

**MINUTES OF THE MEETING OF THE  
MAYOR AND COUNCIL  
OF THE BOROUGH OF FRANKLIN  
HELD AT THE FRANKLIN MUNICIPAL BUILDING  
46 MAIN STREET, FRANKLIN, NJ  
July 11, 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 and Mayor Giordano.

Absent: Mr. Snyder

Mayor Giordano led the assembly in the flag salute.

Mayor Giordano stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, P.L. 1975, Ch. 231. It has been properly advertised and certified by the Clerk."

Mayor Giordano requested a motion to have the agreement for the Franklin Revolver and Rifle Association agreed to.

Mr. Skellenger made that motion [to approve the agreement between the Borough of Franklin and the Franklin Revolver and Rifle Association]. Seconded by Mr. Rathbun.

Mr. Prol explained the agreement.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: None

Mrs. Swingle representing the Franklin Revolver and Rifle Association and Chief of Police McInerney were present.

**COMMITTEE REPORTS**

Mr. Limon commented we had a personnel meeting, the search continues for a tax collector, we are happy with the fill in that we have now. We will have some more information at the next meeting. There were some other issues we talked about, personnel, which will hopefully be on the next meeting agenda.

Mayor Giordano commented we will have an executive session.

Mr. Limon commented Mrs. McHose will read the report for recreation

Mr. Dabinett commented we did not have a committee meeting this past week. We are pursuing the bid specs for painting of the water tank. Sterling Plaza pumping station pumps have been ordered. We have crews out every day patching pot holes and looking at the pavement. The portable generator we bought some months ago, we now have the ability to use that generator at the Borough garage on Corkhill Road and the South Street sewage pumping station. If you see the backhoe out by the sewer pumping station this is mandated by NJDEP, that we have to have fresh water station at each pumping station and explained.

Mr. Rathbun commented we had a public safety meeting, he has nothing to report on that now but in executive session.

Mr. Skellenger commented his committees have already reported.

Ms. Fantasia commented on the Planning Board; they met last Monday [Wednesday] unfortunately the Mayor and herself could not be present we recused ourselves due to the request for a variance [D] so we have no report we will leave

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that to the administrator. Ms. Fantasia commented on EDC, we met this Thursday, here at 7:00pm the meeting is open to the public.

Ms. Fantasia reported on the Finance Committee, she and Mr. Snyder have been working on the LOSAP project and is happy to say it is on the agenda tonight as you have received both of the point systems. The Fire Department met about it and she met here with Fire Chief Babcock. He had some questions about the general governance of LOSAP and Jennifer Henry from EMS was very good on communicating back and forth. Ms. Fantasia has also spoken with Bill Lanham. Ms. Fantasia commented after their meeting they sent her a draft [of the point system]. Ms. Fantasia explained how she worked with them for the final point system and thanked the clerk for her work on this as well. Ms. Fantasia commented she thinks this is fair and hopes the public supports it.

Ms. Fantasia commented we have our final tax rates out, Monica has shared the sheet with us and explained. For the average home in the Borough of Franklin assessed at \$174,734.00 the local school tax Franklin Borough School you will see an increase of \$81.93 on the tax bill, Walkkill Valley Regional High School \$18.98, County tax went up \$37.39 and Municipal tax which is what we are responsible for did not increase it stayed at zero. So, the average home taxes were increased \$138.31 for this year for a home assessed at \$174,734.00. Again, the Municipal portion what we are responsible for taxes did not increase.

Mrs. McHose reported the Change in Corporate Structure has been completed for the Franklin Grill and Tavern, the Council had previously approved the continuation of their liquor license that is going to be the new restaurant called Brick and Brew in the old Wok N Sushi building. The plan at this time, because it was just a corporate structure change it does not have to come to the Council again it was already approved [2017-2018 renewal], Robin has that paper work on file so we are all set. The owner is looking to do a soft opening sometime in August, we are not sure of a specific date, and explained improvements being done inside the building.

Mrs. McHose commented the signs are in for Dina's Way, which is the Independence Lane name change Mr. Prol is working on an ordinance to codify the change, we will have that shortly. Mrs. McHose commented she will work with the family for a date that is agreeable to everyone.

Mr. Dabinett commented he has seen those signs and they look great.

Mrs. McHose commented we are working on patching various roads in town. Mrs. McHose commented she is happy to report the AC improvement to the Borough Hall are all complete and explained the improvements.

Mrs. McHose reported on the Planning Board meeting. Mrs. McHose commented there was an application that was continued from the previous meeting it was for JCM Investors which is also Silk City. The two variances they requested were defeated and explained the variances and this property was purchased with prior approvals by the Planning Board from about 15 years ago. Mayor Giordano commented both were a result of a settlement with the Borough Council and the previous owner of the property. Mrs. McHose commented right now they can move forward with the development if they choose or they can potentially appeal the decision of the Planning Board on the zoning change.

Mrs. McHose reported on recreation. The Planning Board and Recreation secretary started yesterday. Mrs. McHose attended the recreation meeting last week for her. We have a lot of good things decided and explained the events coming up for Franklin residents, arts and crafts and movie nights. FOP might be sponsoring a

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soda machine at the pond and explained. There was a brief discussion on the events and the student that will be Mayor for the day.

Mr. Prol explained communications he has had with Dave Brady, Planning Board Attorney regarding the Master Plan, coordinating our ordinances so they are consistent with the Master Plan. Mr. Prol commented he will have an ordinance for the next meeting regarding road name changes and explained.

Mayor Giordano commented on a sad note the Cool Cow is closing and explained why. Mayor Giordano commented repairs on the Borough garage will be starting shortly and the change in the Face of Addition walk is August 5<sup>th</sup>. We have been monitoring the water at the pond and it hasn't looked to bad lately the water quality is getting reasonably close to wear we can swim in the pond again. He would ask the Council if we can have the pond water monitored once a week, with a regular monitoring schedule so if it does come to where we can swim again he would like to plan for a beach to be put in next year and explained.

Mayor Giordano commented we will have an executive session for police matters, personnel and Habitat negotiations.

**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 Ms. Fantasia. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented on a friend he visited on Newton Street, the condition of that Street and explained the condition of the street, holes and mosquitoes. There was a discussion back and forth regarding the mosquitoes and the condition of Newton Street.

Mr. Durina commented he has a question on ordinance 10-2017, he believes a couple months ago the plan was to gather the information, have a further discussion with the Council and public then put it on the ballot for a vote in November. Ms. Fantasia commented that is correct and explained the process. Mr. Durina asked if that will be open for discussion later on.

There was a discussion on the process of an ordinance.

Mr. Durina commented on the hours of Borough Hall for July 3<sup>rd</sup>.

Joann Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka asked what is the update on the Hungarian Church. Mayor Giordano explained. Mrs. Tatka asked about standards for naming streets in the future. Mr. Prol and Mayor Giordano explained. Mrs. Tatka commented Main Street looks great the parking spaces look great then asked if overnight parking was allowed. Mayor Giordano commented there is no sign that says there isn't. Mr. Dabinett commented he will introduce a change in the ordinance to make that two-hour parking to coincide with the rest of the parking on Main Street. Mrs. Tatka spoke about water spots and mosquitoes on a property down by her house. There was a discussion back and forth. Mrs. Tatka asked about a site plan for the Hospital Site and asked if that was all COAH. Mayor Giordano explained COAH. Mrs. Tatka asked if the fill in tax collector was a temp. Mayor Giordano commented yes. Mrs. Tatka commented plus you have the girl that is doing the salaries and pensions. Mayor Giordano commented correct that roll was divided off the previous tax collector duties. Mrs. Tatka spoke about a drink machine at the pond that FOP would like to have.

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Rachel Heath, 7 Hemlock Drive, Franklin, stepped forward. Mrs. Heath commented when they [the applicant] came before the Planning Board they were asking for a variance on the age restriction, in other words they didn't want to do 250 age restricted units. Mayor Giordano and Mrs. McHose explained the variances. Mrs. Heath commented what she is addressing is the opinion in the New Jersey Herald. Mrs. Heath spoke about the opinion article in the paper and read parts of the opinion. Mrs. Heath commented we should not sit back, why were these comments made at the Planning Board meeting. Mayor Giordano explained we were not able to attend the Planning Board meeting because of the type of variance it was. There was a discussion back and forth on the article, Planning Board meeting, comments made at the meeting and the decision. Mrs. Heath commented she wanted to have it on the record that she thinks that the [opinion article] was very offensive all this negativity and slander was the opinion of the New Jersey Herald.

Ms. Fantasia referenced the article and commented she interpreted it to be a bit of satire in there, and they were actually taking the comments from the public and Board and combining into something and almost turning it in hyperbole. By saying it was going to be silly with cats and dogs living together in mass hysteria. The piece in the Herald from her opinion was supportive of the Borough of Franklin that they felt the sentiment that Franklin was developable and was somewhere hopeful. Ms. Fantasia commented she was not offended by the NJ Herald per say, she didn't interpret it that way. Mr. Limon commented he felt the same way, this is a line from Ghost Buster, he understands how you [Mrs. Heath] read it that way but he read it as Ms. Fantasia read it. Ms. Fantasia added she is more concerned about comments made by elected officials and board members.

Mike Raperto, 13 South Street, Franklin, stepped forward. Mr. Raperto commented the paper did paint the development in a very bad light. They were actually high-end apartments which is the opposite of what was described in there. They are very nice apartments similar to the ones in Wantage. Mr. Raperto commented the paper is hurting this town on development that is going to come in and be good for us. Mr. Raperto asked if the laborer position mentioned at the last meeting was posted. Mr. Raperto asked if the house on 517 that suffered from fire damage has a habitat for humanity poster on it. Mayor Giordano commented correct, that was donated by the owner of the house.

Dawne Rowe, Munsonhurst Road, Franklin, stepped forward. Ms. Rowe commented she spoke at that meeting [Planning Board] and commented on the article and commented on comments made at the meeting, and the application.

Mayor Giordano asked the clerk to make CD's of the last two meetings of the Planning Board and put in the Council mailboxes.

Emily Bazelewich, 1 Mill Street, Franklin, stepped forward. Mrs. Bazelewich commented on needing more police on Main Street and explained kids on skateboards and bikes and commented on enforcing the law to make them wear their helmets. Mrs. Bazelewich spoke about the intersection by the video store [on Main Street] and explained the site distance when cars are parked there you can't see and suggested no parking signs from here to the corner. Mrs. Bazelewich spoke about the criteria for naming streets after veterans. Mayor Giordano explained. Mrs. Bazelewich commented on the mics. Mr. Dabinett commented he will check into the parking on Main Street.

Robert Allen, Jenkins Road, Franklin, stepped forward. Mr. Allen spoke about the Zinc Mine property. Mayor Giordano explained the property is subdivided and ready to go all he has to do is bring forward a plan. Mr. Allen spoke about having a frog race at the pond or maybe have Space Farms have a rattle snake race.

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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.

**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 June 26, 2017, from Helen Homeijer, R.N., B.S.N. Sussex County Senior Public Health Nurse to Alison McHose, Administrator Re: Annual Skin Cancer Screening.
2. Email dated June 30, 2017, from Edie Merkel, Township Clerk, Township of Clark, to New Jersey Municipal Clerks, Re: Affordable Housing and Police and Fire Contracts with resolutions 17-100 and 17-110 attached.
3. Montague Township resolution 2017-57 in support of Assembly Bill No. 4532/Senate Bill No. 3049 Amending the Open Public Records Law.
4. Email dated July, 5, 2017, from Aimee Maul, County of Sussex, Office of Public Health Nursing to Mayor and Board of Health Secretary, Re: Monthly Municipality Activity Report – June 2017.

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

1. Tax Collector report for June, 2017.
2. Construction Permit Activity report for June, 2017.
3. Construction report for June, 2017.
4. COH report for June, 2017.
5. Registrar quarterly report for April – June, 2017.

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

1. None filed.

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

1. Payment of bills for the meeting of July 11, 2017.

Mr. Limon made a motion to approve the consent agenda of July 11, 2017. Seconded by Mr. Rathbun.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: None

**OLD BUSINESS**

Member of the public apologizing for interrupting the meeting at this time and asked if under correspondence item 2 can be removed from the consent agenda so the public can comment on the item.

Mayor Giordano asked Mr. Limon to amend his motion.

Mr. Limon amended his motion. Mr. Rathbun amended his second.

Mayor Giordano asked for a roll call vote on the amended consent agenda with item number 2 [from correspondence removed].

Upon roll call vote on amended consent agenda:

Ayes: Fantasia, Limon, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: None

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**NEW BUSINESS**

Approval of the Minutes

Mr. Rathbun read a motion is in order to approve the regular meeting minutes and executive session meeting minutes for June 27, 2017. (Absent: Mr. Rathbun)

Mr. Limon made the motion to approve the regular minutes and executive session minutes. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Fantasia, Limon, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: Rathbun

Adoption of Ordinance 09-2017

Mr. Rathbun made a motion to adopt ordinance 09-2017 "BOND ORDINANCE APPROPRIATING \$623,846, AND AUTHORIZING THE ISSUANCE OF \$395,300 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY.

**Prior to final roll call, Mayor Giordano will open the meeting to the public for any comments regarding ordinance 09-2017.**

Seconded by Mr. Dabinett.

Ms. Fantasia asked if anyone had any questions for Mrs. Miebach, CFO, since she is here.

Mr. Skellenger made a motion to open to the public ordinance 09-2017. Seconded by Mr. Rathbun. All were in favor.

Mr. Durina from the public asked what was the ordinance. Mayor Giordano explained the bond ordinance. No other comment was made.

Mr. Skellenger made a motion to close to the public ordinance 09-2017. Seconded by Ms. Fantasia. All were in favor.

Upon roll call vote for ordinance 09-2017:

Ayes: Fantasia, Limon, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: None

Resolution 2017-52

Mr. Rathbun made a motion to adopt resolution 2017-52 amending the Capital Budget. Seconded by Mr. Limon.

Ms. Fantasia asked if Mrs. Miebach, CFO can give a brief explanation of the resolution.

Mrs. Miebach explained the resolution.

There was a brief discussion on the resolution.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: None

Resolution 2017-51

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Mr. Skellenger made a motion to adopt resolution 2017-51 authorizing the issuance of not exceeding \$2,520,440 Bond Anticipation Notes of the Borough of Franklin, Sussex County, New Jersey. Seconded by Mr. Limon.

Mrs. Miebach explained the resolution, Bonds and Bans.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: None

Introduction to Ordinance 10-2017

Mr. Skellenger made a motion to introduce ordinance 10-2017 entitled "AN ORDINANCE ESTABLISHING A LENGTH OF SERVICE AWARDS PROGRAM FOR MEMBERS OF THE BOROUGH OF FRANKLIN VOLUNTEER FIRE DEPARTMENT AND THE WALLKILL VALLEY FIRST AID SQUAD."

**Public Hearing will be held July 25, 2017.**

Seconded by Mr. Dabinett.

Mr. Skellenger made a motion to open to the public introduction to ordinance 10-2017. Seconded by Mr. Rathbun. All were in favor.

Mr. Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented this is long-time overdue for the First Aid Squad, he believes through the years we have taken very good care of the Fire Department and explained their death benefit and other benefits for members of the Fire Department. This is a good opportunity to raise the First Aid Squad up a little bit and explained. Mr. Durina commented on having more time to read the ordinance.

Mayor Giordano explained the administration of the program.

Mrs. Miebach explained the process for the LOSAP program and how it would be set up.

Mr. Durina questioned the amount of man hours to work on this program.

Mrs. Miebach wasn't sure of the amount of time this would take.

Mr. Durina asked when would he be able to pick up a copy of the ordinance. Mr. Durina asked to think about how you can elevate the First Aid Squad, which is long overdue.

Mayor Giordano commented the intent of this was really to thank the volunteers and also to try and attract more volunteers. There was a discussion back and forth on the program.

Ms. Fantasia commented as far as LOSAP goes, it is not a program we created, it is a State run/sanctioned program, we actually approached our first responders with this, this was something we were interested in doing last year and we actually missed the deadline to get it on the general election ballot. As you are all aware we did have a general information session available to the public, we had a meeting and the presentation is also available on the Borough website. The LOSAP ordinance together does not differ dollar amount for EMS vs. Fire Department. We have a single and minimal amount actually and explained the amounts and program. Ms. Fantasia commented on meeting the deadlines of our budget and State.

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Jennifer Henry and John Friend from EMS, stepped forward. Ms. Henry commented she knows there are other towns up here that have LOSAP. Ms. Henry gave an example of the program in Bergen County, they have had LOSAP for 15 years, it is working down there and explained. Ms. Henry commented we don't do this for the money we do it to help people. In the last two months, we have gotten eight new members that want to sign up and go to school which will take a burden off the five of us that are always running. We do it because we want to do it, LOSAP would help.

Mayor Giordano commented you were involved with this right from the start, we involved the First Aid Squad and the Fire Department with doing all the research and plans. Ms. Henry commented yes and she talked with the Chief too. Mayor Giordano commented both of the departments work on a different point structure so there is different amount of points and gave examples. There was a discussion on the difference in the point system for EMS and Fire Department. Ms. Henry commented the Fire Department has more intense drills because they have to practice going into a burning building and smoke field, we don't have to do that we have drills but it is more working with the Fire Department, how to get people out of cars. Mr. Friend commented there will be a drill with the fire department next Thursday at 7:00pm and explained.

The discussion continued on the LOSAP program.

Mr. Raperto, 13 South Street, Franklin, asked what the cost was for the town. Ms. Henry explained the continuing education for EMS.

Ms. Henry thanked the Mayor and Council for starting this. Ms. Henry also thanked the Mayor and Council for the new ambulance.

Mr. Dabinett commented we need to educate the public on this.

Mr. Skellenger made a motion to close to the public ordinance 10-2007. Seconded by Mr. Rathbun. All were in favor.

Upon roll call vote on the introduction of ordinance 10-2017:

Ayes: Fantasia, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: Limon

**ADDENDUM**

**Approval of New Jersey State Firemen's Association Membership Application**

Mr. Limon read a motion is in order to approve the application for membership of John B. Futcher III, 421 Rutherford Ave., Franklin to the Franklin Fire Department as recommended by Fred Babcock, Franklin Fire Department Chief.

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

Upon roll call vote:

Ayes: Fantasia, Rathbun, Skellenger, Dabinett

Nays: None Absent: Snyder Abstentions: Limon

**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, potential litigation, Habitat for Humanity, and fireworks Contract. Motion seconded by Ms. Fantasia. All were in favor.

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After meeting in closed session, the Governing Body returned to their seats at 11:05p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

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

**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.

No one from the public stepped forward.

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 Ms. Fantasia. All were in favor.

**MISCELLANEOUS COMMENTS**

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 11:06p.m., seconded by Mr. Limon. All were in favor.

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Nicholas Giordano, Mayor

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Robin Hough, Borough Clerk