

**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
March 28, 2017**

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. Snyder, and Mayor Giordano.

Absent: Mr. Skellenger (arrived at 7:10PM)

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."

PRESENTATIONS

At this time, Mayor Giordano introduced of Congressman Gottheimer's Director of Constituency Engagement Mike DeVilliers.

Mr. DeVilliers thanked the Mayor and Councilmembers for inviting the Congressman's Staff into the community tonight. Mr. DeVilliers commented our purpose for being here is to listen, get to learn a little bit about your community and see how we can help. Also, when you are dealing with the Federal Government there is a lot of confusing parts. Mr. DeVilliers will be in the back talking with any constituent that has any issues. Some examples would be if you are having trouble getting a passport, copies of a tax return or department of Veterans Affairs, Social Security or medicare issues are some examples of things we can help you with. Also, if you would like you can let them know your thoughts of what is going on currently in DC, and what you would like to see happen in the future, we will be here to listen. There was a discussion on grants Congressman Gottheimer's office can help with.

At this time, the Franklin Borough Elementary School Students presented their "Future City" presentation to the Governing Body. Ms. Fedynich, Teacher and the following students stepped forward Michael Amore, Anthony Ciappara, Paige Hannon, Joseph Majewski, Marcus White and Jadon Wilhelm. Ms. Fedynich explained the program the group of students and teacher competed in this past January called "Future City" at Rutgers; we went up against around 72 schools and all of these schools are from all over the State of New Jersey. Ms. Fedynich explained the students were required to do several elements one was to design and create a future city on the computer, from there they designed a slide show, after that they then had to write an essay or story about the Future City solving problems and explained. The Students presented their presentation to Council and Public.

Ms. Fedynich thanked the Mayor and Council for inviting them. Two volunteers who helped the students with the project where introduced; Charlie Porter and Walter Cramp who were then recognized. Mrs. McHose presented the teacher a certificate for the classroom and certificates to each student. The Council asked the students questions regarding their project.

COMMITTEE REPORTS

Mr. Limon reported since the last meeting we did not have a recreation meeting therefore the next recreation will be April 13th. Mr. Limon reminded everyone April 15th is the fishing contest at the Pond and April 22nd is the Senior Spring Fling.

Mr. Dabinett reported the public utility committee didn't have a meeting this past Thursday night, today Mr. VanDenBroek and Mike Vreeland our engineer [for water and sewer] met with MBA contractors, they are the people that are going to come in and write the bid specs for the water tank painting, they were on site, did a walk

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around, that is in progress at this point. The rest is on Mrs. McHose' reports. There was a brief discussion on the water tank.

Mr. Snyder commented he has no report but he would like to call for an executive session to go over the Ogdensburg shared service updated information.

Mr. Rathbun commented he has nothing new to report.

Mr. Skellenger commented he has nothing new to report.

Ms. Fantasia reported the joint EDC meeting is scheduled for Holy Thursday so Mrs. McHose has reached out to Hardyston to see if they have any desire to switch that meeting scheduled for April 13th. Ms. Fantasia reported on the Planning Board meeting this week. Mr. Nelson gave a presentation to the Planning Board; it was the recommendation of the Planning Board that we consider a revised plan and explained. Ms. Fantasia commented as far as the finance committee it has been fairly quiet, we are off to a strong start, Mrs. Miebach has sent us an updated report; focusing on our consulting fees as of the end of March, which is something we are monitoring and watching closely. Ms. Fantasia commented she spoke to Mr. Knutelsky regarding the TAP grant, he told her currently there is no decision on it but it is actually being reviewed right now. Ms. Fantasia commented Mrs. McHose had contacted Congressman Frelinghuysen at his office because he chairs the finance committee for that and also Senator Oroho because he may be able to assist us with Federal Funding that is administered through NJDOT.

Mrs. McHose commented today Mrs. Miebach, CFO/QPA and herself met with a phone technician who has helped us before with work inside the building to discuss the damage that was done with the power outage back in February. He found out that one of the panels was shot but he was able to move the lines to an additional panel. Because we have eliminated some phone lines in the building we are ok but it is on its last leg. What we are doing now is discussing potential steps, he suggested we review our phone lines and explained.

Mayor Giordano asked did the technician think that panel was damaged because of the power surge maybe we can call the insurance company.

Mrs. McHose explained we were asked by the Department of Community Affairs as part of the final addendum to their report; they wanted to have a survey of every single property between Hudson Street and Borough Hall and they wanted a report on what is occupied and what is vacant. Mrs. McHose commented she is putting that together and will get that information to them.

Mrs. McHose commented she met with Mr. Knutelsky regarding the installation of the new pipe under the Wildcat Road S curve, this work will begin in April, we anticipate this work will be requiring road closure to be done during the week of April 17th, which is when the schools will be closed. Mrs. McHose commented the preconstruction meeting will be held next week for the paving of Main Street; we anticipate that work will be begin the end of April with the first part of the Main Street improvements to be curb cuts and sidewalk improvements.

Mrs. McHose commented the police promotion interviews will begin next week. For the publics' concern, we are down a Sergeant for several years because we had an injury and retirement.

Mr. Prol commented he had nothing to report but would like to request an executive session discussion regarding the Hungarian Church issue.

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Mayor Giordano commented he got confirmation the police department has applied for a grant and they did receive the grant. Sgt Geddis has been one hundred percent successful this year. Mrs. McHose and himself are working on a few residents' concerns and will update the Council when we have some type of resolution. It has to do with some curbing, sidewalks nothing big.

Mayor Giordano commented we introduced the budget last meeting, we held the line our budgeting hearing is April 25.

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.

George Stafford, 16 Kitchell Ave. Wharton, stepped forward. Mr. Stafford commented he is here representing NJ Highlands Coalition, also the Association of Environmental Commissions and an outfit called Keep It Green which is a State wide advisory group for open space. Mr. Stafford commented he has a couple of resolutions he would like the Mayor and Council to consider at a future meeting. Mr. Stafford explained the resolutions, the concerns on water and how much we are using, the increase in population and open space.

Mayor Giordano commented he will work on deciding whether we put these on or not, obviously, the Council can say yes or no.

Renee Hennings, 21 Taylor Road, Franklin, stepped forward. Mrs. Hennings commented she is interested in developing a community garden in Franklin, she is looking for property to use for the community garden.

Alison McHose, 76 Buckwheat Road, Borough Administrator commented she met with Mrs. Hennings this week in her capacity as Administrator and explained when she lived in Maryland there was a community garden. Mrs. McHose commented it is an interesting concept and if the Mayor and Council would authorize her to help Mrs. Hennings with this project.

Mrs. Hennings commented the two properties she is interested in is the Hungarian Church property and next to the Library, she is wondering if they have access to water.

There was a discussion regarding a location, having a farmer's market in conjunction with this project, raised beds, part of a grant we are being considered for is health and wellness this would tie into that, maybe a location down by the Senior Center and having more than one location.

Emily Bazelewich, Mill Street, Franklin, stepped forward. Mrs. Bazelewich commented on the community garden and several years ago Rutgers putting plants in down by the Senior Center. That would be a perfect location. Mrs. Bazelewich asked about the Main Street Paving. There was a brief discussion on the sidewalks and paving.

Mike Raperto, 13 South Street, Franklin, stepped forward. Mr. Raperto asked if there was any progress on reinforced grass he was asking about. Mrs. McHose commented he has to come in and talk to Joe Drossel [Zoning Officer].

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. Skellenger. All were in favor.

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CONSENT AGENDA

Mayor Giordano requested that all person's 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 March 10, 2017, from Robin Hough, Borough Clerk regarding 2017 dog license renewals.
2. Letter dated March 20, 2017 from Jennifer Giordano, Chairwoman of Recreation Commission to Mayor and Council, Code of Conduct for field use. (Note: A copy of the Franklin Borough Recreation Commission Code of Conduct Policy Revised March 9, 2017, provide in the Mayor and Council consent agenda packets.)

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court report for February, 2017.
2. Health Department report for February, 2017.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of March 28, 2017.

Mr. Rathbun made a motion to approve the consent agenda of March 28, 2017. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Ms. Fantasia asked Mrs. McHose if we ever give any guidance regarding the signs for the Dance Studio by the Bagel Tree. Mrs. McHose commented the issue is the gym, the dance studio and the Bagel Tree are not on that monument sign. Mrs. McHose explained she spoke to the Zoning Officer and Planner, they have approval for only the slots that are there, it would require the owner of the mall to come with a variance. She has to pass that information on to the owner, the last we heard he was not interested in coming forward for a variance.

There was a discussion on signs and the sign ordinance, sandwich board signs, signs on a PVC pipe like a flag and an easement for that property.

NEW BUSINESS

Approval of the Minutes

Mr. Limon made a motion to approve the regular meeting minutes and executive session meeting minutes for March 16, 2017. (Absent: None) Seconded by Mr. Dabinett.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2017-33

Mr. Limon made a motion to adopt resolution 2017-33 designating Alison L. McHose, Borough Administrator as the Public Agency Compliance Officer (P.A.C.O.).

Mrs. McHose explained the resolution. There was a brief discussion on the duties of the Public Agency Compliance Officer.

Seconded by Mr. Dabinett.

Upon roll call vote:

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

Adoption of Ordinance 02-2017

Mr. Limon made a motion to adopt Ordinance 02-2017 "CALENDAR YEAR 2017 ORDINANCE 02-2017 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) Seconded by Mr. Snyder

Prior to final roll call Mayor Giordano opened the meeting to the public for any comments regarding ordinance 02-2017.

Mr. Limon made a motion to open to the public ordinance 02-2017. Seconded by Mr. Dabinett. All were in favor.

No one from the public stepped forward.

Mr. Rathbun made a motion to close to the public ordinance 02-2017. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Adoption of Ordinance 03-2017

Mr. Limon made a motion to adopt ordinance 03-2017 "AN ORDINANCE AMENDING CHAPTER 119 "GENERAL FEES," CODE OF THE BOROUGH OF FRANKLIN 119-4. (Note: Land Use Fees) Seconded by Mr. Rathbun.

Prior to final roll call Mayor Giordano opened the meeting to the public for any comments regarding ordinance 03-2017.

Mr. Skellenger made a motion to open to the public ordinance 03-2017. Seconded by Mr. Rathbun. All were in favor.

No one from the public stepped forward.

Mr. Rathbun made a motion to close to the public ordinance 03-2017. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Adoption of Ordinance 04-2017

Mr. Rathbun made a motion to adopt ordinance 04-2017 "AN ORDINANCE AMENDING CHAPTER 119 "GENERAL FEES," CODE OF THE BOROUGH OF FRANKLIN 119-4. (Note: Recreation field Use Fees)

Mayor Giordano explained the ordinance.

Seconded by Ms. Fantasia.

Prior to final roll call Mayor Giordano opened the meeting to the public for any comments regarding ordinance 04-2017.

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Mr. Skellenger made a motion to open to the public ordinance 04-2017. 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 04-2017. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Rathbun, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

Adoption of Ordinance 05-2017

Mr. Rathbun made a motion to adopt ordinance 05-2017 "AN ORDINANCE AMENDING THE "FEE" ORDINANCE AS IT RELATES TO CHAPTER 176 "MOBILE HOMES" AND AMENDING CHAPTER 176 THE "MOBILE HOME ORDINANCE" Seconded by Mr. Dabinett.

Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding ordinance 05-2017.

Mr. Skellenger made a motion to open to the public ordinance 05-2017. Seconded by Mr. Rathbun. All were in favor.

No one from the public stepped forward.

Mr. Rathbun made a motion to close to the public ordinance 05-2017. Seconded by Mr. Skellenger. All were in favor.

Mr. Dabinett explained the ordinance, the fees have not been looked at in approximately 11 years and with the increase it should bring in a little over twenty-five thousand a year for the Borough.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2017-34

Mr. Rathbun made a motion to adopt resolution 2017-34 amendment to the current fund temporary 2017 budget NJSA 40A:4-19.1. Seconded by Mr. Dabinett.

Mayor Giordano explained the resolution.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

Mr. Prol commented he looked up the sign ordinance [on the IPad] and read parts of the sign ordinance. There was a discussion on the ordinance.

In accordance with the provisions of the Open Public Meetings Act, Mr. Skellenger made a motion to adjourn into closed executive session to discuss Hungarian Church, Ogdensburg Court Shared Service Agreement and grant writers. Motion seconded by Mr. Rathbun. All were in favor.

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Mr. Prol commented we may be taking action when we come out of executive session.

After meeting in closed session, the Governing Body returned to their seats at 9:10p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

Mr. Dabinett made a motion to return from executive session. Seconded by Mr. Skellenger. All were in favor.

Mr. Prol commented he would like to request a motion to authorize the filing of a [quiet] title on the Hungarian Church property with respect to a mortgage that is on the property that we feel is not properly filed and needs to be removed. That is against the bank.

Mr. Skellenger made the motion. Seconded by Ms. Fantasia

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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.

Mike Raperto, 13 South Street, Franklin, stepped forward. Mr. Raperto asked if there was any progress on the Hospital property site yet. Mayor Giordano explained that was a topic of discussion in the Planning Board report and explained.

Judy Williams, 279 Wildcat Road, Franklin, stepped forward. Mrs. Williams commented earlier this evening you were talking about the community gardens and the Heritage Center/Hungarian Church property was mentioned as a possible site. Mrs. Williams explained some of the trees that are planted there are not only for landscaping purposes but are in memory or honor of an individual. Mrs. Williams gave some examples and information on having a community garden. There was a discussion on the trees, soil and garden.

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

MISCELLANEOUS COMMENTS

Mr. Skellenger commented with the community garden we might be able to utilize the Sussex County Open Space Program if there was a piece of property in town that can be purchased.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Ms. Fantasia made a motion to adjourn the meeting at 9:20p.m., seconded by Mr. Skellenger. All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk