

**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
August 13, 2013**

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. Babcock, Mrs. Gardell, Mr. Giordano, Mr. Limon and Mayor Crowley.

Absent: Mr. Snyder, Mr. Zschack

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. Letter dated July 9, 2013 from NJDOT to Mayor Crowley Re: FY 2014 State Aid Programs.
2. Letter dated July 15, 2013 from Robin Hough, Municipal Clerk/CMR to Dr. Bingaman, DMV. Re: November Rabies Clinic.
3. Letter dated July 25, 2013 from Carrine Piccoli-Kaufer, P.P., AICP Hardyston Planner/Deputy Manager to Jim Kilduff, Administrator, Re: Littell Center Fees.
4. Letter dated July 25, 2013 from James Kilduff, Administrator, to Sean Thompson, Acting Executive Director of COAH Re: Franklin Borough Trust Fund Certification & Approved Spending Plan.
5. Memo dated August 1, 2013 from Robin Hough, Municipal Clerk/CMR to Board of Health Re: Food Handler License Renewals and Pet License renewals.
6. Township of Vernon, Resolution 13-135 expressing support for the continued Tax Exemption and Municipal Bonds.
7. Township of Vernon, Resolution 13-134 in opposition to Senate bill 2528 and Proposed Exemption from Source Separation Requirements.
8. Township of Byram Resolution 118-2013 in opposition to Senate bill 2528 and Proposed Exemption from Source Separation Requirements.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police report for June, 2013.
2. Animal Control report for April, May and June 2013.
3. Littell Community Center 2nd Quarter Report for 2013
4. Construction Report for June, 2013
5. Municipal Court Report for June, 2013.
6. Board of Health Report for June, 2013.
7. Tax Department Report for July, 2013
8. Construction Permit Report for July, 2013.
9. COH Report for July, 2013.
10. Sussex County Municipal Utilities Authority Report for Franklin Borough Flows June, 2013.
11. Fire Marshal/Fire Coordinator report for June and July, 2013

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for use of the Senior Center by Franklin Quilters for Saturday October 5, 2012 from 9:00AM to 5:00PM.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

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1. Payment of bills for the meeting of August 13, 2013.

Mr. Limon made a motion to approve the consent agenda of August 13, 2013.
Seconded by Mr. Babcock

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

COMMITTEE REPORTS

Mrs. Gardell stated the ordinance committee would like to recommend we extend the moratorium on RV's because of reduced meeting during the summer we haven't been able to address that; we are recommending to extend another 90 day.

Mayor Crowley asked when do you expect that you will be able to finalize your (the committee) recommendations.

Mrs. Gardell stated we will have it at the next meeting.

Mayor Crowley asked for a motion to extend this (the moratorium)

Mrs. Gardell made a motion to extend the moratorium for an additional 90 days not to take action on RV's. Seconded by Mr. Babcock.

Mr. Kilduff stated that moratorium was due to expire August 26; you want an additional 90 days commencing August 27.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Mr. Giordano reported recreation had some concerts in the park canceled we did have Rock in Park; that went well. Recreation also had two movies in the park that were well attended.

Mr. Limon reported he has to set up two meetings for the personnel committee; one for the office staff here at town hall and one for the police department. He received a letter regarding contract negotiations for the police Chief. Mr. Limon asked if he was running this or is it who handled it [the contract] last time.

Mayor Crowley commented you have it.

Mr. Limon stated we will set up a meeting with the committee for that as well. His contract is up at the end of the year.

Mr. Babcock reported we met with recreation for the capital improvement it was very informative, we walked through the whole pond [area] to get ideas.

Mr. Ursin, Esq. had nothing to report.

Mr. Kilduff reported some of the items from his administrator's report; the full administrator's report is on file in the Clerk's office.

Mr. Kilduff reported the following 2014 calendar dates:

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Preparation of the 2014 Municipal Calendar is underway. In 2014 Christmas falls on a Thursday. Lincoln's birthday falls on Wednesday, February 12th, 2014. It is recommended to the Council, Borough Hall remain closed on Friday December 26, 2014, in lieu of closing on Wednesday, February 12th, 2014.

Mr. Kilduff asked if the Council needs to take action now if they want to shift that date.

Mr. Ursin stated no; get a consensus from them; the calendar is approved at the reorganization meeting in January; you need direction on what to put on that calendar at the reorganization meeting.

Mrs. Gardell stated she doesn't think the calendar is part of reorganization.

Mr. Ursin stated the holiday schedule is on the reorganization agenda.

Mrs. Gardell commented she doesn't think it has been.

Mayor Crowley asked if anyone was opposed to this.

Mr. Giordano asked do they have Lincoln, Washington and Presidents day off.

Mr. Kilduff stated this is not adding a day.

There was a brief discussion on the date and the calendar.

Mayor Crowley asked if anyone was opposed to switching the date.

Mr. Kilduff continued with his administrator's report.

Mayor Crowley thanked the Historical Society for the display at the County Fair. They did a very nice job with some of the Historical Pictures and thanked the people that went to the fair and put the display together.

Mayor Crowley stated the closing of bridge (E-06) will be around September 3; there will be detour signs, this will be a large inconvenience for everyone to have both bridges out.

Mayor Crowley stated the Fire Department is having the annual steak and lobster dinner Saturday night if anyone is interested in going.

OPEN PUBLIC SESSION

Mr. Giordano 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.

Dick Durina, 23 Lozar Road, Franklin, stepped forward. Mr. Durina asked to have the Borough Website updated and stated items that needed to be update. Mr. Durina asked to negotiate with DPW employees. Mr. Durina asked to open the meeting up to the public under item K miscellaneous comments and gave reasons why.

Alfonso Caliendo, Main Street, Franklin, stepped forward. Mr. Caliendo commented on the condition of Main Street and gave reasons. Furniture outside for months and nothing is being done.

Mayor Crowley stated he has contacted the Zoning Officer with things he sees on Main Street, he [Zoning Officer] does go out and try to enforce the ordinances.

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Mr. Caliendo commented the sofa and TV has been there for months. There is other stuff all over Main Street and he gave several examples. A lot of landlords as long as they get their monthly check they don't care about their property but he does. He has tenants and he cares for them. He takes care of his property and everyone else should do the same thing.

Mayor Crowley stated he will talk to the Zoning Officer.

Ann Wronka, High Point Circle, Franklin, stepped forward. Ms. Wronka requested the Council pass an ordinance regarding bears; for people to put their garbage out in the morning or to secure their garbage. Ms. Wronka requested the Council to pass an ordinance with a minimum of \$100 fine if they don't secure their garbage.

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. Babcock. All were in favor.

OLD BUSINESS

Mr. Giordano stated the solution to the [Garbage] problems is to call NJ Fishing and Wildlife people. They will come out and fine people; there is a bear hot line.

NEW BUSINESS

Approval of the Minutes

Mr. Babcock made a motion to approve the regular meeting minutes for July 9, 2013. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Mayor Crowley stated at this point he would like to change the agenda; our engineer is here; we will go to item number 14.

Discussion on NJDOT Local Aide

At this time there was a discussion regarding NJDOT Local Aide Grants referencing Thomas Knutelsky, Borough Engineer report dated July 31, 2013.

Mr. Thomas Knutelsky, Borough Engineer was present for the discussion.

Mayor Crowley stated the Borough Engineer has recommended certain roads. One thing he would like to say to the Council; everyone has their own ideas as to which roads and which projects get done. Mayor Crowley commented to keep in mind if you want a project that will be accepted by the State and we can do within a year because in the past we have had projects that have gone on for more than one year. The DOT will not usually give us more money when we have not finished the project in transit.

Mr. Knutelsky referred to his letter dated July 31, 2013 from his office to Mr. Kilduff in regards to the grants we are discussing. The letter has four recommendations for the Council to consider submitting to DOT for local aid trust fund grants. They are general projects that he is throwing out there for the Council to entertain. Mr. Knutelsky stated regarding what the Mayor said; once we are involved in a DOT project for a roadway we are involved with that roadway from that point on until the roadway is done. Whether it takes two, three, four, ten years in grants in order to finish roadway that is the one we can apply for until the roadway is completed. Mr.

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Knutelsky commented what the Mayor is saying is to try and get a road way selected that we can do in one swoop, get the funds from DOT and complete.

Mr. Knutelsky explained how he picked the projects for the list. Items he considered that are propriety of projects that include bikeway's, walkway's and pedestrian ways. On one of the projects you see is a sidewalk project we have been bouncing around from a planning standpoint.

Mr. Knutelsky stated in terms of the project we are looking at High Street from Rt 23 toward Main Street. The reason why that is a project he thinks warranted is the street is in poor condition and the street connects a State Highway with the middle of the Borough. It is considered our gateway into the Borough.

Mr. Knutelsky continued with the next project; Junction Street from Main Street down towards Fowler and Bridge E-07. In about a year's time we will have a new viaduct; right now Junction Street and that portion of Fowler towards Junction is in poor shape. Again we are connecting a major County Roadway to the center of the Borough. That is another good qualification to have for a DOT selection.

Mr. Knutelsky commented another project is Corkhill Road; it is a phase number. Corkhill Road is discussed in the 11 year paving plan his office prepared; this road connects an outside Municipality to a major arterial roadway in the Borough by 631 at Franklin Ave by the Pond. We don't have many roads in the Borough that connect outside the Borough. The reason why he has it as phase one because we will never be able to complete that project from beginning to end in one year. That is going to be a phase project based on the length of the road and how much material we need to improve it. If the Council selects that road every single grant we apply for the next couple of years would have to be directed right to that particular road to finish it from beginning to end.

Mr. Knutelsky commented the last project is a sidewalk project; there has been discussion on the Council and in the Land Use Department regarding sidewalk improvements. There is a sidewalk being proposed on County Route 631 that ends at Fowler Street; his idea is to take it from Fowler Street onto Church and tie it in with the existing sidewalk which continues down to bridge E-06 and then create a new sidewalk from that point around to the pond to tie into Buckwheat Road where the sidewalk ends at Evans Street. This might be a phase project as well; sidewalks are a costly item. Mr. Knutelsky continued based upon the description in the DOT trust fund letter sent to the Mayor they are looking at doing sidewalks. We decided to have this as a planed sidewalk project not a roadway paving project but a sidewalk pedestrian project that would connect some of the missing pieces in the Borough for pedestrian access.

Mr. Knutelsky commented the priority list would be High Street, Junction Street, Corkhill, phase one and addition to one of those projects, the sidewalk project. Mr. Knutelsky stated he would go with the High Street Project and the sidewalk project and see if we can get two funds. They are two different projects one is for pedestrian only and one is a rehabilitation project for roadways. That would be his recommendation to the Council.

Mr. Limon stated he thinks that list is accurate based on what we talked about the last few meetings.

Mrs. Gardell asked last year did we put in for Scott and Maple.

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Mr. Knutelsky commented last year we put in for High Street and Junction Street; last year half the County didn't get any awards. Mr. Knutelsky explained why he thought we didn't get any grants last year.

There was a discussion regarding sidewalks, length of Corkhill Road, phasing of projects, costs in the 11 year plan and the possibility of Ogdensburg submitting for Corkhill Road also.

Mayor Crowley asked Mr. Knutelsky you are recommending applying for two projects.

Mr. Knutelsky stated he recommends applying for two individual projects.

The discussion continued regarding the different projects, Master Street, how many projects to apply for and sidewalks.

Mayor Crowley recommended to go with the Engineer's recommendation and the order but it is the Council decision.

Mr. Limon made the motion. Seconded by Mr. Babcock

Mr. Kilduff stated to clarify the order is High Street and the sidewalks.

Mr. Knutelsky replied that would be the two he recommends to the Council. Mr. Knutelsky said one would be High Street.

Mayor Crowley stated we have a motion and a second with the order as recommended by the Engineer.

Upon roll call vote:

Ayes: Babcock, Limon, Mayor Crowley

Nays: Gardell, Giordano Absent: Snyder, Zschack Abstentions: None

Adoption of Bond Ordinance #8-2013

Mr. Babcock made a motion to adopt Bond Ordinance #8-2013 APPROPRIATING \$275,000 AND AUTHORIZING THE ISSUANCE OF \$261,500 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. Seconded by Mr. Limon.

Monica Miebach, CFO was present. Mrs. Miebach explained the ordinance. Mrs. Miebach stated \$20,000 of the ordinance was designated for the fire house to convert the furnaces from oil to natural gas and the balance is for the roadway project. One of the priorities on Mr. Knutelsky's list.

Mrs. Gardell commented we had requested research before regarding capital improvements for the fire house not owned by the Borough.

Mr. Ursin stated it is owned by the Borough.

Mr. Giordano stated it is his understanding the fire house is owned by the fire department and the land is owned by the Borough.

Mr. Ursin stated he has never seen that distinction. Mr. Ursin commented the land is owned by the Borough any improvements on it is owned by the Borough. It is leased to the Fire Department. That is his understanding.

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Mr. Limon commented he is of the understanding the Fire Department owns the building and the Borough owns the land.

Mr. Ursin replied he has never seen any documents that state that. Mr. Ursin stated it could be they exist; the tax records and the lease that is in effect are consistent with what he is saying. This Council didn't draft that lease; he didn't draft that lease that was the lease that was in effect.

Mayor Crowley stated regardless of that question we still need the money to fix the fire house.

There was a discussion on the fire house improvements.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina commented it is his understanding the building belongs to the Fire Department. The property belongs to the Borough; the building belongs to the Fire Department.

Mr. Ursin stated if the Borough doesn't own the building that needs to be pulled out of the Bond Ordinance. It has to come from a different source.

Mayor Crowley stated we have a motion and a second.

Mrs. Gardell asked to amend it and strike out item B.

Mr. Limon asked why do we have to strike it out if you are saying it is not an issue.

Mayor Crowley commented he doesn't see it as an issue we just need the money to fix it and worry about who owns it after. He thinks we should go forward authorize the bond get the money to fix this and research it at a later date; it still needs to be fixed.

Mayor Crowley asked if anyone from the public would like to comment on the bond ordinance.

Dick Durina, 23 Lozaw Road, stepped forward. Mr. Durina commented he agrees with your attorney take the money and worry about the legal aspects of it later. Mr. Durina commented the payback period for you to switch from oil to gas would justify that probably in maybe a 10 year payback period.

Mr. Ursin stated this requires four affirmative votes. The way he understands this ordinance and the property ownership; nothing you are doing tonight is changing ownership. You couldn't if you wanted to; his interpretation of the ownership is this is a municipally owned building and it is a capital improvements to a municipal property. That allows it to be under the umbrella of the bond ordinance and it also illuminates the issue of the Fire Department personnel conflict because it is not an appropriation to the Fire Department. Either way this is a bond ordinance and has to pass tonight with four members or it fails.

Mayor Crowley commented we have a motion and a second; then called for a roll call.

Upon roll call vote:

Ayes: Babcock, Giordano, Limon,

Nays: Gardell Absent: Snyder, Zschack Abstentions: None

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Introduction Ordinance #9-2013 Amending Chapter 161 Land Development

Mr. Babcock made a motion to introduce an ordinance entitled "AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH CODE THE BOROUGH'S LAND DEVELOPMENT ORDINANCE" Seconded by Mr. Limon.

Public Hearing will be held September 10, 2013

Upon roll call vote:

Ayes: Babcock, Gardell, Crowley

Nays: Giordano, Limon Absent: Snyder, Zschack Abstentions: None

Resolution 2013-69 Crediting Shop Rite Liquors Water Account

Mr. Babcock made a motion to adopt resolution 2013-69 crediting Shop Rite Liquors Water Account #1420 the amount of \$600.00. Seconded by Mr. Limon.

There was a brief discussion on the resolution.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Resolution 2013-70 replacement of Residential Water Softener

Mr. Babcock made a motion to adopt resolution 2013-70 authorizing DPW to replace the damaged water softener on Block 704 Lot 8 with one of similar size, make and model and not to exceed \$1,200 due to the annual fire hydrant flushing test. Seconded by Mr. Giordano.

There was a brief discussion on the resolution.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Resolution 2013-71 Corrective Action Plan

Mr. Giordano made a motion to adopt resolution 2013-71 to accept and approve for filing the Corrective Action Plan for the Audit Report Year of 2012 prepared and filed by the Borough's Chief Financial Officer. Seconded by Mr. Limon.

Monica Miebach, CFO was present and explained the corrective action plan to the Council. Mrs. Miebach commented there were three comment points made on the 2012 audit. Mrs. Miebach explained each of the three recommendations and the corrective action plan to be taken for each recommendation.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Resolution 2013-72 Tax Refund for Block 1601 Lot 12

Mr. Giordano made a motion to adopt resolution 2013-72 authorizing the tax collector to refund Michael Schneck, Trustee for KAJ Franklin, LLC for Block 1601 Lot 12 in the amount of \$3,210.90 due to County appeal granted for the tax year 2013. Seconded by Mrs. Gardell.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano

Nays: Limon Absent: Snyder, Zschack Abstentions: None

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Resolution 2013-73 Trust Account Called Reserve for Outside Police Work

Mr. Giordano made a motion to adopt resolution 2013-73 for \$11,884.92 to be cancelled from the Reserve for Outside Police Work to the General Capital Fund, Reserve for Police Equipment. Seconded by Mr. Limon.

Mayor Crowley asked Mrs. Miebach if this is part of the corrective action.

Mrs. Miebach stated yes.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Resolution 2013-74 Honoring the Women of the Franklin Fire Department.

Mr. Giordano made a motion to adopt resolution 2013-74 honoring the Women of the Franklin Fire Department. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Gardell, Giordano

Nays: None Absent: Snyder, Zschack Abstentions: Babcock, Limon

Resolution 2013-75 renew Liquor License

Mr. Giordano made a motion to adopt resolution 2013-75 renewal for liquor license for 2013/2014 due to special ruling required for Franklin Silver Ducat II LLC. Seconded by Mr. Limon.

There was a discussion on the renewal of the liquor license.

Upon roll call vote:

Ayes: Babcock, Gardell, Limon

Nays: Giordano Absent: Snyder, Zschack Abstentions: None

Resolution 2013-76 Personnel Policy regarding the hiring of Police Officers.

Mayor Crowley explained number 11 is a personnel policy regarding the hiring of Police Officers it has been brought up to the Council several times that we should have a policy for hiring police officers. This was sent to the Council to review; it was also reviewed by the Chief.

Mr. Limon asked what was the Chief's recommendations.

Mayor Crowley commented the Chief has some other recommendations; he has areas he does not like in this. Also there are other Council people that have indicated to him there are areas they are not in agreement with the policy as it is written. Mayor Crowley stated at this point he would like to send this over to the personnel committee to look at again with the Chief. Mayor Crowley asked if anyone had any comments tonight.

Introduction Ordinance #10-2013 Purchases for Computer upgrades and Police Equipment

Mr. Giordano made a motion to introduce an ordinance entitled "AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$15,184.92 FROM RESERVES FOR PURCHASES FOR COMPUTER UPGRADES AND POLICE EQUIPMENT BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY". Seconded by Mr. Limon.

Public Hearing will be held September 10, 2013

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Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Discussion on Open Public Meetings Act

Mayor Crowley stated this is on the agenda at his request. Mayor Crowley reminded the Council you can't have discussions on the internet through the Borough's server because of the Open Public Meetings Act. Mayor Crowley explained why there should not be any discussions on the internet regarding to Open Public Meetings Act.

Mr. Ursin explained with the new electronic age the Open Public Meetings Act has new consequences. What the rule basically says any time there is a quorum and you reasonably believe what you are discussing is public business then you can't discuss it without it being in a noticed meeting. Mr. Ursin commented you are used to getting chain emails information from the Administrator (for example) which is fine but what is the heart of the open public meeting act is the deliberation among you. Any time you get information his advice is to absorb it, if you need to speak to the administrator directly to ask questions and get more information. Anything in your mind that is for a discussion or debate it should come to the Council meeting. Mr. Ursin cautioned the Council when you reply to all you have to be very careful because on the second reply to all then you are on thin ice with the Open Public Meetings Law.

Mr. Giordano asked about board members using their personnel emails and if they should have Borough emails.

Mr. Ursin stated any official Board should have official email addresses that go through the Borough's server. Mr. Ursin commented Mr. Giordano's comment is right on if you are using a personal email and there is a legal issue your personal computer is subject to search.

There was a discussion on the use of emails.

Mr. Kilduff stated he will look into this.

Discussion on DPW Supervisor Position

At this time there was be a discussion regarding the DPW Supervisor Position.

Mayor Crowley commented this is on the agenda because there have been questions regarding the agreement made by Councilman Zschack; who is not present tonight, and Mr. Vandebroek. Mayor Crowley asked the Administrator to give a synopsis of the agreement made by Councilman Zschack.

Mr. Kilduff commented he received an email from Councilman Zschack regarding his meeting with Mr. Vandebroek. Mr. Kilduff commented the meeting resulted in the following: a three year contract, a salary of \$88,700 for the first year with a 2 percent increase each additional year, job description with reference to the statues, a \$5,000 increase once Mr. Vandebroek obtains his CPWM, no back pay, and he assumes the Council would be paying for the CPWM course work as well. Mr. Kilduff stated it is his understanding that a contract is being drafted and hopefully that will be ready for the next Council meeting.

Mr. Ursin commented the contract is drafted, it will be circulated and he anticipates it will be ready for the next Council meeting.

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Mayor Crowley commented at this point we are out of time on the CPWM, if this goes forward we may have to hire somebody with a CPWM to act as an overseer. It would be a part time position so we do have someone that is qualified with the certification until the other person does; which will take about two years.

Mr. Babcock commented what was said behind closed doors is being broke.

Mr. Ursin stated at this point it is a proposal that apparently is acceptable to some members of the Council and the employee. At the next Council meeting, presuming the wording of the contract gets worked out, it will be up for Council vote. We will know if the Council is in agreement.

There was a discussion on a person needed for the part time position, joining with other towns that have that certification, using someone from the Borough's engineer office that has the certification, the clock starting when Mr. Gunderman retired and CPWM can be anyone in that department.

Discussion on Continuing Education for the Staff

At this time there was a discussion regarding continuing education for Borough Staff.

Mayor Crowley commented over the years we have paid the staff to get certifications. If things move forward then someone will obtain the CPWM at the town expense.

Mayor Crowley commented the Administrator would like to take a management course, certified public manager; has requested to take that course.

Mr. Kilduff commented on the course; it is for 9 months, Fridays and Saturday's.

Mayor Crowley stated in the past we have pushed these types of classes. Mayor Crowley wanted to get the Council's thoughts for this course for the administrator.

Mr. Giordano commented he thinks we should go to school, with all respect we have a town administrator not a town manager. He would not be in favor of this. Mr. Giordano gave his reasons why he was not in favor of this.

Mr. Babcock commented it has been past practice.

Mr. Giordano replied it doesn't mean we have to do it.

Mr. Durina resident from the public interrupted the meeting, stating he hates to be rude; he is sorry to interrupt the meeting, he is sitting right here and he can't hear what is going on. This sounds like a very important discussion.

Mrs. Gardell asked about taking courses during work hours. Another issue is how much is in the budget for training and how do you allocate amongst all the employees who want it. We are discussing different certification programs.

Mr. Limon commented in regards to this issue only two employees in the Borough have contracts; one is the police Chief and the other is the Administrator. Mr. Limon commented he doesn't think this is in the Administrator's contract. Every other employee is subject to the employee manual.

At this time the Council continued to discuss education for the administrator, dollar amount in his contract, cost of the program, employee manual, time limit for

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registration of the manager's program, not having contracts and authorization issue for the dollar amount,

Mrs. Gardell commented she would be for this if certified by the CFO.

Mr. Babcock commented he would be also.

The Council continued the discussion.

Mrs. Gardell made a motion to authorize the expenditures for the Certified Public Administration program request beyond allowable of his contract if the CFO certifies funds are available.

Mr. Durina resident from the public interrupted the meeting again saying motion to table.

Mr. Babcock stated he would like to see this tabled to the next meeting.

Mayor Crowley commented we have a motion to table.

Mrs. Gardell seconded the motion to table this to the next meeting.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon,

Nays: None Absent: Snyder, Zschack Abstentions: None

Mrs. Gardell asked to have additional information next time regarding the program.

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Giordano asked about a manhole on Rte 23 and Mabie Street and explained the problem.

Mayor Crowley commented this has been up before.

Mr. Kilduff replied this was taken care of that day; this is the first he is hearing the problem is not resolved.

Mr. Giordano brought up the discussion on continuing education again.

Mr. Durina resident from Franklin, interrupted the meeting again commenting no further discussion on this. Mr. Durina continued interrupting stating for the Borough attorney to do his job there was a motion to table and [there] should be no further discussion, it has to be back off the table by the gentleman that tabled it.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:55 p.m., seconded by Mr. Babcock. All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Borough Clerk