the tax year 2015 in the amount of \$250.00. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2016-16 Tax Refund

Mr. Snyder made a motion to adopt resolution 2016-16 authorizing the Tax Collector to refund Michael Coppolella, 79 High Street, Block 1004 Lot 29, a Veterans Tax Deduction for the tax year 2015 in the amount of \$250.00. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2016-17 Tax Refund

Mr. Snyder made a motion to adopt resolution 2016-17 authorizing the Tax Collector to refund David and Donato Benoit 29 Auché Drive, Block 1402 Lot 1 for the tax year 2015 in the amount of \$250.00. Seconded by Mr. Dabinett. [Please note the refund is due to Veterans Tax Deduction which was not stated on the agenda but is stated in the resolution.]

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Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2016-18 Professional Services

Mr. Snyder made a motion to adopt resolution 2016-18 authorizing the award of Non-Fair and Open Contract for professional services to Angelo J. Bolcato, Laddey Clark, & Ryan for Board of Public Works and Rent Leveling Board for 2016 in the amount of \$160.00 per hour. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: Fantasia

Resolution 2016-19 Purchase Order

Mr. Martinez made a motion to adopt resolution 2016-19 to release purchase orders #42066 and 42067 and check #42066 and 42067 to be deposited retroactively to December 31, 2015. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: Fantasia

Approval of Taxi License Application

Mr. Martinez made a motion to approve the Taxi License Application submitted by Stephen Collins trading as Anytime Taxi for the year 2016. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

DPW Contract

Mr. Martinez made a motion to approve the contract agreement between the Borough of Franklin and the Borough of Franklin Public Works Department from January 1, 2016 through December 31, 2017. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: Fantasia

Shared Service Agreement for the nutrition program with Sussex County

Mr. Martinez made a motion to approve the Shared Service Agreement between the County of Sussex and the Borough of Franklin for the Franklin Congregate Nutrition Programs from January 1, 2016 to December 31, 2016. Seconded by Mr. Snyder.

Mayor Giordano explained the agreement to the public.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Commodity resale agreement for Gasoline and Diesel fuel with Hardyston

Mr. Martinez made a motion to approve the Commodity Resale Agreement for gasoline and diesel fuel between the Township of Hardyston and the Borough of Franklin from January 1, 2016 to December 31, 2018. Seconded by Mr. Limon.

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Mayor Giordano explained the agreement.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Item number 12 FOP contract was moved to after the executive session.

Discussion on Hiring Grant Writing Firms

At this time there was a discussion regarding hiring grant writing firms.

Mayor Giordano commented we have sent two people to school, it might be in our interest to look into some various grant writing firms just to see if we can get better opportunities. Mayor Giordano commented he would like the Council to authorize the Administrator to investigate some grant writing firms and get some proposals and some references so we can look at what it would cost and look at what their past record is. If the Council is in agreement and we have a consensus he would like to authorize the administrator to do that.

Mr. Limon commented he knows you stated back in the first of the year you really wanted the Council to support you on this. Mr. Limon commented he is on board with this.

Mr. Limon made the motion. Seconded by Mr. Martinez.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Discussion on Committee Goals

At this time there was a discussion regarding committee goals.

Mayor Giordano commented on his vision of doing committee this year, we are delegating a lot of responsibility and oversight to Council members on committees so they will have the ability to have some control over budgetary items and how things are done. They will still bring their committee reports to the Mayor and Council, who will direct the Administrator. As Mayor he would like to see all of the committees meet in the next ten days or so, some preliminary goals for the second meeting in February to share with the public.

There was a brief discussion regarding committees and goals.

Discussion on Security Items

At this time there was a discussion regarding security items, cameras for DPW Garage and Borough Hall.

Mrs. McHose commented she has applied for and received a grant through our insurance carrier of almost \$3,000 to go towards security. That entailed getting quotes from three different firms, not only the DPW garage, Borough Hall, it was also the bays of the Fire Department and the downstairs part of the Fire Department only and also the ambulance squad would like to be included. We have not finalized where and how many cameras but we are in the processes of getting quotes. It is much needed, she had two meetings with the administrative officer of the courts which we share this chamber with and they suggested some security measures.

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Mayor Giordano commented he thinks the security of Borough property and the security of Borough personnel is very important. Everyone wants to work in a safe environment.

Resolution 2016-20 Veterans Affairs Outpatient Clinic

Mr. Rathbun made a motion to adopt resolution 2016-20 supporting the establishment of a U.S. Department of Veterans Affairs Outpatient Clinic in Sussex County. Seconded by Mr. Martinez.

Mayor Giordano explained the resolution.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2016-21

Mr. Rathbun made a motion to adopt resolution 2016-21 authorizing the temporary continuance of Services with John Ursin Esq. with Schenck, Price, Smith & King, LLP. Seconded by Mr. Limon.

Mayor Giordano explained the resolution. Mayor Giordano informed the Council the resolution changed slightly [from the one in the packets].

Mr. Prol explained under pay to play laws we have to put a cap of \$17,500 he did communicate with John Ursin and he indicated whatever work he anticipates would fall below the \$17,500. Mr. Prol commented Mr. Ursin transferred about 20 banker boxes of files and we have had some productive discussions to smooth out the transition.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: Fantasia

ADDENDUM ITEMS 2 AND 3

Fire Department Vehicle

Ms. Fantasia made a motion to authorize the Borough Administrator to move a vehicle from the Police Department to the Fire Department. Seconded by Mr. Martinez.

Mayor Giordano explained the motion to the public.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Martinez, Rathbun

Nays: None Absent: None Abstentions: Limon, Snyder

Franklin Carnival Dates

Ms. Fantasia made a motion to approve the dates of the Franklin Borough Carnival for Thursday, July 7, 2016 through Sunday, July 10, 2016. Seconded by Mr. Martinez.

Mayor Giordano commented Mr. Rathbun will be the Council/Liaison for Recreation on that.

Mr. Rathbun commented we need to get approval so we can move forward to get our contract signed with the vendor. It will be the same company that we used last year with the additional extra day.

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Mayor Giordano commented these dates are already on the Borough calendar.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

Mayor Giordano commented we are going to go into executive session for the FOP contract discussions. Mayor Giordano commented we may or may not take action when we come back out of executive session.

In accordance with the provisions of the Open Public Meetings Act, Mr. Snyder made a motion to adjourn into closed executive session to discuss FOP contract. Motion seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Martinez, Rathbun, Snyder

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 8:41p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

FOP Contract

Mayor Giordano commented Mr. Snyder is stepping down from the dais, he has a conflict and is leaving the room.

Mr. Rathbun made a motion to approve the contract agreement between the Borough of Franklin and Franklin Borough Police Department, Fraternal order of Police Lodge #57 from January 1, 2015 through December 31, 2017. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Limon, Martinez, Rathbun

Nays: None Absent: Mr. Snyder left the dais and room Abstentions: Fantasia

Mr. Snyder returned to the dais.

OPEN PUBLIC SESSION #2

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

Joanne Tatka, 151 Maple, Franklin, stepped forward. Mrs. Tatka asked what is the percentage of the FOP contract.

Mrs. Mchese commented she doesn't have the break down but we kept it under or right at 2%, she would call with the information tomorrow. It is a three year contract 2015 - 2017.

Mayor Giordano commented it is an aggregated percentage, and explained it is an aggregated 2% over the years.

Mrs. Tatka asked about hospitalization. Mayor Giordano explained.

Mrs. Tatka asked about the police car being handed over to the Fire Department. Mayor Giordano commented he believes it is a 2009 Jeep Liberty with approximately 53 or 56 thousand miles on it. It is white, a four door and has light on it already.

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Mr. Prol commented it is not really being handed over it is being transferred from one department in the town to another. The record we have here it has 52,452 thousand miles on it.

Mrs. Tatka asked about the cost to the town regarding the Senior Lunch Services.

Mrs. McHose commented there are some costs incurred with having us host the luncheons for residents of Franklin and other towns because we don't just restrict it to Franklin Residents, she doesn't have a breakdown of what the costs are but we do have employees that serve the food and the County does provide us with equipment and the food itself. If you would like the line item breakdown I can get that.

Mrs. Tatka comment she thought they gave a dollar figure in prior years.

Mr. Snyder commented he believes that was \$27,500.

Mr. Prol commented it is \$25,700.

Mrs. Tatka asked what is John Rome's salary now, you said the Borough is saving \$5,000.

Mr. Dabinett commented he believes \$27.01 per hour. Mrs. Tatka asked what the annual salary was with the increase.

Mr. Dabinett commented with the increase it would be roughly \$60 thousand and change.

Mrs. Tatka asked on David Benoit, 29 Auchee, did he get a disabled Vet \$250 or for being a Veteran. His wasn't listed.

Mr. Prol commented he is a veteran. Mayor Giordano commented it is a Veteran's Property Tax Deduction.

Mrs. Tatka asked about the DPW contract. Mrs. McHose commented we did not go over 2% on that one [contract] either.

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. Martinez. All were in favor.

MISCELLANEOUS COMMENTS

Mr. Snyder commented it was brought up about Corkhill Road paving, there is concern about breaking up of the roadway. Mr. Snyder commented he believes he sees spider [cracks] in the black top already. Did anyone go out and look at that?

Mrs. McHose commented she believes that Tom Knutelsky [did] because the inspector came through the engineers office. Mrs. McHose commented she will follow up with him [Mr. Knutelsky].

There was a brief discussion regarding the paving.

Mr. Martinez asked Mrs. Littell where we stand as far as the track, is that getting ready for bid.

Mr. Dabinett commented the bid specs are ready but they haven't been sent out yet because the track is going to be done in conjunction with the bridge being out and so

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forth. It all ties in as far as guard rails being moved and light post being moved, but the bid specs are ready.

Mayor Giordano commented is there any way to coordinate, have the bid spec's sent to the County to try and coordinate that to be done at the same time.

Mrs. McHose commented what we can do is call the County Engineer's office to see when their bids are going out and will double check with Mr. Prol and Mr. Knutelsky.

Mayor Giordano commented it might be a very effective way for us to get a better deal if we piggy back it onto the work that the County is doing.

Mrs. McHose commented we can time it together but she doesn't know about marring them together. Mrs. McHose updated Mr. Prol on the project with bridge E-04. Mrs. McHose commented what the Mayor is asking is can we coordinate our bid specs on the paving of a path.

Mayor Giordano commented the guard rails in conjunction with the bridge work. They are going to have to be paving the road there anyway.

Mr. Snyder commented what are we going to do with some of these buildings on 23 that haven't been used in a long time and gave examples of some of the properties.

Mrs. McHose commented on a meeting she had with Mr. Drossel and Mr. Prol regarding this matter. Mrs. McHose commented she would check on who owns the properties.

There was a discussion regarding foreclosed and vacant properties around town.

Mr. Martinez asked when will the light at Weis be turned on. Mrs. McHose commented she will check on that with DOT.

Mayor Giordano commented he and Mrs. McHose will be working on a surplus items list we got that in progress. We have asked the department heads if we have surplus goods that we are going to get rid of them. Hopefully we will have the list in the next meeting or two so the Council can authorize them to be surplus off.

Mr. Martinez asked about a break away by Wal-greens and who is responsible now to get that fixed.

Mrs. McHose commented she will check, it didn't bounce back like it was suppose to.

Mr. Martinez commented there is four, there is one missing, so now it is an open way for Washington.

Mrs. McHose commented she will follow up on that with Mr. VanDenBroek.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Martinez made a motion to adjourn the meeting at 8:56p.m., seconded by Mr. Dabinett. All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk