

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
October 24, 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, Mr. Limon, Mr. Rathbun, Mr. Snyder, and Mayor Giordano.

Absent: Mr. Skellenger (arrived at 7:10), Ms. Fantasia (arrived at 7:15)

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, N.J.S.A. 10:4-6 et seq. It has been properly advertised by posting in Borough Hall, and printed in the New Jersey Herald/Sunday New Jersey Herald on January 5, 2017, and posted on the Borough website, which adequate notice has been certified by the Clerk."

Mayor Giordano commented we do have a presentation but he is going to set that back because we don't have all our recreation member here currently.

COMMITTEE REPORTS

Mr. Rathbun reported he spoke to the Fire Chief Freddie Babcock in reference to LOSAP; for preparation for LOSAP and getting the word out the fire department is making up 25 of the yard signs for around town.

Mayor Giordano commented he believes they are actually splitting that with the WVFAS. Mr. Rathbun commented yes, a total of 50 [signs].

Mayor Giordano commented we are starting negotiations with FOP and we have a new vehicle still waiting to come in.

Mr. Snyder reported on building and grounds; the patch on High Street will be taken care of where we dug out to do some work. The resolution is on tonight in regards to Evans and Main Street, it is a long time coming with a lot of expenditures with that.

Mr. Snyder reported on finance; we had a meeting last Tuesday, Ms. Fantasia will be here shortly, therefore he will give an update on what the meeting was about. The committee talked about water and sewer financials, the new meter to be installed, the antenna lease for T-Mobile/AT&T with the income for 2018, the purchase of the fire truck and the purchase of the ambulance. We went over the current for the financials in the regular budget and the tax sale. We also spoke about the capital budget with the total amount of expenditures for next year.

Mr. Dabinett reported we didn't have a public utility meeting this past Thursday, Mr. VanDenBroek was in Atlantic City for a waste water management course. The Sterling Plaza pumping station is on line after all these months, it has been brought up to date, modernized and it is working at this point in time. In the past we have been talking about making repairs to our sewer mains where we have infiltration; they have gotten quotes from four different contractors to perform that work and explained. When his committee meets he will bring it back to the Council. Mr. Dabinett explained infiltration and the areas to be worked on. Mr. Dabinett reported the road department is working on the snow plowing equipment getting ready for bad weather.

Mr. Limon commented after the finance meeting we had a personnel meeting, we have some updated news Alison is on her way she will update us but some of the items we are talking about in personnel was the deputy clerk, deputy court administrator, update on the second FOP negotiations and we had a resignation

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from Planning Board/Recreation secretary. We also received one more resignation that he saw in his email but he will let the Mayor report that.

Mayor Giordano commented to make a note that Mr. Skellenger came at 7:10.

Mr. Skellenger had nothing to report.

Mayor Giordano reported we have the annual Halloween parade which is October 28, this coming Saturday, line up is at 4:00PM and starts at 4:30. After the parade we have a trunk or treat at the Franklin Firemen's Park.

Mayor Giordano reported Mrs. McHose did meet with the FOP which will be discussed in executive session. Mayor Giordano commented two of our employees are leaving first is our Planning Board/Recreation Secretary as said by Mr. Limon. Joyce Carr took a job at the School and congratulations to her.

Mayor Giordano commented the second one he is sad to say but our clerk has decided to leave Franklin, she is leaving for another job and we are all going to miss her. She has done a great job for Franklin for a long time, she has been an unsung hero behind the scenes and a lot of people don't realize. When he was first on the Council we had a lot going on in Borough Hall and we had a couple of people we can count on religiously and Robin Hough was the most, probably the biggest person you could count on, she worked tirelessly when she was here as the Planning Board Secretary and basically any Board that needed help she worked and any time you needed help she came in, she put in extra and she earned the position of Borough Clerk more than anyone he can think of since he has been on Council. She has done a great job for Franklin and is sad to see her go. The door to Franklin is always open.

Mr. Snyder commented he also wishes her the best of luck, he has known Robin for many years, she is very dedicated we are going to miss someone who is dedicated and work ethics that she has had over the course for all these years he has known her. Good Luck.

Mayor Giordano commented Ms. Fantasia arrived it is 7:15.

Mayor Giordano commented the last part of his report is we have some new businesses opening up in town, where Wok N Sushi was is now open it is called Brick and Brew they had a soft opening last night and are open for business tonight. It is fabulous and worth trying and encourages people to check it out.

Mr. Snyder explained to Ms. Fantasia what he had gone over with regards to the finance report.

Ms. Fantasia commented she will defer to what your report was and let the Council and public know that we attend to meet again to go over the same matters we discussed prior to our next meeting when we are all together.

Mayor Giordano commented the tax sale is October 30.

Ms. Fantasia commented she recused herself from the last Planning Board meeting so she has nothing to report on that.

Mayor Giordano commented Mrs. McHose arrived it is 7:18.

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Mrs. McHose reported we had a lot going on with regards to the storm today and explained. The DPW is working on the fall clean up and we are still in the process of hiring a DPW person.

Mrs. McHose commented she has had two negotiations with the FOP, we have a third scheduled and that is the purpose of the executive session tonight to talk about some of the details with the Council. Mrs. McHose commented on Thursday of this week she will have her first meeting with the new bargaining unit, that represents the non-managerial staff for the Borough, DPW has not yet been scheduled she is waiting to hear from them who their representative is and we will get working on that as well. Mrs. McHose commented on her contract she will talk to Mr. Thibault regarding that. Mrs. McHose explained a Local Chamber of Commerce meeting she attended.

Mrs. McHose commented she is very sad to see Robin Hough leave the Borough of Franklin but she wishes her the best in her new venture this is a challenge for her, career wise is a good move and sorry to see her go and appreciates all she has done.

Ms. Fantasia commented she would like a chance to say good bye to Robin as well, she has learned so much from you, you are a professional and it breaks her heart that you are leaving and it is nice to have such a brilliant woman sit up here with her and I will miss you.

Mr. Limon asked was the whole on High Street filled with cement or QP. Mayor Giordano commented didn't know but he trusts the DPW guys know what they are filling it with. Mrs. McHose commented she will check with the engineer who was also involved with this.

Mr. Limon commented he has worked with Robin for a while and enjoyed working with her and hopefully we find someone with her qualifications for in here. Mayor Giordano commented you and Mr. Snyder were on the original Council that hired her.

Mr. Darbee, Esq. from Laddy, Clark and Ryan was filling in for Thomas Prol Borough Attorney. Mr. Darbee had nothing to report.

Mrs. McHose commented she forgot to report on a letter that was from Angelo Bolcato, Esq. It is about Hillside Estates, it is telling everyone that everything has been concluded and he asked her to report this in her administrators report.

OPEN PUBLIC SESSION

Mr. Skellenger made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Rathbun. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina asked under new business I.5 settlement agreement and consent order, are you going to open that discussion to the public after the discussion. Also, on the consent agenda item number 5 the Borough of Hamburg resolution in support of a Sussex County consolidation school, our Councilwoman did a great job with this and asked where Franklin was with this. Ms. Fantasia explained where the Borough was with this. There was a discussion back and forth regarding a consolidated school system.

Carl Platvoet 53 Church Street, Franklin, stepped forward. Mr. Platvoet commented on the trucks using their jake breaks. There was a discussion on jake breaks, noise and dangerous situation with the trucks on Church Street and to contact the police

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department. Mr. Platvoet also spoke about abandoned vehicles in the Borough. There was a discussion back and forth on abandoned vehicles.

Joann Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka asked how many apartments are in Mr. Deacon's building. Mr. Dabinett commented he wanted to put 20 in but he has reduced that to 14. Mrs. Tatka commented on the number of apartments proposed to be built in Franklin and asked where are the businesses you are supposed to be putting in town. Mrs. Tatka commented Wildcat Road looks good. Mrs. Tatka wished Robin good luck. Mrs. Tatka asked about the water and sewer bill for Brick Row and asked what the police nonemergency number was.

Mr. Dabinett explained on the ratable if the apartments get built on 517. There was a brief discussion.

Emily Bazelewich, 1 Mill Street, Franklin, stepped forward. Mrs. Bazelewich asked when are they going to put the hash marks at the intersection of Mill and Main Street. Mayor Giordano asked they still haven't painted the lines. Mrs. McHose will check on this. Mrs. Bazelewich asked about the sign at the intersection of Rte. 23 and Mabie Street. Mrs. Bazelewich commented on garbage accumulating down by the American Legion and the dates for next year's carnival. There was a discussion back and forth.

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 Ms. Fantasia. 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 October 3, 2017 from John Hatzelis, Administrator, Sussex County Municipal Utilities Authority, to all SCMUA Customers, Re: Proposed FY 2018 Rate Schedule effective December 1, 2017.
2. Letter dated October 11, 2017 from Angelo Baron, Superintendent Wastewater Facilities SCMUA to Alison McHose, Borough Administrator Re: Sewage Flows.
3. Letter dated October 11, 2017 from Patrick J. Sinwich, Communications Officer Bureau of Communications and Response Services to Borough Clerk and Health Officer Re: Suspected Hazardous Substance Discharge Notification.
4. Letter dated October 13, 2017 from Alison L. McHose, Administrator and Rachel Heath Senior Activity Coordinator, Re: Letter of support to participate in a County Grant.
5. Borough of Hamburg resolution 2017-42 supporting a Sussex County Consolidated School System.
6. Hampton Township resolution supporting requirement of disclosure of information by regional school, districts to municipalities of student addresses.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court Report for September, 2017.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for use of the Senior Center by Robin Schulman, President of the Franklin Quilters for the 1st and 3rd Tuesday of each month from 6:00PM to 8:30 PM and additional Saturday dates of January 20, March 17, May 19, July 21, September 15 and November 17, 2017 for the calendar year 2018. (Attached is a list of dates requested)

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RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 24, 2017.

Mr. Snyder made a motion to approve the consent agenda of October 24, 2017.
Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Ms. Fantasia asked about the sign for the Dance Studio [by the Bagel Tree]. Mrs. McHose commented we have no application yet or any contact from Mr. Mainardi, she will follow up with him.

Mayor Giordano commented on the dumpsters at the pond; we have a lot of illegal dumping going on and we need to address it. He thinks the one dumpster should be moved by the DPW garage. There was a discussion on the dumpster.

NEW BUSINESS

Approval of the Minutes

Mr. Rathbun made a motion to approve the regular meeting minutes and executive session meeting minutes for October 10, 2017. Seconded by Limon. (Absent: Mr. Dabinett)

Upon roll call vote:

Ayes: Limon, Rathbun,

During roll call vote Mr. Skellenger asked if the executive session minutes could be put on hold to be discussed in executive session. Mayor Giordano commented we are in the middle of a roll call we have a motion and second we started the roll call vote is it too late to change. Mayor Giordano commented we can continue then have a motion after this to hold the executive session meeting minutes for an amendment.

Mayor Giordano commented we have a roll call vote in progress.

Ayes: Skellenger, Snyder, Fantasia

Nays: None Absent: None Abstentions: Dabinett

Mayor Giordano commented now we need a motion to hold the executive session minutes for an amendment to the next meeting.

Mr. Skellenger made the motion to hold the executive session meeting minutes of October 10, 2017 to the next meeting. Seconded by Ms. Fantasia.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayor Giordano commented the regular meeting minutes are approved the executive session minutes are to be held for an amendment and approval at the next meeting.

Resolution 2017-68

Mr. Rathbun made a motion to adopt resolution 2017-68 authorizing the Borough Clerk to renew the following liquor license for the 2017-2018 licensing term:

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Plenary Retail Distribution

1906-44-006-005 MINDIP LLC.

Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayor Giordano commented the next item number 3 we will be withdrawing from the agenda we have a minor paper work error that was done by our bond counsel.

Mr. Darbee commented it is the matter or notice, this ordinance was up for a first reading at the last meeting October 10, the published notice of the second reading listed November 14, so his recommendation is to table this.

Adoption of Ordinance 16-2017

Mr. Dabinett made a motion to table Ordinance 16-2017 "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW FIRE TRUCK BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION." Seconded by Mr. Skellenger.

Upon roll call vote **to table ordinance 16-2017 to November 14, 2017:**

Ayes: Rathbun, Skellenger, Dabinett, Fantasia

Nays: None Absent: None Abstentions: Limon, Snyder

Public Hearing for Ordinance 16-2017 to be held November 14, 2017

Adoption of Ordinance 18-2017

Mr. Limon made a motion to adopt Ordinance 18-2017 "AMENDING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY" Seconded by Mr. Skellenger.

Prior to final roll call Mayor Giordano will open the meeting to the public for any comments regarding Ordinance 18-2017.

Mr. Skellenger made a motion to open to the public ordinance 18-2017. Seconded by Mr. Rathbun. All were in favor.

No one from the public stepped forward.

Mr. Skellenger made a motion to close to the public ordinance 18-2017. Seconded by Mr. Rathbun. All were in favor.

Mayor Giordano explained the reason the Borough amended the salary ordinance.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Settlement Agreement and Consent Order

Mr. Limon made a motion to Ratify and Affirm that Certain Settlement and Consent Order Executed by and filed with the Court on October 13, 2017 regarding the JCM

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Investors Property which now bears the signature of Assignment Judge Minkowitz.
Seconded by Mr. Skellenger.

Mr. Skellenger made a motion to open this item to the public. Seconded by Ms. Fantasia. All were in favor.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina asked what is this. Mayor Giordano explained the document. Mr. Durina asked when the document would be made public. Mr. Darbee commented it is public already. Mr. Rathbun commented he believes after executive session the last meeting Mr. Prol read this into the record. There was a discussion back and forth.

Mr. Skellenger commented on what Councilman Rathbun had said was at the last meeting after we came out of executive session we voted on it; Mr. Prol read the agreement out loud to everybody that was still here.

Mr. Durina commented he would still like to have a copy of it.

Mr. Dabinett made a motion to close this item to the public. Seconded by Mr. Limon All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2017-69

Mr. Snyder made a motion to adopt resolution 2017-69 authorization to repair the corner of Evans Street and Main Street per ordinance 15-2016 to Viersma & Sons in the amount of \$34,775.50. Seconded by Mr. Dabinett.

Mayor Giordano explained the resolution and repair.

Upon roll call vote:

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

Nays: None Absent: None 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 Mr. Snyder. 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 Mr. Snyder. All were in favor.

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Rathbun made a motion to adjourn into closed executive session to discuss personnel matter FOP and the Clerk's position. Motion seconded by Mr. Skellenger. All were in favor.

Action may or may not be taken after executive session.

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After meeting in closed session, the Governing Body returned to their seats at 9:28p.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. Snyder was not present when we returned from executive session.

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 9:29p.m., seconded by Mr. Limon. All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk