

**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
July 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, Ms. Fantasia, Mr. Limon, Mr. Rathbun and Mayor Giordano.

Absent: Mr. Martinez, Mr. Snyder

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 asked for a moment in silence due to the horrible things that have happened in Dallas, to take a moment to reflect that our Police are also people and it is sad the job that they do they may not come home.

COMMITTEE REPORTS

Mr. Limon reported we had a personnel meeting in light of the possible spending freeze we will have to hold off on everything at this point.

Mr. Dabinett reported his committee did not have a meeting this past Thursday night because we were all involved with the Carnival. Mr. Dabinett commented he is happy to report that we sent a letter out to an owner of some apartment buildings here in Franklin and the gentleman came in within matter of days (we had threatened to shut his water off) he came in and paid his bill \$14,376.98. The Governor has put a hold on funding so our Main Street Grants are on hold at this time. Hopefully we can get our paving done as soon as possible. The bids for North Rutherford Ave. they are coming in on July 21. Mr. Dabinett thanked the police department, the department of public works workers and all the volunteers for their excellent work during the past four days of the Carnival.

Mr. Rathbun commented we had the Carnival this past weekend, he thanked all the ladies at Borough Hall that helped sell tickets, Cool Cow, the police department and DPW for their help. On behalf of Recreation he would like to apologize for Recreation for some of the interruptions and inconveniences that we had at the Carnival. For those of you that didn't know the Carnival Company was changing some of the policies several times during the days throughout the Carnival which left some people upset. They couldn't cash in their ticket for their ride bracelets. We do apologize. We still need to do our after action report but more than likely we will not be asking them to come back again next year. On a bright side those who were not impacted by the tickets all had a great time. Jen Giordano did a terrific job. The food trucks were a big hit, very successful and our local groups also did very well and the fireworks were great.

Mr. Rathbun reported on the public safety side, tomorrow we will be having another meeting with Hardyston about the merger of the town with EMS service. He will have more details on that at the next meeting.

Ms. Fantasia commented she has two reports, the first is EDC. There is not much to report we are meeting next Thursday, July 21, normally we don't meet in the summer but being we are looking to energize businesses in town we decided to have two meetings in the summer as well. There is one new business that is in town, Tri-State Actors Theater. They are in the Morley Shirt building, they have a really nice space there and they have a go fund me account trying to raise money they are a nonprofit. Some of the kids in town do their youth theater program and we will have basically one of the only equity union theater companies that are professional and

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pay actors right here in Franklin. Their first show is a children's show, it opens August 3rd and they also have a show in the winter scheduled for a Christmas Carol. Ms. Fantasia described the theater.

Ms. Fantasia commented Mr. Martinez and Mr. Snyder are not here as far as the budget committee, she had a meeting with Monica today and going over some aspects of the spending freeze we can say this is due to unexpected/anticipated in comparison to last year's legal fees, engineering fees or projects that have been repeatedly engineered and for pending litigation. That is a brief overview as to where we are at right now there are some restraints on how we can move money around by law, November is when funds can be released.

Mayor Giordano gave example of the engineer fees, for example the wall on [Evans Street] has been engineered several times because as the project wasn't done previously we have the needs of that intersection changed based on the fact we now have trucks that want to drive down it, they damaged the road. The good news the Bridge will be closed tomorrow at 8:00, it was not affected by the Transportation Trust Fund. The only project in the town that was affected by the Transportation Trust Fund is the second portion of High Street which is basically the area that is closed.

Mayor Giordano commented the two days of the Carnival when the weather was nice was successful all our hard work paid off, if we had [good weather for the] Carnival we would have done extremely well. Unfortunately mother nature had two days of rain but we still did better than we did last year. We had some bumps in the road and learned some lessons, we will change things if recreation is still up for the Carnival next year.

Ms. Fantasia commented this is her first year, she volunteered for a very small portion of time in one of the ticket booths. Ms. Fantasia commented she wanted to thank our CFO Monica [Miebach], Kerri Marino because there was such tight control over the funds, it was run so professionally from a budget standpoint. Great job.

Tom Prol, Esq. had nothing to report.

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. Rathbun. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented he heard a couple of words about a spending freeze. Nobody mentioned anything and as to be enlightened on the spending freeze.

Mayor Giordano commented the CFO has asked for a spending freeze.

Mr. Prol commented the Council members were just presented with a memo at the start of the meeting so this is all cutting edge stuff, that is why you didn't hear it because the Council has just heard. It will be discussed in new business.

Mr. Durina commented it will be discussed and we will be enlightened as to where our money is going.

Mr. Durina commented on resolution 2016-76, you are hiring John Ursin again for another \$5,000. This garbage stuff has been going on for six or seven months, costing the tax payers legal money and asked for someone to take ownership as to why it went so badly.

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Mayor Giordano explained we settled the lawsuit we are still within our window with complying with the settlement however their attorney felt the need to file another motion because our attorney that is in the room now is still practically employed by Franklin Meadows, we are obligated to have a different attorney to take care of the matter. The Borough has been complying with it to the best of our ability and explained we are ready to go out with our bid specs we are following the schedule. But for whatever reason when we gave them the money that they settled on, two days after they received the check on June 28 and filed a lawsuit on July 1. Mayor Giordano explained he can't discuss litigation matters but we need to obtain Mr. Ursin to do this.

Mr. Durina asked when Meenan got approval for the propane tank they promised a 1,000 feet 5 inch hose, is that delivered.

Mr. Limon asked the captain that was sitting in the audience, Mike Raperto. Mr. Raperto commented we received the 5 inch hose and the deck gun.

Mr. Durina commented in the beginning of the year he wanted to be a cheerleader for this group but he doesn't have much to cheer about lately. Mr. Durina commented on a Sunday someone knocked at his door to sell him oil or an alarm system. Mr. Durina questioned if anyone had a permit to solicit on a Sunday afternoon in our Borough.

Mayor Giordano will check into this to see if that is current or valid.

Dawn Ingles, 72 Church Street, Franklin, stepped forward. Mrs. Ingles commented she is a Girl Scout Leader for the Franklin Troop 897 and she is here to talk about the Carnival. For years our troop has participated being a food vendor we have also sold glow sticks over the years. Ms. Ingles commented she repeatedly asked to sell glow sticks only to be told that glow sticks were given to a commercial vendor and one year it was the Mayor's wife's sister company, nepotism.

Mayor Giordano asked if he was the mayor then. Ms. Ingles commented you were a Councilman.

Ms. Ingles and Mrs. Giordano [in the public] exchanged words over the Carnival.

Ms. Ingles commented while it is perfectly legal it is not right. Ms. Ingles has had conversations every year regarding the exclusivity and explained. Ms. Ingles commented they also put paper work in to sell chicken fingers and nachos like last year and explained they do not have a way to sell off unused product, this falls on deaf ears. Cliff Graham of Cub Scouts and Ms. Ingles attended a recreation meeting to express our concerns and asked what other vendors were selling and were told they don't know. Ms. Ingles commented every year we are not supported by Recreation, we voiced our concerns about the food trucks but were told we would under price them. The food trucks were positioned before all the non profits.

Mayor Giordano commented that is not true.

Ms. Ingles commented she is also a member of Boy Scout Troop 90 they have exclusivity on cheese steaks however there was another vendor ready to sell cheese steaks until troop 90 spoke to them and continued to explain.

Ms. Ingles commented she would like to remind Council and Recreation that Recreation holds the charter for Franklin Boy Scout Troop 90 and Franklin Cub Scouts Pack 90, you should be partnering with them not against them, it is an injustice, Scouts are non profit and the money raised is for the Scouting program to

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remain low cost to the families in Franklin. Franklin is suppose to be a family friendly town then recreation should set the example and also be scout friendly, she knows all recreation members are all volunteers but so are scouts.

Ms. Ingles and Mrs. Giordano exchanged words again over the carnival.

Cliff Graham, 5 Master Street, Franklin, stepped forward. Mr. Graham commented he is Cub Master for Pack 90, he is here on the back of Dawn Ingles. Mr. Graham commented he made his first appearance for the recreation committee last month, the last meeting before the Carnival. Mr. Graham had asked recreation if they had food trucks and how many, originally they said there was three then they said there was ten and explained. Mr. Graham explained how they keep their budget low. From their prospective the Carnival did not go great in four day, he knows weather was a problem, but in the four days we made less this year than last year. There was a discussion between Mr. Graham and the Mayor regarding fundraisers.

Mr. Graham and Mayor Giordano discussed bullying and the Carnival and misinformation the scouts received from the town and recreation.

Mayor Giordano asked Mrs. Giordano in the public to not speak out of turn and if she can't to exit the room.

Mr. Graham and Mayor Giordano continued to discuss the bullying, speaking out of turn and the Carnival.

Anthony Marino, 45 Mabie Street, Franklin, stepped forward. Mr. Marino commented he is a member of recreation, he has a solution to all of this and he feels we are probably going to institute it. Very simply, no more carnivals, no more Franklin Day's.

There being no one else present who wished to address the Governing Body, Mr. Rathbun 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. Resolution from Sussex County Board of Chosen Freeholders Providing Temporary Closure of CR 631N Borough of Franklin.
2. Resolution 2016-99 from the Township of Andover, County of Sussex and State of New Jersey Opposing the State Legislature's Gas Tax of \$.23 Per Gallon.
3. Letter dated June 7, 2016 from Mary Alonso, President of Board of Health to Amy Fiorentino Re: accepting her resignation and thanking her for a job well done.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Registrar Report Quarterly report for April 1, 2016 to June 30, 2016.
2. Zoning Officer Report for June, 2016.
3. Tax Department Report for June, 2016.
4. Municipal Court Report for May, 2016.
5. Construction Permit Report for June, 2016.
6. COH Report for June, 2016.
7. Construction Permit Activity Report for June, 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

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RESOLUTIONS (APPROVAL OF THE FOLLOWING):

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

Mr. Limon made a motion to approve the consent agenda of July 12, 2016.

Ms. Fantasia commented she has a discussion for an item that is on the consent agenda.

Mr. Limon commented he also has an item too. Mr. Limon commented he would like to remove the resolution from Andover and the County of Sussex.

Mayor Giordano commented we are just saying that we received that.

Ms. Fantasia commented we receive correspondence but that piece is not dated or notarized, there is no date, no formal certification on that. Most of the resolutions that we get and we receive are dated and that is her concern with it we shouldn't accept things that are not formally notarized or dated.

Ms. Fantasia asked Mr. Prol to advise them on something that comes from another Borough that is not dated or certified.

Mr. Prol commented he hasn't seen the correspondence and explained the authenticity is in question.

Mayor Giordano commented then we will remove that item from the agenda.

Mr. Dabinett commented that motion was never seconded.

Mayor Giordano commented Mr. Limon made the motion.

Mr. Prol commented we are approving the consent agenda less the document that was just removed from the consent agenda. So everyone know according to Robert's Rules every member has a preparative to remove something from the consent agenda just by saying so, it doesn't require a vote to remove from the consent agenda.

Seconded by Mr. Dabinett

Upon roll call vote to approve the consent agenda with item 2 removed:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

OLD BUSINESS

Mr. Dabinett commented when the ambulance squad idea was first brought up he was 100 percent behind it. But as he walks around the Borough and talks to different members of the Ambulance Squad and finding out that our Ambulance Squad is not 100 percent behind it at this point, they are not being consulted and when they are consulted they are being told what they are going to get instead of being asked.

Mr. Dabinett commented at this time he withdraws his support until he is assured by our ambulance squad that they are totally satisfied with this new merger between Hardyston and Franklin.

NEW BUSINESS

Approval of the Minutes

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Mr. Rathbun made a motion to approve the regular meeting minutes for June 28, 2016. (Absent: Mr. Martinez) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Adoption of Ordinance 15-2016

Mr. Rathbun made a motion to adopt Ordinance 15-2016 "BOND ORDINANCE APPROPRIATING \$475,665, AND AUTHORIZING THE ISSUANCE OF \$453,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY". Seconded by Mr. Limon.

Ms. Fantasia commented she assumes we can't move forward with this due to the spending freeze. Is this an item that will be tabled?

Mr. Prol commented the spending freeze is a recommendation from your CFO, in terms of adopting an ordinance the Council would have authority to adopt the bond but you would require a super majority.

Ms. Fantasia commented she wants to make sure this is a separate entity from any proposed spending freeze and that we move forward with this.

Monica Miebach, CFO commented the ordinances are completely separate.

Mayor Giordano comments this has our funds for the safe [routes to school] sidewalks and other improvements. There is one for a loader.

Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 15-2016.

Ms. Fantasia made a motion to open to the public ordinance 15-2016. Seconded by Mr. Rathbun. All were in favor.

Bob Allen, Jenkins Road, Franklin, stepped forward. Mr. Allen commented with all this trouble tonight he hopes you don't abolish the soap box race.

Mayor Giordano informed Mr. Allen this public session is only for ordinance 15-2016, there is another public session at the end of the meeting.

Ms. Fantasia made a motion to close to the public ordinance 15-2016. Seconded by Mr. Limon. All were in favor.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Ms. Hough commented there are four yes votes and asked Mr. Prol if that was good.

Mr. Prol commented based on the advice of Bond Council we will consider that passed.

Adoption of Ordinance 16-2016

Mr. Rathbun made a motion to adopt ordinance 16-2016 "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW VEHICLES FOR USE BY THE

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WATER AND SEWER SYSTEMS OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY APPROPRIATING \$95,700 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$91,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION. Seconded by Ms. Fantasia.

Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 16-2016.

Mr. Rathbun made a motion to open to the public ordinance 16-2016. Seconded by Ms. Fantasia. All were in favor.

No one from the public stepped forward.

Mr. Rathbun made a motion to close to the public ordinance 16-2016. Seconded by Mr. Dabinett. All were in favor.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Resolution 2016-71

Mr. Rathbun made a motion to adopt resolution 2016-71 authorizing the issuance of not exceeding \$2,548.420 bond anticipation notes of the Borough of Franklin, in the County of Sussex, New Jersey. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Ordinance 17-2016

Mr. Rathbun made a motion to adopt Ordinance 17-2016 "PAVEMENT MORATOIUM - STREETS AND SIDEWALKS, AN ORDINANCE SETTING FORTH NOTICE OF STREET PAVING AND MORATORIUM ON STREET AND SIDEWALK EXCAVATION".

Mr. Dabinett commented he would move at this time that we table this ordinance.

Mayor Giordano commented any specific reason why you would like to have this tabled .

Mr. Dabinett commented if you read the ordinance, the Clerk has to send letters out to every home owner on every street that we attend to pave or have paved that means everybody on Corkhill Road, Davis Road, Main Street, Rutherford Ave are all going to have to be notified. It is going to be a lot of money and take a lot of time. Mr. Dabinett commented he doesn't know if we have to pass this at this time; he thinks it can wait.

Mayor Giordano commented a perfectly valid reason.

Mr. Limon commented he doesn't see that in here[the ordinance.]

Mr. Dabinett commented it says in there the Clerk has to notify everyone and they will have 45 days after that to take action.

Mr. Prol commented read part of the ordinance pertaining to the notice. [The first paragraph].

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Mr. Dabinett commented if we are in a spending pinch, he hasn't seen anybody come forth and want to open any streets at this point. The chances of that happening are pretty slim. Mr. Dabinett commented he raises this as an effort to save money.

There was a discussion on the ordinance and cost of the notice.

Mr. Prol commented he suggested to entertain a motion on the main motion with a second and then entertain a motion to table. Mr. Prol commented it is his understanding Mr. Rathbun made a motion. Was there a second on the motion.

Seconded by Mr. Limon.

Mr. Prol commented Mr. Dabinett has now made a motion to table 17-2016.

Seconded by Ms. Fantasia.

Mr. Prol commented now we will proceed on the motion to table ordinance 17-2016.

Upon roll call vote on tabling ordinance 17-2016:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Resolution 2016- 62 Corrective Action Plan

Mr. Rathbun made a motion to accept and approve for filing the corrective action plan for the Audit Report year 2015 prepared and filed by the Borough's Chief Financial Officer. (Corrective action plan attached. this item was tabled on the June 14, 2016 meeting.) Seconded by Mr. Limon.

Ms. Fantasia commented on June 14 we had a productive discussion talking about how being a small Municipality we don't have the pleasure of hiring additional employees for segregation of duties. Both she and Mr. Martinez discussed steps in the next thing which would be actionable. This appears to be the same document that came to us a month ago so based upon that she would be looking for a series of steps or safe guards put in place. Strengthen is not considered actionable.

Mr. Dabinett commented he agrees with you; would you want to table this?

Monica Miebach commented the biggest issue is budget constraints there is no way at this point to get rid of this unless you hire additional people, 95% of the small towns in the State of New Jersey have this audit point. We have a two month deadline and explained the time line by the Department of Community Affairs.

There was a discussion on the working of the action plan and the language.

Mr. Prol suggest to remove the word consider and put strengthen. Mr. Prol explained this sentence the State gets all the time.

Mr. Limon commented on the second paragraph it would say [in the Borough corrective action plan] "The Borough will strengthen internal control".

Ms. Fantasia commented that is a standard that just says yes, we will strengthen, that will be determine by the Borough employees and guidance from the Attorney and Council then explained.

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Mayor Giordano commented you want to take "consider" out of line number three in finance finding number one and reword it to "The Borough will strengthen internal control within reason of cost, benefits derived and budget constraints.

Ms. Fantasia commented correct.

The discussion continued on the action plan.

Mr. Rathbun made a motion to accept the adjustment in the action plan. Seconded by Mr. Dabinett.

Upon roll call vote on the adjustment:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Upon roll call vote on resolution 2016-62 accepting the corrective action plan:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Resolution 2016-72

Mr. Rathbun made a motion to adopt resolution 2016-72 canceling outstanding check balances for certain accounts within the Borough of Franklin Municipal Court in the total amount of \$138.00. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Approval of New Jersey State Firemen's Association Membership Application

Mr. Dabinett made a motion to approve the application for membership of Ralph Scott White, 11 Lozaw Road, Franklin, to the Franklin Fire Department as recommended by Fred Babcock, Franklin Fire Department Chief. Seconded by Ms. Fantasia.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: Limon

Resolution 2016-73

Mr. Dabinett made a motion to adopt resolution 2016-73 to accept project as complete for the Franklin Fire House Boiler Replacement preformed by All American Mechanical LLC. (Borough Engineer letter dated July 6, 2016 included in the Council packets.) Seconded by Ms. Fantasia.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: Limon

Resolution 2016-74

Mr. Dabinett made a motion to adopt resolution 2016-74 to accept a project as complete for Improvements to Various Streets performed by Mark Paving Co. Inc. (Borough Engineer letter dated July 6, 2016 included in the Council packets.) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

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Resolution 2016-75

Mr. Dabinett made a motion to adopt resolution 2016-75 authorizing the donation of property owned by the Borough of Franklin known as block 2702, lots 14 (113 Munsonhurst Road) Lot 15(111 Munsonhurst Road) and Lot 16 (109 Munsonhurst Road), to Habitat For Humanity, subject to conditions (Agreement between the Borough of Franklin and Habitat for Humanity provided in the Council packets.) Seconded by Mr. Limon.

Mr. Prol explained the resolution.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Introduction to Ordinance 18-2016

Mr. Dabinett made a motion to introduce ordinance 18-2016 entitled "AN ORDINANCE AMENDING CHAPTER 230 REGARDING SOLID WASTE IN THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY." (This was a recommendation of Attorney John Ursin) Seconded by Mr. Limon.

Mayor Giordano commented this is a recommendation that is part of the suit that involved Franklin Meadows and explained.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Public Hearing will be head July 26, 2016.

ADDENDUM

Mayor's Appointment

Mr. Dabinett made a motion to confirm the following Mayor's appointment:

RECREATION

Member Term expires 12/31/2020 Kathleen Clohessey

Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Mr. Prol commented there is a proposed resolution on for an award for a professional service agreement for Mr. Ursin; it is his understanding that a professional service agreement was previously awarded not to exceed \$17,500.

Mrs. Miebach, CFO commented he has met that.

Mr. Prol commented that cap is not the bidding cap it is the pay to play cap, if you have a \$17,500. and a \$5,000. contract in one year and we know legitimately something came up but that would be a \$23,500. contract. In that light you award someone a non fair and open contract process and we have to have certification from the awardees and explained. Once the forms [pay to play documents] are submitted this can be placed on the agenda.

Mayor Giordano commented we will table this resolution.

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Mr. Prol commented a motion will be in order to table the resolution.

Mr. Rathbun made a motion to table resolution 2016-76.

Ms. Fantasia asked there is no way for us to adopt this and have it go into effect after everything is situated or it can't simply be done until the Borough receives that information. Ms. Fantasia commented her concern in the hopes of moving forward with a speedy resolution or something perhaps this week how do we then proceed forward with this individual.

Mr. Prol commented the wording of the Statue is you can't award a contract without the certification on files at least 10 days prior to the award. I do believe Mr. Ursin will continue to work, under ethically rules if your name is one a [proceeding] you have to continue to represent your client.

Ms. Fantasia seconded the motion to table resolution 2016-76.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Rathbun,

Nays: None Absent: Martinez, Snyder Abstentions: None

Mayor Giordano commented he will open the second public session.

OPEN PUBLIC SESSION

Mr. Rathbun 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.

Sean Kidd, 3 Evans Street, Franklin, stepped forward. Mr. Kidd commented with the closure of the County Bridge do we have a proposed traffic plan.

Mayor Giordano commented we have signs in place he has spoken with the Chief about doing some enforcement on this and explained.

Mr. Kidd asked about weight limits on the roads. Mayor Giordano explained.

Mr. Kidd commented he had about 30 hours of volunteer time this weekend [Carnival] and we have nothing to show for it. Not everyone did as well as expected. We need to have a more open committee for a town wide event. Mr. Kidd commented on committees.

Ms. Fantasia commented it is easy for her to say just being on EDC coming in just this year on the fringe of things and not really jumping into this project. What she can say from her advantage point is she sees a large group of people who are really trying to do what is good and right for the kids and Franklin. That is the recreation committee and the scouting people. Ms. Fantasia commented to a young woman in the public that she was seeing adults not acting like adults right now and she apologizes to her for that because it doesn't set a good example when you see that happen when adults are so passionate and working so hard. Ms. Fantasia commented hats off to Jen Giordano and Kerri Marino for everything they do. Ms. Fantasia commented cancelling the carnival is not a solution, when cooler heads prevail she thinks everybody will move forward and we will bring some kind of decorum back and she would love to see everybody work together.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented very well said Dawn [Ms. Fantasia] because at the end of the day Franklin has to be the winner; we were always a strong family town and the goal that he thought we

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were going to have at the beginning of the year was to move off of being next to last on being Franklin friendly and moving that up. Mr. Durina commented we had a good start but

hopefully people can come back together for this beautiful town that we live in. Mr. Durina commented you are going into executive session are you going to conduct any further business after you come out of executive session or are you going to adjourn without having miscellaneous comments and is the meeting going to be over.

Mayor Giordano commented if you are willing to stay he will have another public session after we come out.

Mayor Giordano commented we are going to talk about litigation and we are going to talk about personnel issues.

Mr. Prol commented the answer is that an action may be taken when the Council comes out, that is up to the Council and we will only know that once they come out.

Mr. Durina commented on the solid waste proposal and read part of ordinance 18-2016 which was introduced. Mr. Durina advised the Council to look close at this it doesn't make sense and explained.

Bob Allen, Jenkins Road, Franklin, stepped forward. Mr. Allen commented on the soap box race and getting the dinosaurs to move into town.

Katelyn Vandyke, Rutherford Ave, Franklin, stepped forward. Ms. Vandyke commented she just wanted to say thank you for looking into the Habitat for Humanity for that property. Her family has been in the town since she was born and we are on our 11th year in our Habitat Home so thank you very much for giving other families like hers the privilege to stay here.

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

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 and Personnel. Motion seconded by Ms. Fantasia. All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:30p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

OPEN PUBLIC SESSION

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

Mike Raperto, 13 South Street, Franklin, stepped forward. Mr. Raperto commented on resolution 2016-73 regarding the boiler at the fire house. Mayor Giordano explained.

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

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MISCELLANEOUS COMMENTS

Ms. Fantasia commented for our meeting on July 26, she will not be here, and asked when they would be notified if the meeting was or was not going forward.

Mayor Giordano commented Ms. Fantasia will not be here.

Mr. Limon commented he needed to find out.

Mayor Giordano commented Mr. Snyder will not be here. Mayor Giordano cannot vote on one of the items on the agenda for the record.

Mr. Limon commented for the record he did not realize we had a second meeting in July he may make it he will have to see what his schedule is.

Mayor Giordano commented he will poll the Council and send out an email.

Mr. Limon commented on the Carnival.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 9:35 p.m., seconded by Mr. Dabinett. All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk