

**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
SEPTEMBER 8, 2009**

Mayor Crowley 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. Barton, Mr. Limon, Ms. Miller, Mr. Snyder, Mr. Stoll, Mr. Zschack, and Mayor Crowley.

Absent: None

Mayor Crowley led the assembly in the flag salute.

Mayor Crowley 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."

CONSENT AGENDA

Mayor Crowley 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. Board of Chosen Freeholders – dated 8/20/90 RE: Urging NJ Senate to pass Bill 2985 and the Assembly to introduce and pass a Companion Bill.
2. NJ Transit Notice of Availability RE: Environmental Assessment for the Pennsauken Junction Transit Center and Park and Ride Project.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. July 2009 Finance Report
2. July 2009 Municipal Court Report
3. August 2009 Construction Department Report
4. August 2009 Tax Collectors Report

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 8, 2009

Mr. Stoll made a motion to approve the consent agenda of September 8, 2009. Mr. Snyder questioned voucher #13227 with possible wrong amounts. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS

Mr. Zschack reported that the Budget Committee met to discuss further budget cuts, do to shortfalls next year; the Committee left the budget as is.

Ms. Miller reported that some Recreation members met with the Mayor and Mr. Wolak to discuss the Millie Harden fund and procedures for using the funds.

Mr. Stoll reported that the road lining was done for the school crossings. The storm left a lot of trees down. The DPW is still chipping and the BPW is working on the

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storm drains. A policy regarding filling of pools from the Fire Department will be coming soon.

Mr. Snyder reported that he would like executive session for Personnel and voucher #13227 pulled from the consent agenda.

Mr. Wolak gave his report which is on file in the clerk's office. He asked for executive session for Police Contracts. He thanked the crews from Wantage Township and the County of Sussex that helped with the storm clean up.

Ms. Miller suggested that the PT Cruiser be used more often by Police or be removed from the fleet and insurance.

Mayor Crowley reported that the storm was not a tornado, but a violent storm. There was a lot of damage at the parks. Work crews from the County of Sussex and Wantage Township assisted in the cleanup of downed trees. A crane was needed to remove some of the trees. The County OEM discussed H1N1; the leads will be the sheriff and county health department. 1st responders will get the vaccination first. The Mayor had discussed the numerous calls about children waiting for buses on Route 23. He called the schools and voiced their concerns.

OPEN PUBLIC SESSION

Mr. Stoll 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.

Elaine Karpowitz of 160 Main Street expressed her concern with Ridgewood Road being closed all day. Meals on Wheel could not get through to the seniors.

Mayor Crowley explained that resident traffic can go through the barriers. The barriers are placed by the school.

Joanne Taka of 151 Maple Street explained that if government made the ordinance they should enforce it, not the schools.

Mr. Snyder explained that the signs are working, he parked for ½ hour to observe the traffic and only two cars came onto Walsh Road and one went out.

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

OLD BUSINESS

Mr. Snyder expressed that expenditures should be monitored. There has been travel to Montague Tool and Vernon Hardware on a daily basis.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zschack motioned to approve the meeting minutes of the Regular Meeting and Executive Session held on August 11, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Stoll, Zschack
Nays: None Absent: None Abstentions: Snyder

Mr. Zschack motioned to approve the meeting minutes of the Regular Meeting held on August 18, 2009. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Miller, Snyder, Stoll, Zschack
Nays: None Absent: None Abstentions: Barton, Limon

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Adoption Ordinance #13-2009 Nuisances

Mr. Zschack motioned to adopt an ordinance entitled "AN ORDINANCE TO REPLACE CHAPTER 191 OF THE CODE OF THE BOROUGH OF FRANKLIN REGARDING NUISANCES". Seconded by Mr. Snyder.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance #13-2009. No public commented.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Public Hearing on 2009 Budget Amendments

Mr. Zschack motioned to adopt the 2009 Budget Amendments. Seconded by Mr. Stoll.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding the 2009 Budget Amendments. No public commented.

Mr. Wolak explained that this only approving the Budget Amendment which includes the \$200,000.00 received for State Aid. This is not approving the 2009 budget.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Resolution Refunding Water and Sewer Escrow

Mr. Snyder motioned to adopt a resolution authorizing the refund of water and sewer escrow in the amount of \$5000.00 to Crystal Springs Builders, LLC. Seconded by Mr. Limon.

Mayor Crowley informed the Council that this is a refund of escrow that Crystal Springs deposited when discussions were being held regarding an exchange of water and sewer for Hamburg. Nothing ever came out of the discussions so Crystal Springs are asking for the escrow to be returned.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll,

Nays: None Absent: None Abstentions: Barton, Zschack

Crossing Guards Change of Employment Status

Mr. Snyder motioned to approve a change in employment status for Jennifer Henry, from permanent to substitute crossing guard and Mary Payton, from substitute to permanent crossing guard effective September 2, 2009, as recommended by the Head Crossing Guard. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Appointment Board of Public Works Member

Mr. Snyder motioned to confirm the Mayor's appointment of Susan Gardell as a member of the Board of Public Works, filling an unexpired term ending December 31, 2011, effective immediately. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll

Nays: None Absent: None Abstentions: Zschack

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Resolution Authorizing Refund of Taxes Block 23.02 Lot 16

Mr. Snyder motioned to adopt a resolution authorizing the refund of \$1,701.53 for duplicate taxes paid by the owner of Block 23.02 Lot 16. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Resolution Approving Submission of Municipal Alliance Grant

Mr. Snyder motioned to adopt a resolution approving the submission of an application for a Municipal Alliance Grant of \$12,474.00 for the calendar year 2010 by the Franklin/Hardyston Alliance Coalition. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Stoll made a motion to adjourn into closed executive session at 7:38 p.m. to discuss personnel and police contracts. Motion seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 8:24 p.m. and Mayor Crowley declared the meeting to be reconvened into open public session.

MISCELLANEOUS COMMENTS

Mr. Barton questioned that there will be no further budget cuts.

Mr. Stoll replied that the Budget Committee looked at everything in the budget again. The only option was to cut services or have layoffs.

Mr. Stoll mentioned that there is a need for patrol cars before purchasing a detective car. He explained that the detective always used the best retired patrol car.

Mayor Crowley informed the Council of a COAH court case that ordered a township to allow a builder to construct affordable housing units even though the township had met their requirements.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:37 p.m., seconded by Ms. Miller. All were in favor.

Paul B. Crowley, Mayor

Patricia Leasure, R.M.C.