

**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
October 25, 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, Mr. Skellenger, 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 at this time Jim Williams will step forward to explain the Hazard Mitigation Plan.

Jim Williams, 279 Wildcat Road, stepped forward. Mr. Williams is the OEM Coordinator for Franklin. Mr. Williams explained every four years the OEM official in every town in Sussex County has to update the Hazard Mitigation Plan for their towns. Mr. Williams commented he did ours [Franklin Borough], he finished it back in May, submitted it to the County and it was accepted and everything was fine. Mr. Williams explained what the Hazard Mitigation Plan is. It points out to FEMA potential areas in the Borough where there could be a problem. Mr. Williams explained one of the biggest problems the Borough had was when Hurricane Sandy occurred and we had a very large problem with the wind and the rain. Mr. Williams explained the events that happened during Hurricane Sandy; Mr. Williams explained how it ties into the plan and why the plan is updated every four years. Mr. Williams explained what was added into the update of the plan this year. Mr. Williams spoke about generators, fuel station at the Borough garage, anything put in the plan protects the Borough of Franklin and the plan is the first thing FEMA looks at. Mr. Williams handed out a letter from Mark Vogel.

There was a discussion regarding the Hazard Mitigation Plan.

Resolution 2016-91

Mr. Limon made a motion to adopt resolution 2016-91 regarding the Sussex County Multi-Jurisdictional Hazard Mitigation Plan. Seconded by Mr. Skellenger.
(This resolution was tabled on October 11, 2016)

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayor Giordano thanked Mr. Williams for all his work.

COMMITTEE REPORTS

Ms. Fantasia reported the Planning Board met last week, they unanimously approved Attorney David Brady to draft a resolution of approval for Advanced Auto Parts. Advance Auto parts addressed two major concerns; the first was traffic patterns and a location of handicapped parking stall and the second was the addition of a fire hydrant on Mabie Street. Concern was brought up due to the nature of materials and chemicals that would be stored at the facility; a lot of the questions were answered. Ms. Fantasia reported there will be public a hearing on November 21, regarding Areas A and B, the designation of those areas; at the last Council meeting we passed a resolution for that.

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Ms. Fantasia reported EDC had a joint meeting with Hardyston last Thursday; there was a good discussion, they updated us on where they are at with their first aid squad disbanding. Hardyston is now full time with Saint Claire's. One bonus came out of the attempt to create a joint force with Franklin was a surge in new applications for the Hardyston Fire Department. LOSAP was also discussed, we had discussed LOSAP moving forward, they [Hardyston] put in on as a ballot question in Hardyston and it was overwhelming approved by Hardyston. Again moving forward Ms. Fantasia recommended the budget committee sit together and look to add that in the upcoming year or to propose that.

Ms. Fantasia commented Steven Zydon went to a meeting held at Sussex County Community College, it looked at future development and economic outlook in the County. Mr. Zydon brought back the following to EDC; New Jersey is not overly business friendly our infrastructure grading was a C- and now it dipped slightly down to a D+ with the TTF issue. EDC also discussed over regulation of medical costs and business. At the end a gentleman from Sparta Living; he presented this to Hardyston and Franklin to see if we would be interested.

Ms. Fantasia commented on the Finance meeting last week. Ms. Fantasia wanted to address a question that came from the public at the last meeting; it was regarding the Millie Harden fund. The Millie Harden fund is intact, all \$100,000 is in the CD and it has not been touched. The only thing that was used was the interest on that money and that interest was used for engineering fees for the walking path for the pond. Again as a reminder the Millie Harden fund can be used for any project to benefit the children of Franklin and being that the Walking Path is recreation, only interest was used, the \$100,000 is intact.

Ms. Fantasia commented at the finance meeting they talked about the lighting situation, they did receive quotes and we are going with Copper Electric, we have free equipment and labor, we have an electrician from the County that is going to be doing the work so for materials only it ended up being \$1,334.00, and after speaking with the Recreation Commission and Buildings Grounds they are going to each absorb 50% of the cost.

Ms. Fantasia commented as far as the Transportation Alternative Program update; we are accepting letters of support, we have received some from the public. We had a meeting with Alison, Robin, Monica and Tom Knutelsky and herself. Mr. Knutelsky is in communication with the County Engineer there is a recommendation for a resolution of support for the Freeholder meeting tomorrow night, we are hopeful we get that resolution back. Mr. Knutelsky and Mariruth from his office are working on the SAGE submission. It looks promising that we will have everything we need together by the November 10 deadline for the TAP grant.

Ms. Fantasia commented on the Borough's actual finances at this point; we had our monthly budget review and she is very happy to announce that we now have met our budget projection for quarter one, quarter two and we are slightly a hair under for quarter three. As you recall we were shooting for 97.4 percent and we are just a hair under. However when the lean holders come in and submit their taxes from the tax sale we should be even with our budget so right now we are actually in fairly good shape and back on track. This was a collective effort and it is looking different than it did a few months ago.

Mayor Giordano commented the Council should be applauded for cutting the budget to the bone, every dollar counted this year. Mayor Giordano commented he is happy to see the Borough back on track.

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Ms. Fantasia commented she suggested to continue to do this month to month check moving forward to see what our standing is at the end of each month. This has been helpful with guiding the Council on purchasing decisions.

Ms. Fantasia commented there are two ladies in the audience who also were recognized for their longevity with the elections, Mrs. Bazelewich and Mrs. McGrath.

Mr. Skellenger had nothing to report.

Mr. Rathbun reported this Saturday is the Hullobooloo. The parade will start at 11:00 with line up at 10:30. At 12:00 noon at the fireman pavilion will start the Hullobooloo.

Mr. Rathbun commented one of our Girl Scout's Erin Kidd had been working on her Gold Award project. Ms. Kidd has been clearing out and cleaning the nature trails down by the pond; she is doing a terrific job, she created an information packet on the project it is 8 pages long and she did a really good job in it. Mr. Rathbun commented on the packet being placed on the Borough website. Mr. Rathbun thanked Erin Kidd for all her work.

Mr. Rathbun commented the public safety committee met on Sunday in reference to the matter we will be discussing in executive session.

Mr. Snyder reported the slide has been replaced and the mulch has been done down at the pond. They did a nice job doing that. We will continue to look into the central air of this building and the security camera's bids. Mr. Snyder asked about the railing downstairs.

Mrs. McHose commented she has someone giving us a quote and explained.

Mr. Snyder commented the floors need to be buffed up and cleaned in Borough Hall and down at the Senior Center. Mr. Snyder commented he has contacted the Board of Education and spoke to Mark Postas about that and we are going to try and do that as soon as possible. We are looking to not replacing the carpet down there but look for some tile to upgrade.

Mr. Dabinett reported the public utility committee, Mr. Rathbun, Mr. Skellenger and himself met Thursday, October 20th, we finally came to an agreement with Mr. Deacon on the Sterling Plaza pump station, he is waiting at this point to get a couple of items from our engineer, then he will take it over to Mr. Bolcato, Esq. and have him draw up an agreement for both parties to sign. Once he has the agreement he will bring it back to the Mayor and Council for review before anything further is done on it. Mayor Giordano commented we would put that on the agenda for a vote.

Mr. Dabinett commented once Mr. Deacon gets his approval from us then he can proceed with his building permits and start his renovations.

Mr. Dabinett commented they also discussed the I & I studies, over the years we have done several different I & I camera studies. Each one of these studies is an individual study, you have a document and video, what we recommended is taking all of these studies and combining them, placing them on one Borough map so that anybody in the Borough can come forth and see just where these infiltration leaks are and what we have to do to go about fixing them.

Mr. Dabinett commented Mr. VanDenBroek had a company called Neo systems Incorporated come in and complete a radio survey for remote data acquisition; which was talked about at our last meeting. We will receive a report from them within the

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next couple of weeks, once the committee has that report he would like to invite Mr. Sean Kidd, as he generously offered his services last meeting to come in and review the study with the committee.

Mr. Dabinett commented on Main Street paving; as you know the ban has been lifted; we don't think there will be any paving done since it is so late in the year and the contractors are all so busy. Mr. Knutelsky did think we could possibly start some of the sidewalk work if the weather is still good in November but that is about as far as we are going to get at this point. Mr. Dabinett explained the sidewalk grading.

Mayor Giordano asked Mrs. McHose since TTF was suspended during prime time of the season if we don't get this project done by the end of the calendar year is the money vacated or do we still have this money for the project.

Mr. Dabinett commented he can answer that, he spoke to Mr. Knutelsky about this; we had a grant in 2015 and 2016 both grants are good for two years, so as long as we get something started this November the monies from the 2015 grant are still safe. There was a brief discussion on the grants.

Mr. Limon reported on the personnel committee meeting; we don't have the final numbers in yet for the Department of Public Works Manager, but that is working smooth and explained what happened five years ago. Mr. Limon commented he is happy to see Mrs. McHose, Ms. Fantasia and Mr. Skellenger are working with him on this. It looks like we will have something on this at the next meeting or the meeting after as well as Chief McInerney. We have some other small issues we discussed in the meeting.

Mrs. McHose reported she met this week with the Department of Community Affairs they were up for what she thinks will be the final meeting; we were going over the final details of their goals for their final report which they were thankful the Council took action on the Rehabilitation and Redevelopment Area for Main Street. Hopefully by the end of this year we will have their report in hand.

Mrs. McHose commented on the meeting regarding the TAP grant, we also are planning to include in addition to the path some lighting for the pond area.

Mrs. McHose explained an event she attended called Mountain, Music and Murals it is about a festival being planned for next August and explained. Mrs. McHose also explained a radio ad she taped for the radio station.

Mrs. McHose commented we have a new Eagle Scout in Franklin Ben Mueller, he was awarded his Eagle Award this Sunday; she presented him with a citation from the town.

Mrs. McHose informed the Council the next scheduled meeting is on Election day, November 8, this will be a busy day so hopefully the meeting will not be long.

The Council discussed rescheduling the meeting for November 8. The decision was to leave the meeting scheduled the same on November 8, 2016 at 7:00pm and have it be a short meeting.

Mayor Giordano reported TTF is going again, therefore Main Street is on the Agenda for some things. The Hullobooloo is a recreation event and also a Franklin Fire Department event and explained. Mayor Giordano commented the Fishing Contest went very well, 57 people signed up. If you catch a fish now with a tag bring the tag in, there are prizes associated with fish that are tagged.

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Ms. Ursula Leo, Attorney filling in for Tom Prol, Borough Attorney, had nothing to report.

OPEN PUBLIC SESSION

Mr. Skellenger 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.

Mayor Giordano commented he failed to state in his report that there will be an executive session for Personnel matters.

No one from the public stepped forward.

There being no one else present who wished to address the Governing Body, Mr. Dabinett made a motion to close the meeting to the public, seconded by Mr. Rathbun. 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. Memo dated October 11, 2016 from Melissa Rockwell, CTA, Sussex County Board of Taxation Re: 2016 Abstract of Ratable for Sussex County.
2. Notice from Anne-Marie Wilhelm, Township of Hardyston, Land Use Administrator to Municipal Clerk, Re: Hardyston Township Mater Plan Housing Element and Fair Share Plan.
3. Resolution 2016-106 from the Borough of Chester endorsing and supporting the passage of Assembly, No, 3686, Designated as 'Ralph and David's Law.'
4. Letter dated October 20, 2016, from Alison L. McHose, Administrator, Borough of Franklin, to Catherine Williams, Clerk of the Board, Sussex County Board of Chosen Freeholders, Re: Transportation Alternative Program (TAP) program.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court report for September, 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for use of the Senior Center from Joseph Hendershot, Troop Scoutmaster for the Franklin Boy Scouts on Mondays, from September, 2016 to June, 2017 on Monday evening from 7:00PM-8:30PM.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 25, 2016.

Mr. Limon made a motion to approve the consent agenda of October 25, 2016. Seconded by Ms. Fantasia.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Skellenger, Snyder, Dabinett
Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mayor Giordano commented on the Council authorizing the Borough Attorney to move forward with foreclosures on properties that we own the taxes on, these are previous properties, a property on Rte 23.

Mrs. McHose commented she spoke to Angelo Bolcato, Esq. who does the foreclosure for the Borough, apparently last year he started on the two properties

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that were picked up last year in the tax sale but he said he didn't get authorization from the Council to go further. This year we have three properties that came back to the Borough, she thought it would be important that we at least give Mr. Bolcato the go ahead to go forward on this. The two properties from last year, one was the ski shop and the house across from Sit N Chat. There is a lean on that property for when the Borough took down the house so hopefully the money will come back to the Borough some day. The other property was part of the Bicsak farm on Maple Road as you go around the bend the field in the back by Davis Road. It is a very nice piece of property and she thinks we have a potential of future soccer fields or something recreational with it maybe even the dog park.

Mrs. McHose commented on the three properties this year, on High Street there is a house right before the Fire House, there was a property on Susquehanna Street that has been abandoned for a long time and the third piece is behind Susquehanna Street it is the lower Zinc Company property, which is primarily wetlands and the DEP designates it as wet[lands]. This is an opportunity for us when we take ownership of it, it is a possibility for the Borough to donate it or sell it to the State for possibly Green Acres.

Mayor Giordano commented basically if people don't pay their taxes, in these cases nobody has paid their taxes for awhile; it is not in the Borough's interest to let them just sit so he would encourage the Council to consider authorizing Mr. Bolcato to follow through with foreclosure so the Borough can get possession of the properties then either decide whether to go with recreation stuff, resell them or otherwise dispose them in a manner that best for the tax payer.

Mr. Dabinett made a motion. Seconded by Mr. Limon.

Mayor Giordano commented we will have a roll call vote to authorize Laddey, Clark and Ryan to move forward with the foreclosures.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

NEW BUSINESS

Approval of the Minutes

Mr. Limon made a motion to approve the regular meeting minutes for October 11, 2016. (Absent: None)

Mayor Giordano commented on the meeting minutes he has something that needs to be changed, on page 11. We want to correct an error in what was said. Mayor Giordano commented we can leave the minutes as they are the Mayor stands corrected. Mayor Giordano commented to note in the October 25, 2016 meeting minutes that he was incorrect with his comment "we did break the bond to work on the walking path". The CD was NOT broken for the Millie Harden Fund. This was in relation to the comment from Ms. Schultz, 51 Main Street.

Seconded by Mr. Dabinett.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2016-92

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Mr. Limon made a motion to adopt resolution 2016-92 approving the Borough painting of thin blue line on Corkhill Road and thin red line on Buckwheat Road. Seconded by Mr. Skellenger.

There was a discussion on the resolution. Mr. Snyder mentioned the Board of Education have the equipment to paint the lines. Mr. Snyder commented we help out the Board of Education through the course of the year so he is sure they would be able to come down and do that for us.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2016-93

Mr. Rathbun made a motion to adopt resolution 2016-93 supporting the submission of application for New Jersey Department of Transportation's *Transportation Alternates Program*." Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2016-94

Mr. Rathbun made a motion to adopt resolution 2016-94 awarding the contract for Proposed Improvements to Main Street to Smith-Sondy Asphalt Construction Co., Inc. in the amount of \$354,988.73.

(Thomas Knutelsky, Borough Engineer letter of recommendation dated October 18, 2016 and a copy of the bid from Smith-Sondy Asphalt Construction Co. Inc. provided in the Council packets.) Seconded by Mr. Dabinett.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

ADDENDUM

Discussion and approval of Franklin Carnival RFP Resolution 2016-95

Mrs. McHose commented you are not approving the RFP you are approving a resolution to authorize competitive contracting. Mrs. McHose explained this is a procedure that has to be done to comply by the law. If you exceed \$40,000 in gross revenue you are required by law to go out for RFP. The Borough has had a successful Carnival two years in a row even with bad weather; we are hoping going forward if we go out for RFP this will be a document that will be three years in place up to five years and we won't have to go through this every year. We are still working with the Recreation commission to go over the details of the RFP but Mr. Bolcato, Mrs. Miebach and herself worked very hard to put this document together and the resolution just authorizes going this route.

Mayor Giordano commented this is the alternative from going to a bid spec.

Mrs. McHose explained going out for bid and RFP process. There was a discussion on the Carnival and resolution.

Mr. Limon made a motion to accept this resolution for an RFP, Resolution 2016-95. Seconded by Mr. Rathbun.

Ms. Fantasia commented when she reviewed it, she liked some of the safe guard potential, she didn't look at the full 36 page document but we were discussing it

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today with Monica and she feels some of the provisions that are in place will really help protect the Borough. She thinks it was really smart to enter the competitive contracting and that way recreation can be very clear about what they want and we are not bound to accept the lowest bidder; she thinks this is really a smart way to go moving forward.

Upon roll call vote on resolution 2016-95:

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

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Skellenger made a motion to adjourn into closed executive session to discuss **personnel** Motion seconded by Ms. Fantasia. All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:20p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

Mr. Dabinett made a motion to return into the regular meeting. Seconded by Mr. Limon. All were in favor.

Note: Mr. Snyder was not present for the executive session and did not return to the regular meeting after executive 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. Skellenger. 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. Rathbun made a motion to close the meeting to the public, seconded by Mr. Dabinett. All were in favor.

Mr. Rathbun commented he would like to make a motion to authorize the Administrator and the Chief of Police to start the Sergeants promotional process. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Skellenger Dabinett

Nays: None Absent: Snyder (left the meeting) Abstentions: None

MISCELLANEOUS COMMENTS

Mr. Skellenger commented if possible at the November 22, meeting do something to recognize Mrs. McGrath and Mrs. Bazelewich for their years of service. There was a discussion on having a citation not a resolution.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 9:25p.m., seconded by Mr. Dabinett. All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk