

**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 25, 2017**

Joseph Majewski, Franklin Borough Student, 2017 Mayor for the day, called the meeting to order and asked everyone to salute the flag.

Mayor Giordano commented one of the fun parts of being Mayor is we had a contest to pick a student from the school to be the Mayor for the day; Mr. Majewski is our winner. Therefore, Acting Mayor for the day Majewski will be doing the agenda for tonight with the assistance of Mayor Giordano.

Mr. Majewski requested the Borough Clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Mr. Dabinett, Ms. Fantasia, Mr. Limon, Mr. Skellenger, Mr. Snyder, Mayor Giordano and Mayor Joseph Majewski.

Absent: Mr. Rathbun (Arrived approximately 7:30)

PRESENTATIONS

At this time Mayor Giordano read Joseph Majewski's biography written by his mother.

Mr. Prol commented the Mayor for a day cannot assume his duties until he is administered the Oath of office.

Ms. Hough, Borough Clerk administered the Oath of Allegiance to Joseph Majewski as the 2017 Mayor for the day.

Mayor Giordano read and presented a plaque to Mr. Joseph Majewski as the 2017 Mayor for the day.

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

COMMITTEE REPORTS

Mr. Limon reported on personnel, we had a meeting, and made a unanimous decision that we would like to authorize the administrator to re- advertise for the tax collector/water sewer collector position due to a low number of qualified candidates. That is our recommendation. Mayor Giordano asked if everyone was ok with that.

Mr. Dabinett reported on public utilities, due to the Mayor and Council special meeting last Thursday public utilities did not have a meeting. Mr. Dabinett commented our road crew has been very busy, patching the road filling pot holes and all other projects are moving forward. There was a brief discussion regarding Newton Street.

Mr. Snyder had no report.

Mr. Skellenger had no report.

Ms. Fantasia reported she does not have a report on the Planning Board as the meeting was cancelled as there was no other business other than the bills that meeting. Ms. Fantasia reported on EDC; on the consent agenda, there is a letter from Mr. Zydon, she doesn't know if this request would go to the ordinance committee or buildings and grounds but the EDC would like to recommend to the Mayor and Council that the accessory use be changed to primary use to allow all the dealer ships and vehicle repairs as a permitted use in a highway commercial zone. Ms. Fantasia explained the current ordinance and what is being recommended. EDC also had a discussion regarding the sign ordinance, particularly for the dance

**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 25, 2017**

studio, Dream Extreme Dance, she was asked to try and set up a meeting between herself and the owners of the studio to try and help them with some advertising. Ms. Fantasia commented she requested Mrs. McHose that in an upcoming meeting we recognized this studio their company competition team; they took first in the nation this past week in specific categories and one of the dancers was ranked the second in the nation. The team was invited to participate in the world championships, all from little Franklin Borough.

Ms. Fantasia commented EDC also discussed the Planning Board meeting and the information that was put in the NJ Herald on the potential development along Munsonhurst and explained.

Ms. Fantasia reported on finance; she met with our CFO to discuss the expired 2% cap on salaries that expires on December, 2017 for police and fire, in our town it only applies to the paid police department. Ms. Fantasia referenced resolutions from the Township of Clark, they are requesting that the State legislature extend the cap on arbitration contracts. We anticipate meeting in August for a preliminary contract with both personnel and the finance committees and explained we can't have a quorum for the meeting and having two separate meetings. Ms. Fantasia commented in 2010 Gov. Christie had imposed the cap upon that expiring it was extended until December 31, 2017. We need to keep in mind there is a lot of movement at the State level. Ms. Fantasia commented I'm sure Clark is not the only municipality in the State that is going to seek to have the 2% cap continued.

Ms. Fantasia commented on the consent agenda you will see we have the TTF money coming back to the Borough for the \$163,000 for Buckwheat Road.

Mayor Giordano commented he believed Mr. Prol has something for executive session.

Mr. Prol commented a Land Use matter with JCM Investors.

Mrs. McHose commented she spent the afternoon with the Mayor for the day Joseph Majewski. Mrs. McHose commented she introduced him to all the employees in Borough Hall, had a tour of the DPW garages, the police station and the pond area to talk about upcoming projects.

Mrs. McHose reported the clean community's employees started yesterday, we have three employees right now, we have a potential of a fourth.

Mr. Prol had no report.

Mayor Giordano commented we will have an executive session tonight for police matters for personnel and we will also be discussing Land Use regarding the potential development. Mayor Giordano asked if Mayor Majewski had any report or questions.

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.

Joanne Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka asked about the Council overruling the land use decision. Mayor Giordano explained. Mrs. Tatka asked why the Borough has a land use board. Mr. Prol explained the State Statue on the Mayor and Council can appeal the decision as long as the Borough has an ordinance in place. Mrs. Tatka commented on the beach area at the pond and the droppings in that area and something needs to be done. There was a discussion on

**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 25, 2017**

the silhouette dogs that were at the pond. Mrs. Tatka asked how much the temporary tax collector is getting paid and asked about the salary of the Planning Board and Recreation secretary.

Jennifer Giordano, 42 Mabie Street, Franklin, stepped forward. Mrs. Giordano commented she wanted everybody to know that the carnival is now being advertised on www.campys.com and you can start purchasing tickets.

Michael Krupa, resident taxpayer, 134 Main Street, Franklin, stepped forward. Mr. Krupa explained in August, 2016 his cat jumped out the window unexpectedly, he spent several months looking for her and couldn't find her. Mr. Krupa explained information he gathered, asking the police department for help regarding the disappearance of his cat and other cats in the neighborhood. Mr. Krupa asked permission from the Mayor and Council for him to put up signs offering a one-thousand-dollar reward for anyone that can get information to the police to get that person into court. There was a discussion back and forth. Mr. Krupa commented to go on record tonight he is not accusing anyone, that is why he wants to get the notice out to get some information if somebody saw something.

Mr. Dabinett made a recommendation to allow Mr. Krupa to put his flyers up until end of September beginning immediately. Mayor Giordano asked if anyone had any problems with that. Mayor Giordano asked Mrs. McHose to let the police and zoning officer know.

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

Mayor Giordano commented for the record Council Rathbun arrived. (Approximately 7:30PM)

CONSENT AGENDA

Mayor Majewski 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 29, 2017, from Joseph A. Birchenough, P.E. Manager Bureau of Local Aid – District 1, NJDOT to Mayor Giordano Re: Buckwheat Road, Franklin Borough, Sussex County FY 2017 Municipal Aid Program
2. Letter dated July 7, 2017, from Robin Hough, RMC/CMR, to Dr. Ramieri, Advanced Veterinarian Care, Inc. Re: Franklin Borough Rabies Clinic.
3. Letter dated July 12, 2017, from Angelo Baron, Superintendent, Wastewater Facilities, SCMUA to Mrs. Alison McHose, Administrator, Re: Sewage Flows.
4. Memorandum dated July 14, 2017, from Timothy J. Cunningham, Director Division of Local Government Services Re: Impact of FY 2018 Increase in School Aid to Certain Districts.
5. Letter received July 20, 2017, from Stephan Zydon, Chairman, EDC to Mayor Giordano and Council members.
6. Resolution 2017-34 of the Borough of Hamburg supporting Sussex County CLEAR Program-Community Law Enforcement Addiction Recovery.
7. Resolution 2017-35 of the Mayor and Council of the Borough of Hamburg in support of Assembly Bill No. 4532/Senate Bill No. 3049 amending the Open Public Records Law.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department report for June, 2017.
2. Zoning Officers report for June, 2017.

**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 25, 2017**

3. Municipal Court report for June, 2017.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application to approve a vending machine license application for Amazon – Locker located at 272 State Route 23, Franklin, NJ [Speedway].

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of July 25, 2017.

Ms. Fantasia made a motion to approve the consent agenda of July 25, 2017. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

There was no old business for tonight's portion of the meeting.

NEW BUSINESS

Approval of the Minutes

Mr. Rathbun made a motion to approve the regular meeting minutes and executive session meeting minutes for July 11, 2017. (Absent: Mr. Snyder) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Dabinett, Fantasia

Nays: None Absent: None Abstentions: Snyder

Consent agenda item #2 from July 11, 2017 meeting

Mr. Rathbun made a motion to accept 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 resolution 2017-57 and 17-110 attached. [Note: This item was pulled from the consent agenda and never discussed or voted on to accept]

Mayor Giordano explained the email. Ms. Fantasia commented this was what she referred to earlier, the first one [resolution] was COAH and the second was the two percent cap for police and fire.

Mayor Giordano commented Mr. Durina you had questions on this from the other meeting. Mr. Durina commented Ms. Fantasia answered his question in her report.

Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Dabinett, Fantasia

Nays: None Absent: None Abstentions: Snyder

Adoption of Ordinance 10-2017

Mr. Limon read a motion is in order to adopt ordinance 10-2017 "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".

Ms. Fantasia made the motion to adopt ordinance 10-2017. Seconded by Mr. Skellenger.

**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 25, 2017**

Ms. Fantasia commented she reviewed the ordinance today again and reached out to Mr. Prol and Robin about it, to clarify in the NJ Herald there was a little bit of a flip, it had said there was a maximum of 50 members and a \$1,000, it is actually a maximum of 100 members, 50 members from the Fire Department and 50 members from EMS for a maximum of \$500.00 dollars. The ordinance itself is not bifurcated between the two groups the only bifurcation takes place in the point schedule so it is \$500.00 across the board, it is not heavy for one department or the other. Some of the public comments Mr. Durina's comments with consideration, moving forward we would certainly be happy to take any requests from EMS regarding uniform allowance or anything of that nature, whereas the Borough would be able to supplement that and review that separately. But for the sake of the actual ordinance and accordance to the State guidelines for LOSAP it is our belief to keep it the same and not bifurcate it.

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

Joanne Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka asked are you saying it is a total 100 members or a total of 50 members. Mayor Giordano commented it is a total of 100 members but split 50 at the EMS and 50 at the Fire Department. Mrs. Tatka questioned the numbers first given out. Ms. Fantasia explained. Mrs. Tatka commented her main concern is honestly in claiming credits and is there a check on what they are doing. Mayor Giordano explained how EMS and Fire Department operates with a State mandated reporting system and explained.

Mr. Prol commented their certification is done by oath and explained what they would lose from dishonesty. Mr. Prol commented from his experience the members are very honest.

There was a discussion on the credits, reporting system and the State filing system.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina thanked Ms. Fantasia for looking into the First Aid Squad. Mr. Durina asked does the individual have to be a Franklin resident to be part of this. Ms. Fantasia commented yes. Mr. Durina commented on page one of schedule one items 4 and 8 it looks like they are a duplicate; both talking about drills and read them.

Ms. Fantasia commented Mr. Durina is correct it is a duplicate, number 4 and number 8 is a duplicate. Mayor Giordano commented do you want to strike number 4 or number 8. Ms. Fantasia commented let's strike number 8.

Mayor Giordano asked Mr. Prol, it that would be considered a Scribner's error. Mr. Prol commented that is fine, that does not upset this.

Mr. Durina commented he had his reservations, but after he read this and referenced schedule one assigned duties, if you don't perform your duty you don't go any further. Mr. Durina referenced part of the schedule that showed leadership.

There was a discussion on a sliding scale, this ordinance same amount across the board. Mr. Durina referenced and commented on schedule 2. Mr. Durina commented and didn't agree with some of the percentage points and suggested changes. The discussion continued on the points.

Robert Allen, Jenkins Road, Franklin, stepped forward. Mr. Allen commented on being a fireman for many years and going to fires. Mr. Allen spoke about past records in the department.

**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 25, 2017**

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

Upon roll call vote on ordinance 10-2017:
Ayes: Rathbun, Skellenger, Snyder, Dabinett, Fantasia
Nays: None Absent: None Abstentions: Limon

Mayor Giordano commented Mr. Prol brought up the error and we are going to need to have a motion to delete item number 8 off the ordinance as a Scribner's error and also item number 4 [the word] drill is duplicated twice. Mr. Prol commented remove the second one and the hyphen and renumber paragraphs after 8. Mayor Giordano comment paragraph nine will become 8, paragraph 10 will become 9 etc.

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

Upon roll call vote on amending the Scribner's error for ordinance 10-2017:
Ayes: Rathbun, Skellenger, Snyder, Dabinett, Fantasia
Nays: None Absent: None Abstentions: Limon

Resolution 2017-53

Mr. Limon read resolution 2017-53 requesting the Sussex County Clerk to include a Binding Referendum for the voters of the Borough of Franklin at the next General Election on or about November 7, 2017 for the purpose of determining whether or not the Borough should establish a Length of Service Awards Program [LOSAP] for volunteer firefighter and Borough first aid squad volunteers subject to the stated terms and conditions.

Mr. Snyder made the motion to adopt resolution 2017-53. Seconded by Mr. Skellenger.

Mayor Giordano commented line 3 on the last page there is a typo instead of \$25,000 it should be \$50,000. Mayor Giordano asked for a motion to approve that [the typo]

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

Upon roll call vote to amend the typo in the resolution:
Ayes: Rathbun, Skellenger, Snyder, Dabinett, Fantasia
Nays: None Absent: None Abstentions: Limon

Mayor Giordano and Ms. Fantasia explained the typo/Scribner's error.

Upon roll call vote on resolution 2017-53:
Ayes: Rathbun, Skellenger, Snyder, Dabinett, Fantasia
Nays: None Absent: None Abstentions: Limon

Resolution 2017-54

Ms. Fantasia made a motion to adopt resolution 2017-54 authorizing the Borough Clerk to renew the following liquor license for the 2017-2018 licensing term.

Plenary Retail Distribution
1906-44-006-005 MINDIP LLC.

Seconded by Mr. Skellenger.

Upon roll call vote:
Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

**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 25, 2017**

Nays: None Absent: None Abstentions: None

Resolution 2017-55

Mr. Dabinett made a motion to adopt resolution 2017-55 authorizing the Borough of Franklin to enter into a Cooperative Pricing Agreement with Houston-Galveston Area Council Buy (H-GAC) as the lead agency. (This is a national buying COOP.) Seconded by Mr. Skellenger.

Mayor Giordano explained the resolution.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2017-56

Mr. Snyder made a motion to adopt resolution 2017-56 authorizing fireworks display in the Borough of Franklin on September 28, 2017 and September 30, 2017 at the Franklin Pond Recreation Area. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction to Ordinance 11-2017

Mr. Rathbun made a motion to introduce an ordinance 11-2017 entitled "ORDINANCE RENAMING "INDEPENDENCE LANE" AS "DINA'S WAY" IN THE BOROUGH OF FRANKLIN IN HONOR OF THE LIFE AND LEGACY OF DINA ARRIGO WYCKOFF" Seconded by Mr. Skellenger.

Public hearing will be held August 8, 2017.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction to Ordinance 12-2017

Mr. Skellenger made a motion to introduce an ordinance 12-2017 entitled "ORDINANCE RENAMING "HOSPITAL ROAD AS "SERGEANT DENNIS F. PREMOCK ROAD" IN THE BOROUGH OF FRANKLIN IN HONOR OF THE LIFE AND LEGACY OF SGT DENNIS F. PREMOCK" Seconded by Mr. Snyder.

Public hearing will be held August 8, 2017.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayor Giordano asked about contacting the Arrigo family regarding a ceremony to replace the sign.

Mrs. McHose commented the Arrigo family is requesting Saturday, August 19th, and asked for a survey of the Council to see who would be in attendance. We would probably do the ceremony in the morning. Mayor Giordano commented the signs are in.

Mayor Giordano thanked the Mayor for the day, he has done a fantastic job. Mayor Giordano asked Mayor Majewski if he had any questions.

**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 25, 2017**

Mr. Dabinett suggested everyone tell Mayor Majewski the functions they perform as council members. Mayor Giordano explained the type of government the Borough is. At this time, each council member explained the committee they are on and their role as councilmember. They also explained their full-time jobs during the day to the Mayor for the day. Alison Littell, Borough Administrator explained her afternoon with the Mayor for the day, Robin Hough, Borough Clerk and Thomas Prol, Borough Attorney also explained their jobs representing the Borough.

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. Dabinett made a motion to close the meeting to the public, seconded by Mr. Skellenger. All were in favor.

EXECUTIVE SESSION

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

After meeting in closed session, the Governing Body returned to their seats at 10:17p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

Mr. Snyder left during the executive session and did not return to the regular meeting after executive session.

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

Mr. Prol commented items discussed in executive session. Mayor Giordano commented Land Use matters for potential litigation and personnel matters for police.

Mr. Rathbun made a motion in light of the recent restructuring of the police department as Chairman of Public Safety he thinks that promoting a Lieutenant and makes the suggestion of promoting Sgt. Greg Cugliari to Lieutenant. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Rathbun, Skellenger, Dabinett, Fantasia

Nays: Limon Absent: Snyder Abstentions: None

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.

No one from the public stepped forward.

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.

**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 25, 2017**

MISCELLANEOUS COMMENTS

Ms. Fantasia commented she would like to make note there has been some movement that we have been doing with the restructuring of the police department. She can say with great certainty that they have many challenges on their plate with different matters that we see in the paper. They are doing an excellent job and it is our duty to give them all the tools that they need and the resources that they need to be as effective as they are.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Dabinett made a motion to adjourn the meeting at 10:21p.m., seconded by Mr. Skellenger. All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk