

**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  
May 9, 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. 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 he would like change the agenda up a little. We are going to go to agenda item #9 which is a discussion on naming streets.

Discussion on Standards for Naming Streets.

Mr. Dabinett commented we had received from Franklin Meadows Condominium Association a request to change the name of Independence Lane to Dina Way in recognition of Dina Arrigo Wyckoff. Mr. Dabinett commented Dina Drive is fine.

Mr. Dabinett commented he would make that motion [to change Independence Lane to Dina Drive.]

Mayor Giordano commented let's have a discussion about this, for the record this was brought to the Mayor and Council as a request by the Condominium Association. This has no effect on any residents, it [Independence Lane] only has the Club House for Franklin Meadows as the only address that is actually on that road. Mrs. Arrigo had done a fantastic job over the years with Franklin Meadows, her daughter passed away, we all shared her grief. Mayor Giordano commented he thinks this is a very nice gesture.

Mayor Giordano commented the discussion is for standards on naming streets, he is 100% behind this, and after we do this we will see if we get a second and vote. Mayor Giordano commented we have some developments coming it; he would like to form a subcommittee, there are some veterans killed in action in Franklin and do not have their name [for a street]. Mayor Giordano commented this is wonderful and glad we can do this for Dina, but he would like to have a subcommittee to make sure the [roads in] developments have Franklin [veterans] names.

Ms. Fantasia commented she agrees, she thinks this case is unique because there is no residential impact, it is a perfect setting for moving forward without it being referred to a subcommittee.

Mr. Rathbun commented he thinks it is a beautiful dedication for someone that did a lot for the town.

Mr. Limon commented he is all for it.

Mayor Giordano commented we have a motion.

Motion seconded by Ms. Fantasia.

Mayor Giordano commented we will do a roll call vote to change Independence Lane to Dina Drive.

Upon roll call vote:

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

Donna Arrigo, Franklin, stepped forward. Mrs. Arrigo commented Dina loved this town, she grew up here, we were one of the first in Franklin Meadows, we didn't even have paved roads we had no mailboxes no street lights. Dina loved this town and she fought hard, she was dedicated she worked for everything there was in this town, she encouraged the kids and she coached the kids for cheerleading. Mrs. Arrigo commented she doesn't have anything but her memory and the people in her development brought this to us and we brought it to you and thank you. But you need to remember those veterans, you need to remember.

There was a discussion on naming streets after veterans, there are three veterans the Mayor is aware of, notifying the Planning Board of the names and other dedicated citizens to have streets named after.

**COMMITTEE REPORTS**

Mr. Limon reported Mrs. McHose has updates for the meter reader. Mr. Limon commented for recreation there is a recreation meeting this Thursday, at 7:00. The pageant is May 20<sup>th</sup>, and the deadline is May 13 and there are no applicants for Miss Franklin.

Mayor Giordano commented please spread the word because he would like to have a Miss Franklin at the [Farm and Horse Show].

Mr. Dabinett reported the public utility committee did not meet on Thursday. Mr. Dabinett commented he was speaking with Mr. Knutelsky, Borough Engineer, the road contractor was in on Monday and he believed they are going to start the sidewalks.

Mr. Snyder reported on buildings and grounds. There is a resolution 2017-43 to replace the two condensers in this particular building.

Mr. Rathbun had nothing to report.

Mr. Skellenger had nothing to report.

Ms. Fantasia commented we have a meeting of the Planning Board on Monday, May 15 at 7:30, we also have an EDC meeting this Thursday May 11, starting at 7:00PM. A reminder to subcommittees; Finance committee capital budget meeting is on May 16, we request any information that you would like reviewed by the finance committee please have it to us at that time. Our CFO has been very active keeping us updated. We want to get a leg up on any delinquent water accounts, that is one of our priorities this year. We would like to discuss a way to handle landlords of residential properties when not paying on a timely fashion to hold them a little more accountable.

Mrs. McHose thanked the DPW for their beautification work for spring cleanup including the improvements to Mitchel Park. She is working on the phone line issue at the police station and explained. Mrs. McHose commented she and Chief McInerney was visited today by two friends of the young boy from Franklin Meadows who tragically passed away on Sunday and they requested to do a gathering this weekend at the pond and explained. Mrs. McHose commented Friday of this week there are going to start working on the curb improvements all along Main Street from Rutherford to Church Street, the contractor had requested to store some of their equipment and maybe some material on the grass next to the Hungarian Church.

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Mayor Giordano asked if any Councilmembers had a problem with that.

Mr. Dabinett commented it was brought up at a prior Council meeting there are some trees there [the contractor needs to be careful of when storing the equipment].

Mrs. McHose commented she will pass that on to Mr. Knutelsky. Mrs. McHose commented the DPW has priced renting a street sweeper and explained. This would save money and have the Borough employee's do this. Mrs. McHose commented we did do interviews for the meter reader position, she hopes to have a personnel meeting before the next Council meeting so they can make a recommendation for the May 23, meeting. Also, in personnel she got noticed today but not yet in writing that we are losing our Deputy Court Administrator. We will go forward with that process and explained.

Mr. Prol, Esq. reported today he received back the recorded developer's agreement for Advance Auto. Mr. Prol commented he has the deeds for Councilman Dabinett to sign in his capacity as Council President. In addition, there is going to be a couple minor things he needs to do to memorialize Dina Drive, some amendments to the maps and stuff that goes on with County and such. I'll take care of that and follow up with everything on that. Mr. Prol commented he is also requesting a moment in executive session to discuss the arrangement were the police are training at the Rifle Range and just discuss some progress being made there. Mr. Prol commented we received the Discharge of Mortgage on the Hungarian Church property and explained.

Mayor Giordano reported this past Saturday he and Councilwoman Fantasia met with a representative from Congressman Gottheimer's office, he has agreed to push the TAP grant for us we now have two congressmen getting letters of support, we have Senators and Mrs. McHose that are pushing, we have done a resolution we lined everything up as good as we could and explained.

**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. Rathbun. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina asked the Mayor if he was going to open the meeting to the public on resolution 2017-41, that is the awarding of raises for non-contractual employees.

Mayor Giordano commented we can do that if you would like. Absolutely if the Council agrees to it.

Mr. Durina asked is the Council going to agree to it, if not I will talk about it now.

George Frizzell, one of the owners of Hillside Estates, stepped forward. Mr. Frizzell commented everyone received documentation from him, what we want to do is square this away, with the Municipal Service fee and rent control.

Mayor Giordano asked Mr. Frizzell if he was available for a meeting on Thursday. Mr. Frizzell commented he already confirmed this meeting. Mayor Giordano commented we will go over this on Thursday. There was a brief discussion.

Joanne Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka commented on the apartments proposed on Rte. 517 and the overabundance of students. Mayor Giordano explained and explained the School attendance. Mrs. Tatka asked if Tom Garrera retired yet. Mrs. Tatka asked how much police overtime was there in 2016. Monica Miebach, CFO explained to look at the budget on the website you can get that information.

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Mrs. Tatka asked about the sergeant promotion was that made yet. Mayor Giordano explained where the Borough was with the process. Mrs. Tatka asked if the DPW had a secretary. Mayor Giordano explained. There was a discussion back and forth with the Mayor and Mrs. Tatka. Mrs. Tatka asked how much does the Franklin House pay in taxes and explained why she was asking. Mrs. Tatka asked about having the Freeholder meeting in Franklin. Mrs. Tatka asked about the resignation of the Deputy Court Administrator. Mayor Giordano explained.

Stephan Zydon, Rutherford Ave, Franklin, stepped forward. Mr. Zydon commented think about the [street] sweeper and explained why and his experience with those machines. There was a discussion back and forth between the Mayor and Mr. Zydon.

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. Snyder. 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 received April 21, 2017, from Yut'se O. Thomas, Director, Office of School Facilities & Finance, NJ Department of Education Re: 2017-2018 Municipal Percentage Shares for Tax Levies for Regional School Districts and Districts Merged Pursuant to P.L. 2009, c.78.
2. Letter dated April 24, 2017, from Melissa Rockwell, Sussex County Tax Administrator, Re: Final Equalization Table.
3. Letter dated April 25, 2017, from Patrick J. Sinwich, Communications Officer, Bureau of Communications and Response Services, NJDEP, to Health Officer and Borough Clerk Re: Suspected Hazardous Substance Discharge Notification.
4. Letter dated April 28, 2017, from Patrick J. Sinwich, Communications Officer, Bureau of Communications and Response Services, NJDEP, to Health Officer and Borough Clerk Re: Suspected Hazardous Substance Discharge Notification.
5. Email received May 2, 2017, from Aimee Maul, County of Sussex, Office of Public Health Nursing, to Mayor and Board of Health Secretary, Re: Activity Report for April, 2017.
6. Letter dated April 28, 2017, from Thomas H. Prol, Esq. to Renee Hennings. Re: LCR "Change the World" Donation for Franklin Borough Community Garden.
7. Letter dated May 2, 2017, from William J. Sabo, Business Administrator/Board Secretary, Franklin School District to Robin Hough, Municipal Clerk, Re: signed Certificate and Report of School Taxes for the FY 2017-2018 school year.

**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Zoning Officer report for April, 2017.
2. Tax Department report for April, 2017.
3. Health Department report for March, 2017.
4. Construction Activity report for April, 2017.
5. Construction report for April, 2017.
6. COH report for April, 2017.
7. Health Department report for April, 2017.

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. Application for Peddler/Solicitor permit for Juan Zerna, 325 Main St. Ogdensburg, NJ, for the sale of ice cream.

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING):

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1. Payment of bills for the meeting of May 9, 2017.

Mr. Limon made a motion to approve the consent agenda of May 9, 2017.  
Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

Mr. Snyder commented on the LOSAP program we had talked about the Length of Service Award Program several times. He and Councilwoman Fantasia have been talking with regards to this, we wanted to speak about it because we need to have resolutions before the August meeting for the ballot in November, to see if we want to put it on the ballot or not. Mr. Snyder explained information needed for this, how many members on the Fire Department and First Aid Squad. Mr. Snyder explained the importance of volunteerism. Mr. Snyder commented we would like to do a presentation on the saving cost if we didn't have the volunteers and went to full time. We will try to present that at the next Council meeting. Mr. Snyder commented he has been trying to do this for a lot of years, it would be good for the town to get involved.

Ms. Fantasia commented when we go into committees it kind of lands in two committees, public safety because it is our emergency responders and it is also finance. We looked at it from a finance standpoint, the media is we feel like there needs to be an education campaign and this is perfect if we agree as a Council this goes to the residence for a vote. So again, it is important we do our diligence; research it and decide collectively but she knows both herself and Councilman Snyder are in favor of putting it up to the taxpayer to see how they feel about it in November.

Mayor Giordano commented he agrees with you 100% with LOSAP, he thinks it is a great idea, and pointed out some key points with volunteerism. Mayor Giordano asked can you bring something for us to the next meeting to start the process so maybe by June we can finalize it.

Ms. Fantasia commented what we had talked about was having a general presentation and we actually have a very nice framework and resolution from Hardyston, our relationship with Hardyston is very positive, it's been very good and they were willing to share with us their primaries as a guide line as we decided what we think is appropriate for our level and number of volunteers. By next meeting we can do a short presentation and share those sample documents.

There was a discussion on a presentation.

Ms. Fantasia commented on a subject that Tom Prol had shared with us regarding impact fees and development approval. The subject came up in public session if a developer would improve the school and so on. In 2005, Franklin Borough School had an enrollment of over 600 students and over the past three years has not broken 458, it has been 458, 456 and last year 457. So, in twelve years we have lost easily 150 students from the school. For a building capacity, our schools have held over 600 students as far back as 2005. Regarding off track improvement under Municipal Land Law, this is going to be a very robust time here in the Borough and she thinks it is important that we have a clear understanding that there are strict limits on what off tract impact fees a land use board can impose and what applicants can offer as a condition of a subdivision. Ms. Fantasia commented there are strict parameters and there is a statue for it and explained and gave an example.

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Mr. Snyder asked about the poles leaning down on Franklin Ave. he had asked about them at the last meeting. Mrs. McHose is looking into this.

**NEW BUSINESS**

**Approval of the Minutes dated April 11, 2017**

Mr. Rathbun read the motion to approve the regular meeting minutes and executive session meeting minutes for April 11, 2017. (Absent: Mr. Rathbun arrived during executive session) Note: Minutes were tabled at the April 25, 2017 meeting.

Mayor Giordano commented we tabled the minutes at the last meeting because there were some things that the Council members didn't agree with. We agreed to talk about them at this meeting. Mayor Giordano asked if the Council was good with the minutes [now].

Mr. Snyder made a motion to approve the minutes, [Mr. Rathbun was not present at for most of the April 11, 2017, meeting.] Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Skellenger, Snyder, Dabinett, Fantasia, Limon

Nays: None Absent: None Abstentions: Rathbun

**Approval of the Minutes dated April 25, 2017**

Mr. Rathbun read a motion is in order to approve the regular meeting minutes for April 25, 2017. (Absent: Mr. Rathbun.)

Mr. Snyder made the motion to approve the regular meeting minutes for April 25, 2017. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Skellenger, Snyder, Dabinett, Fantasia, Limon

Nays: None Absent: None Abstentions: Rathbun

**Adoption of Ordinance 06-2017**

Mr. Rathbun made a motion to adopt Ordinance 06-2017 "AN ORDINANCE MODIFYING AND AMENDING THAT SPECIFIC PORTION OF THE FRANKLIN BOROUGH ORDINANCES PERTAINING TO FEES FOR LIQUOR LICENSES AT CHAPTER 119 "GENERAL FEES," CODE OF THE BOROUGH OF FRANKLIN 119-4. Seconded by Mr. Dabinett.

**Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding ordinance 06-2017.**

Mr. Snyder made a motion to open to the public ordinance 06-2017. Seconded by Mr. Skellenger. All were in favor.

There wasn't a copy of the ordinance in the back of the room. Mayor Giordano commented he has extra copies if anyone would like to review it. Mr. Prol commented we are making two simple amendments, liquor license Plenary Retail Consumption License previously was \$1,045.00 if the Council adopts this tonight it would move to \$1,254.00 which is the statutory maximum it can be raised in a year. The Plenary Retail Distribution license previously was \$550.00 if the Council adopts and approves this ordinance it would raise it to \$660.00. Mr. Prol asked Robin Hough, Clerk to explain the liquor licenses in the Borough. Ms. Hough explained the different licenses, club, distribution and consumption. With 14 licenses total for the Borough. Mr. Prol asked Mrs. Tatka if she was ok this this. Mrs. Tatka commented thank you very much.

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Mayor Giordano commented if anyone has any objections he has a copy here and we will delay moving on this to the end of the meeting.

There was a brief discussion on the ordinance.

Mr. Skellenger made a motion to close to the public ordinance 06-2017. Seconded by Mr. Rathbun. All were in favor.

Upon roll call vote on ordinance 06-2017:  
Ayes: Rathbun, Skellenger, Snyder, Dabinett, Fantasia  
Nays: Limon Absent: None Abstentions: None

Adoption of Ordinance 07-2017

Mr. Limon made a motion to adopt Ordinance 07-2017 "AN ORDINANCE SETTING THE RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY." Seconded by Mr. Rathbun.

Mayor Giordano explained the ordinance.

**Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding ordinance 07-2017.**

Mr. Skellenger made a motion to open to the public ordinance 07-2017. Seconded by Mr. Rathbun. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina asked is there any changes in the ranges. Monica Miebach, CFO commented from 2016 to 2017 none. Mr. Durina questioned the need for the ordinance and read part of the ordinance.

There was a discussion on whether the ordinance was needed and if it was a requirement for best practices. Mrs. Miebach commented it is a requirement because one year we didn't pass it and we were told we had to even though the ranges didn't change, that was our legal advice a number of years ago.

Joanne Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka commented she questions this ordinance because you have a minimum and a maximum and explained.

Mr. Rathbun made a motion to close to the public ordinance 07-2017. Seconded by Ms. Fantasia. All were in favor.

Mr. Prol commented this is drafted by the CFO, he doesn't see a problem in passing this, if it is the Council's intent to have these salary ranges for these positions then this would be something to adopt.

Ms. Fantasia commented she thinks the question is, is the language in our ordinance that says unless there is a change this will stay in effect. Does that constitute or meet the yearly requirements by the State, because our CFO stated the one year that we didn't adhere to the ordinance language we were notified by the State that we had to do this? That is the question.

There was a discussion on the ordinance.

Upon roll call vote on ordinance 07-2017:  
Ayes: Rathbun, Skellenger, Snyder, Dabinett, Fantasia, Limon

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Nays: None Absent: None Abstentions: None

Resolution 2017- 41

Mr. Limon made a motion to adopt resolution 2017-41 awarding raises for non-contract employees. Seconded by Mr. Snyder.

Mr. Limon explained the resolution as personnel chairman.

There was a discussion on the number of non-contract employees the Borough has. Mrs. Miebach commented to add up the number of employees on the resolution; you have to add the Clerk and Court Administrator their raises were already given this year.

Ms. Fantasia commented for the record they did not get a raise this year, let's get that on the record it was not considered a raise, we legally checked our situation with that so she would prefer you use the correct terminology.

Mayor Giordano commented the number is [approximately] 38 – 40.

**Mr. Rathbun made a motion to open to the public resolution 2017-41. Seconded by Mr. Skellenger. All were in favor.**

Mr. Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented first of all the 2%, he doesn't have a problem with anybody making less than \$50,000, two percent is fair. There are a few people a little hire, some of the ones that are making \$71,000 like the zoning officer could take a little bit less than two percent. But that is up to the Council. There are a lot of people sitting in the audience that this two percent is 7 times more than we got in social security this year. This is a nice time to make the tax payers first and he would like to see the Mayor and Council forgo their two percent raise.

John Postas, 356 Rutherford Ave, Franklin, stepped forward. Mr. Postas asked the two that are not on here that you did a salary amendment, how long have they been with the Borough.

Mayor Giordano commented the Court Administrator has worked for Franklin for over 20 years and Borough Clerk has worked for the Borough for 10 years.

Mr. Postas commented he noticed that previous salaries are not on here. Mayor Giordano commented one of the things he suggests we do in the future is to include the previous and new [salaries]. Anything that involves money changes should have the old amount and new amount.

Mr. Postas commented we [the public] would like to know what is being handed out with our tax payers dollars.

Ms. Fantasia commented we did have a meeting regarding what we did do for those two employees and those meeting minutes are public so you are free to see what the discussion was.

Mr. Postas commented minutes haven't been [posted].

Ms. Fantasia commented not executive session we are referring to regular session minutes.

Ms. Hough commented the minutes are all on the website.

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Mayor Giordano asked Monica on this type of resolution to have the previous and new amount listed.

**Mr. Limon made a motion to close to the public resolution 2017-41. Seconded by Ms. Fantasia. All were in favor.**

Ms. Fantasia commented Mr. Durina had requested the Council forgoing the two percent raise, as you know none of us that sit up here that this is our full-time job. Councilmembers making \$1,800 per year so certainly us forgoing the two percent certainly is not a make or break situation for us, if you broke down what we make per hour for the hours we work for any given year following taxes it's not a large sum of money, I have no problem forgoing the two percent raise for herself in the calendar year or moving forward. She was elected and didn't even realize she did get paid and explained. Ms. Fantasia commented she does stand behind when we do provide two percent raises and explained. Also, there have been years here in Franklin Borough where no raises were given under any circumstances. She wants to be clear that small incremental raises motivate employees preserve a culture and climate and if it is not impacting a raise in the taxes that is kind of what the finance committee did discuss and the personnel committee.

Mayor Giordano commented we can modify the motion to remove the Mayor and Council from any raise increase. Ms. Fantasia commented she doesn't want to speak for anyone else. Mayor Giordano commented he thinks that is a good gesture none of us do this for the money.

Mr. Snyder commented he has been on the Council for many years we have given employees two percent, there were times when we gave a zero percent raise and he was part of that. If it is tough time we do what we need to do putting the budget together and not give that two percent raise. He can sympathize with the tax payers [not getting] a decent percent for social security and such but if you have good employees as he mentioned this before to give them what he believes two percent is a fair salary raise that he has no problem in doing that.

Mr. Dabinett commented he concurs with Ms. Fantasia, he would be willing to give up the two percent.

Mr. Skellenger commented he has no problems forgoing the two percent, we have a motion on the floor for this so how do we amend that.

Mr. Dabinett commented he thinks any salary of fifty or sixty thousand dollars [doesn't] deserve a two percent raise, he can understand the people making smaller amounts, he would like to see that no raise or at minimum a one percent raise for people over a certain limit.

Ms. Fantasia asked Mr. Prol if there are any legal questions with that, with the legality of discrimination based upon title or current salary.

Mr. Prol commented he would have to look at this a little further, you do have the issue constitutional officers, I don't know if you want to get into bifurcating developing class of employees based on a raise.

Ms. Fantasia asked Mr. Prol is this something we can table or is there a time table to have this done.

There was a discussion on whether or not to table the resolution, starting performance reviews based on the employee start date.

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Mrs. McHose commented for the record the employees that we have in Franklin Borough do work very hard and she really feels they are deserving of this. If you get into a situation where you bifurcate or split the list it really will impact moral. We are a small work force within each of the departments that are not effected by contract and she suggests going forward with it. And also for the procedural side what the finance staff has to do with filing this information with Trenton it will also be helpful to have it done.

Mr. Prol commented this is just a general cost of living raise.

Mr. Durina commented as far as he is concerned each one of you is under contract by the people, you are under contract by us and explained. Mr. Durina commented he doesn't think you are entitled to a two percent cost of living.

Ms. Hough commented Mr. Limon made the motion and Mr. Snyder seconded.

Mr. Prol commented procedurally if there is a motion and a second on the floor then there needs to be a motion to amend the original motion.

Mr. Skellenger made a motion to amend the original motion to exclude the Mayor and Council [from resolution 2017-41 awarding of two percent raises.] Seconded by Mr. Dabinett.

Upon roll call vote to amend the original motion:

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

Nays: None Absent: None Abstentions: None

Upon roll call vote on the amended resolution 2017-41:

Ayes: Rathbun, Skellenger, Snyder, Fantasia, Limon

Nays: Dabinett Absent: None Abstentions: None

Resolution 2017-42

Mr. Snyder made a motion to adopt resolution 2017-42 authorizing the establishment of a "Dedication by Rider" to the budget of the Borough of Franklin for Road Opening Pursuant to N.J.S.A. 40A: 4-39. Seconded by Mr. Limon.

Mayor Giordano explained the resolution.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on the AT&T Lease

Mrs. McHose commented we were contacted by two different carriers AT & T and T-Mobile, apparently with the changes in technology and improvements on some of the antenna or capabilities, these large carriers are now coming to us and saying they want a reduction on their lease arrangement with us. Mr. Bolcato has been working with us and Mrs. Miebach, CFO, can go into more detail.

Mrs. Miebach commented a couple of weeks ago she met with the finance committee on this AT&T lease, it is up to Mayor and Council, Mr. Bolcato has been informed about the AT&T lease. Basically, they have a lease for ten years, with the option of three five year extensions. Their lease is located on Evans Street water tower. They're asking to come in at a lower rate and explained. Mrs. Miebach read an email from Mr. Bolcato explaining and his recommendation to go out to bid.

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Mayor Giordano commented you are asking the Council to modify the lease. Mrs. Miebach commented they want it modified and explained.

Mrs. McHose asked Mr. Prol before making a decision on whether to reduce the rent how does it work.

Mrs. Miebach commented Mr. Bolcato will do a formal response to the AT&T proposal.

There was a discussion on modifying the agreement, going out to bid, not having enough information to make a decision right now, refer it to the attorney to get additional information, AT & T and T-Mobile having old equipment and T-Mobile ten-year lease expires next week.

Introduction to Ordinance 08-2017

Mayor Giordano commented in lieu of the discussion with Mr. Frizzell on Thursday he would like to table item 8 [introduction to Ordinance 08-2017].

Ms. Fantasia asked if nobody reads it does it need to be tabled.

Mayor Giordano commented it is on the agenda we need to table it.

Mr. Prol commented you will have to table this in order to continue.

Mr. Skellenger made a motion to table Ordinance 08-2017 entitled "AN ORDINANCE AMENDING CHATER 176 "MOBILE HOMES", SECTION 176-22 "ADJUSTMENT OF UTILITY AND MUNICIPAL CHARGES". Seconded by Mr. Dabinett.

Mayor Giordano explained we will have the meeting, making the appropriate changes and have it for the next meeting.

Upon roll call vote to table ordinance 08-2017:

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

Nays: None Absent: None Abstentions: None

Mr. Prol commented this is tabled, the first reading will take place May 23.

Mayoral Appointments

Mr. Skellenger made a motion to confirm the following Mayoral Appointments:

**Recreation**

Alternate #1 5-year term (expires 12/31/2021) Rafael Burgos

Seconded by Mr. Dabinett.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Ms. Fantasia asked if she could bring up new business. Ms. Fantasia commented she received an email and had a phone conversation with Theresa Navarro former Giordano, she is the sister of Jeremy Giordano who was one of the victims in the 20<sup>th</sup> Anniversary that just past of the pizza murders. She also happens to be the cousin of Mayor Giordano, so this is why it is coming to her. Ms. Fantasia commented as we make plans on this the Mayor will not be directly involved. Ms. Navarro made a request that in honor of the 20-year anniversary that the property on Scott Road that is now owned by the Borough where the house was, that we have a

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conversation and entertain the possibility of having a memorial of some sort there on that piece of property. Ms. Fantasia commented she had discussed this with Mrs. McHose and with Councilman Snyder and she would like to refer this to Buildings and Grounds over the next couple of weeks to perhaps have discussion about what may or may not be suitable for that area. We will not have a public discussion right now on this, it is relatively new and respect for the Mayor, his wish is not to be directly involved in the process being that it is a relative. Ms. Fantasia commented she will request a letter from Theresa and her sister, that is more formalized as far as what they might be looking for.

Mr. Snyder commented if this is going to buildings and grounds we need to have another person from Council.

Mayor Giordano commented as chairman of buildings and grounds, you can choose or ask the person you want.

Mr. Snyder commented he is asking someone to step in.

Mr. Rathbun commented he will do it.

**ADDENDUM**

Resolution 2017-43

Mr. Skellenger made a motion to adopt resolution 2017-43 Authorization to repair an air handler and replace two condensers plus removal by Marrocco Cooling & Heating Inc. at the cost of \$14,894.87. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2017-44

Mr. Skellenger commented he will read the motion but he is not making the motion.

Mr. Skellenger read we need a motion to adopt resolution 2017-44 authorization to provide for street sweeping rental from W.E. Timmerman Equipment Co. in the amount of \$2,500 per week.

Mr. Rathbun made the motion to adopt resolution 2017-44.

There was a discussion on the resolution, street sweeping and the saving of renting the equipment and having the DPW doing the street sweeping, responsibility of the Borough on renting the machine maintenance and cleaning the rental during the week.

Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Rathbun, Snyder, Dabinett, Fantasia, Limon

Nays: None Absent: None Abstentions: Skellenger

**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 Franklin Rifle Range and Hungarian Church. Motion seconded by Mr. Rathbun. All were in favor.

- Franklin Rifle Range
- Hungarian Church

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After meeting in closed session, the Governing Body returned to their seats at 9:41p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

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

**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 Mr. Limon. All were in favor.

Mike Raperto, 13 South Street, Franklin, stepped forward. Mr. Raperto asked what happened with the outstanding water bill. Mrs. McHose explained. There was a discussion back and forth. Mr. Raperto asked about reaching out to the gas company for improvements before road paving. There was a discussion back and forth. Mr. Raperto asked about the street sweeping and costs. Mr. Raperto asked if the Council could move open public session before executive session. Mayor Giordano commented there is one in the beginning of the meeting, he will consider it. Mr. Raperto asked if there was any progress on his grass pavers. Mrs. McHose commented no. Mayor Giordano commented we should really look into this. There was a discussion.

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

**MISCELLANEOUS COMMENTS**

Mayor Giordano commented we all have the audit, look at it, this will be on for the next meeting.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 9:52p.m., seconded by Mr. Skellenger. All were in favor.

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Nicholas Giordano, Mayor

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Robin Hough, Borough Clerk