

**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
August 23, 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. Skellenger, Mr. Snyder, and Mayor Giordano.

Absent: Mr. Rathbun

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."

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Dabinett reported our committee met [Public Utilities] on Thursday the 18th. This Thursday at 10:00 in the morning there will be a pre job meeting here with the contractor [for North Rutherford Ave] to discuss anything associated with getting started. The Contractor would like to start milling and paving on the 29th which is Monday; they claim at this point that it will take six days to complete. Mr. Dabinett reported there was a new 15 inch drain line placed across Rutherford Ave last week from one manhole to another; all the sewer lines have been scoped and all the manholes and catch basins along Rutherford Ave. have been inspected and repaired where needed. We are ready to start paving.

Mr. Dabinett commented a new well pump was installed last week on the stand by well; Mr. VanDenBroek had a contractor come in, they had to pull 350 feet of pipe to put a new pump on. Mr. Dabinett commented he doesn't have the cost at this point. The committee also discussed the new bid specs for the garbage; everybody on the committee was in agreement that the specs said what they wanted it to say. Mr. Dabinett commented the other thing we discussed was joining the Bergen County COOP for purchasing.

Mr. Snyder commented at the last meeting with regards to the road department garage floor he had seen it [the floor] through the doors and it look to him like it was completed. Mr. Snyder commented he was wrong, he believes everyone on the Council got a picture of the floor and it looks fantastic.

Mr. Skellenger had nothing to report.

Ms. Fantasia reported we didn't have a formal finance meeting with Mr. Snyder but what we did do is this Saturday morning at Borough Hall and reviewed a bit more carefully the purchase orders coming in as you know with our new procedures in place we thought it was wise to do that and everything seems to be in order. As far as EDC, we met last Thursday the Mayor can report part one of that meeting, she came directly to Borough Hall to meet Paul Metchum who is the executive director of Tri State Actors Theater. That is the professional theater in Franklin that is not in compliance with certain zoning issues over at the Health and Wellness Center. They did have their children's show at the Littell Center; that is a temporary situation and explained upcoming performances.

Mrs. McHose reported we are still in the process of getting quotes for the air conditioning units on top of the building; as soon as she gets the quotes she will get them out to the Council.

Mr. Prol, Esq. had nothing to report.

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Mayor Giordano reported EDC went on a mine tour giving to us by Bob Allen, he showed us all around the mine, it was very nice to see a lot of useable area down there. EDC is strongly in support of the Redevelopment and Rehabilitation plans and the possibility of splitting up of that property and explained the property.

Mayor Giordano commented recreation approved the purchase of some docks for the pond, hopefully, we will be getting those delivered soon. We will have to have Mr. VanDenBroek take a look at where he would like to put them in the pond along with the recreation committee. Since we changed the rules for kayaking there has been a lot of people down there [at the pond] kayaking.

Mayor Giordano commented the floor at the DPW garage came out great. Mr. VanDenBroek out did himself, he saved us a lot of money and thanked him for doing a great job and the great job done by DPW.

Mayor Giordano commented we will have an executive session tonight and we will be moving the garbage discussion and bid specs to after the executive session and we will be discussing committee assignments also in executive session. We will also be discussing the Hungarian Church.

Mr. Dabinett commented on the drainage problem at the DPW prior to this new floor; before the floor was even touched the DPW cut a hole in the center of the floor put drains in so that now whenever snow and water accumulates it drains off and there is proper work space.

Mayor Giordano commented this is not a project we entered into because we wanted to beautify something, we were ordered to do this by PEOSHA it was an unsafe surface, we were able to repair and replace what needed to be done and be in compliance with PEOSHA.

Mrs. McHose commented this new drainage also make us in compliance for a proper truck wash; we have an underground tank that can be cleaned out when it is full and it allows us to wash the trucks properly.

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. Skellenger. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented on what is good about Franklin, the Franklin Education Foundation a group of nine members that have a responsibility to oversee the money that had been donated by former teachers or their family members that had worked for Franklin School or from Franklin. Some of the money had restrictions; the nine members for the Franklin Education Foundation oversee the money and explained the responsibility of the nine members of the Franklin Education Foundation and what they do for fund raisers and field trips. Mr. Durina commented we have a vacancy on the Board; anyone interested call Bill Sabo at 973-827-9775 ext 214.

Mayor Giordano asked Mr. Durina if he would mind if the Borough places information regarding the vacancy on the Borough website.

Mr. Durina explained to the Council the individual members on the Board.

Ms. Fantasia commented it is nice to see they are using it for math and literacy programs, Franklin Borough's third grade math students have the highest percentage of students to exceed grade level expectations on the PARC exam and

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math specifically this year. It is nice to know this is where the money is going because the progress is evident.

Mr. Dabinett asked if this was State wide. Ms. Fantasia commented in the County.

Joann Tatka, 151 Mable Road, stepped forward. Mrs. Tatka asked who is the paving contractor that the bid was given to. Mrs. Tatka asked about the coops. Mrs. McHose explained the coops. Mrs. Tatka asked if the new garage floor was cement. Mayor Giordano explained the floor. Mrs. Tatka commented you mentioned the Hungarian Church, is that going to be made public.

Mayor Giordano commented the attorney asked we add that to the executive session, so we might be able to update you after the executive session.

Emily Bazelewich, Mill Street, Franklin, stepped forward. Mrs. Bazelewich asked when the sign by Mabie street is coming down. Mayor Giordano explained the circumstances with the sign and the property. Mrs. Bazelewich commented on two concrete tables down by the gazebo, there are small groups that go down there and have picnics and the tables are on the outside. Mrs. Bazelewich asked if they could be moved in the gazebo. Mayor Giordano commented he will ask Mr. VanDenBroek to move them back in [the gazebo]. Mrs. Bazelewich questioned the cost of the port a john down at the pond and suggested it would be more efficient to put a permanent [restroom] in. Mayor Giordano explained the problem and maybe at some point we can.

Mrs. Bazelewich asked about the grant regarding the sidewalks by the School which is no longer there. Are the residents aware they will have to shovel their sidewalks? Mayor Giordano commented the plan is to still put in the sidewalks, the idea is to make the town walk able not just walking to where the school is. The closure of the school doesn't impact the sidewalks going in.

Mrs. McHose commented it is a Federal Grant administered through the State, when the State was here, she talked specifically about Immaculate closing but because it is within a two mile radius they still consider those sidewalks will service Franklin School as well.

Mayor Giordano commented they would notify the residents that have sidewalks put in that they will have to shovel them.

Mrs. Bazelewich commented on the sign [traffic signal] by Weis, it is the best thing that could have happened everybody loves it. On that side of town you can go out instead of fighting the traffic by Wal-Mart and explained. Mrs. Bazelewich commented that traffic light by Weis is a blessing it really is great and thank you to whomever was instrumental in pushing for it.

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. Skellenger. 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 August 9, 2016 from Monica Miebach, CFO/QPA to Alison McHose, Borough Administrator and Mayor and Council Re: Bond Anticipation Notes.

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2. Letter dated August 18, 2016 from Hawkins Delafield & Wood LLP to Mayor and Council Re: Bond Anticipation Notes.
3. Letter dated August 5, 2016 from Richard T. Hammer, Commissioner, NJDOT to Prospective Applicant RE: Transportation Alternatives Program, Request for Applications.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court report for July, 2016.
2. Police Department report for July, 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for use of the Senior Center by the Boy Scouts for August 20, 2016 from 8:30PM - 11:30PM. (This application was received on August 15, 2016, due to the next Council meeting being after the date requested Mayor Giordano agreed to let them use the Senior Center and put the application before Council at the next meeting.)

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of August 23, 2016.

Mr. Limon made a motion to approve the consent agenda of August 23, 2016.

Mr. Dabinett asked Ms. Fantasia, did you want to comment on [one item]

Ms. Fantasia commented before we do that she would like to discuss number three under correspondence; letter dated August 5, from Richard T. Hammer, Commissioner, NJDOT regarding the Transportation Alternatives Program. Ms. Fantasia commented she was excited when we got this in the consent agenda she opened up the application for this program and explained what the Borough would need to do to apply for a project and we can relate the criteria needed for the grant to the walking path. Ms. Fantasia commented she knows our spending is on hold for non essentials but a grant for something like this would take care of that.

Mayor Giordano commented do you want to work with a few other Council members and Mrs. McHose to try and get this grant. Ms. Fantasia commented sure.

Mr. Dabinett commented he and Mrs. McHose spoke on this and Mrs. McHose was going to look into this and we also discussed looking into a grant writer.

Mrs. McHose commented on doing a possible shared service for grant writing.

Mayor Giordano commented with the Council's permission would it be ok for Ms. Fantasia and Mr. Dabinett to work with Mrs. McHose and try to get the grant. Mr. Dabinett commented he would be happy to. Ms. Fantasia commented absolutely.

There was a discussion on the grant.

Mr. Snyder commented on the consent agenda bills list he would like to pull purchase order 25965 and purchase order 25966; they both have to do with engineering fees.

Mayor Giordano asked Mr. Limon if he is agreeable to amending his motion.

Mr. Limon commented yes he will as such.

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Mayor Giordano commented there is a motion on the floor to accept the consent agenda with the PO's mentioned by Mr. Snyder removed and also with the discussion of Ms. Fantasia and Mr. Dabinett on the grant writing.

Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Skellenger, Snyder, Dabinett, Fantasia, Limon

Nays: None Absent: Rathbun Abstentions: None

OLD BUSINESS

Ms. Fantasia commented on the step in front of the building and asked where are we at with repairing that step.

Mrs. McHose commented the last she talked to Mr. VanDenBroek he was calling in a contractor; she will check on that tomorrow.

Ms. Fantasia commented we had discussed at different times Wok N Sushi and that they were on the brink of reopening and commented on the condition of the property. Who is responsible for maintaining that. Mrs. McHose commented Joe Drossel has already notified them.

NEW BUSINESS

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes and executive session meeting minutes for August 9, 2016. (Absent: None) Seconded by Mr. Limon.

Mr. Snyder commented he would like to make a correction with the meeting minutes on page 3, under his comment at the bottom a violation of PEOSHA it is not PEOCCA it is PEOSHA.

Upon roll call vote with the change by Mr. Snyder:

Ayes: Skellenger, Snyder, Dabinett, Fantasia, Limon

Nays: None Absent: Rathbun Abstentions: None

Mayor's Appointment

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

ZONING BOARD

Member	Term expires 12/31/2019	Richard Knop
Alternate #1	Term expires 12/31/2017	Rafeal Burgos
Alternate #2	Term expires 12/31/2016	Ted Bayles

Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Skellenger, Snyder, Dabinett, Fantasia, Limon

Nays: None Absent: Rathbun Abstentions: None

Resolution 2016-79

Mr. Skellenger made a motion to adopt resolution 2016-79 requesting approval of items of Revenue and Appropriation NJS 40A:4-87. The sum of \$5,000 is hereby appropriated under the caption Drive Sober or Get Pulled Over - Labor Day Crackdown Grant. Seconded by Mr. Limon.

Mayor Giordano explained the resolution.

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Upon roll call vote:

Ayes: Skellenger, Dabinett, Fantasia, Limon

Nays: None Absent: Rathbun Abstentions: Snyder

Resolution 2016-80

Mr. Limon made a motion to adopt resolution 2016-80 authorizing the Borough of Franklin to enter into a Cooperative Pricing Agreement with the Bergen County Cooperative Pricing System. (Agreement provided in the Council packets.)
Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Skellenger, Snyder, Dabinett, Fantasia, Limon

Nays: None Absent: Rathbun Abstentions: None

Resolution 2016-81

Mr. Dabinett made a motion to table resolution 2016-81, adopting a revised Plan 82-PD-Lincoln-050812. (Existing Lincoln Plan provided in the Council packets.)
Seconded by Mr. Snyder.

Mr. Prol commented you don't need to make a motion if the motion is not made it will just sit here and be on the next meeting agenda.

Ms. Hough asked there was a motion and a second to table it you don't need a roll call vote to table it.

Mr. Prol commented you can't table a motion that is not already on the table you don't need to do anything it will go to the next meeting.

Ms. Fantasia commented he tabled what was read out loud.

Mayor Giordano commented item number six will be discussed after executive session.

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 personnel and attorney client privilege matters. Motion seconded by Mr. Dabinett.
All were in favor.

Mr. Prol commented action may be taken after executive session.

Mayor Giordano commented action may be taken after we come back and it will be about the garbage.

After meeting in closed session, the Governing Body returned to their seats at 8:39 p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

Discussion and Approval of the Garbage Bid Specs

Mr. Limon read at this time there will be a discussion and approval on the garbage bid specs. (Bid Specs provided to the Council.)

Mayor Giordano commented we have discussed this enough where he thinks we are all confident that we are putting out the right specs for the town. Mayor Giordano explained the bid specs. We will be going back to two days a Tuesday/Wednesday schedule. There are also some changes to the bulk.

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Mayor Giordano asked if the Council is agreeable he would like to have a motion to put the bids out.

Mr. Dabinett made the motion. Seconded by Mr. Skellenger.

Upon roll call vote to approve publishing the bids:
Ayes: Skellenger, Snyder, Dabinett, Fantasia, Limon
Nays: None Absent: Rathbun Abstentions: None

OPEN PUBLIC SESSION

Mr. Snyder 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.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina asked what did you talk about in executive session.

Mayor Giordano commented we went over the final parts of the garbage bid specs, we also talked about the Hungarian Church status update, some committee assignments and we also talked about the litigation with Four Winds. Mayor Giordano explained the Four Winds litigation regarding a building on Park Drive not in Franklin, however it is serviced by the Franklin MUA we are involved with litigation regarding their EDU's.

Betty Allen, Jenkins Road, Franklin, stepped forward. Mrs. Allen commented on the attitude now with the new attorney, several new council members and our new administrator she hopes this continues everybody seems to get along very well. She hopes from this we do something and try to revitalize our Main Street and bring our community back to where it was before.

Mayor Giordano asked Mrs. McHose when Mr. Tessier would have his planning done from the DCA. Mrs. McHose commented she thinks he is still waiting for the Planning Board to take action. Mayor Giordano commented the last things he needs is the Main Street designation and the mine area designation. Mrs. McHose commented that will be on the Planning Board's next agenda.

Emily Bazelewich, Mill Street, Franklin, stepped forward. Mrs. Bazelewich asked what was going in the old Dr. Dailey's office.

Mayor Giordano commented he doesn't know who Dr. Dailey is. Mrs. Bazelewich commented where the old unwed mother's home was across the street.

Mayor Giordano commented that is supposed to be used by Sunrise House.

Mrs. McHose commented Mr. Prol can you help me with this. Mrs. McHose commented many years ago this building was purchased and designated by the town to be used as a facility, it was like a facility but they don't have treatment there, this was approved by the town years and years ago. Last year the company who owned the house was sold to a for profit company and the reason you have seen significant changes with the house; which are very positive and beautiful. That for profit company has a different model then the previous owner, it is considered same use as far as zoning is concerned. The new owners did come before the zoning officer and the construction officer to apply for permits to do all the improvements they did; so everything was done properly. Mrs. McHose commented she doesn't know if she is allowed to say what it is going to be used for but it is a different model it is the same type of facility, there will be no treatment offered in that facility.

Mrs. Basilwitch commented everybody is wondering.

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Mr. Prol commented he actually doesn't know what is going on or [what] the use is for but if it is a facility where people live and it serves the societal benefit.

Mrs. McHose commented is she allowed to say. Mr. Prol commented anything that is a matter of public record in terms of permits, sure. Mrs. McHose commented it is currently owned by Addiction Centers of America; it is both alcohol and drug rehabilitation but as far as she knows and what she has researched this is a private payer so these individuals have insurance. This is not a State assignment; it is a private center.

Mr. Prol commented it helps people who are looking to better themselves and explained.

There was a discussion on the use of this property. Mrs. McHose commented it is on public record the purchase of the property.

Sean Kidd, 3 Evans Street, Franklin, stepped forward. Mr. Kidd asked if there was an update on the Main Street and Evans Street corner rehabilitation.

Mrs. McHose commented originally the plan was to incorporate the repair with the paving job. Because the paving job is on hold due to the TTF and Governors executive order she doesn't believe that a decision has been made to go forward with just ripping up the wall and fixing it now. The reason being we have the heavy traffic from the bridge, when the bridge is reopened and that changes she thinks the Mayor and Council will revisit that.

Mr. Prol commented on Mr. Kidd's daughter asking for newspaper as part of her Girl Scout project. Mr. Kidd explained the project for a nature trail down at the pond.

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

MISCELLANEOUS COMMENTS

Ms. Fantasia commented she is new to the Planning Board the next meeting will be a hearing on Advance Auto. Ms. Fantasia commented the Franklin Fire Department had their steak and lobster dinner it was delicious and there was a great turn out. Ms. Fantasia commented Betty Allen was one of the individuals nominated for Senior of the Year, Rich Knop is Franklin's Senior of the Year and Rachel Health was the Sussex County Senior of the Year. Ms. Fantasia asked if we can do something special at our next meeting.

Mayor Giordano commented Recreation is working on a Food Truck show for October.

ADJOURNMENT

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

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk