

**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
April 26, 2016**

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. Snyder, and Mayor Giordano.

Absent: Mr. Martinez (Arrived approximately 8:00PM)

Mayor Giordano commented for the record Mr. Martinez is on his way, he is stuck in traffic on Route 80.

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."

COMMITTEE REPORTS

Mr. Limon reported the salary ordinance is on the agenda, hopefully everyone supports that by the recommendation of the personnel committee. Also, we are looking at a few at will employee merit raises for the future; you will have a report on that shortly.

Mayor Giordano commented we can add that to the next agenda.

Mr. Limon commented yes.

Mr. Dabinett reported the NJDEP revised the coliform rules, Mr. VanDenBroek and Mike Vreeland, water engineer, has written a new system sampling plan, we are now in total compliance with the new State regulations. In conjunction with that Mr. VanDenBroek and his crew has installed additional sampling stations to accommodate the new sampling plan. Mr. Dabinett commented two DPW employees, John Rome and Ray Smith have completed the introduction to water and waste water operations course at Caldwell and West Caldwell continued education center. They will be working forward to better serve the Borough water and sewer system. Mr. Dabinett explained the course. Mr. Dabinett commented Mr. VanDenBroek received confirmation from Rutgers University, Center for Advance Infrastructure and Transportation that he successfully completed and now holds the certificate in Municipal Engineering and Construction Inspection. Mr. Dabinett explained the class. Mr. Dabinett congratulated Brian VanDenBroek, John Rome and Ray Smith for a job well done.

Mr. Dabinett commented on Thursday, April 21 the Public Utilities Committee had a meeting. Present was himself, Mr. Snyder, Mr. Rathbun, Mr. VanDenBroek, Mike Vreeland, water engineer and Angelo Bolcato, Attorney. Also present was Mr. Phil Deacon, the applicant for Sterling Plaza. We started the meeting by discussing the 14 recommendations by Mr. Vreeland, one at a time we took each item and it was discussed by all. At the end of each item a consensus was taken as to whether or not we would keep or delete said item. At the end he believes we had an agreement that was fair to all concerned. We are waiting for one answer from SCMUA regarding one issue. Once we have that answer he believes Mr. Mayor, we can bring forth an agreement to you and the rest of the Council for your approval. Mr. Vreeland and Mr. Vasato left and we were joined by Alison McHose and Tom Knutelsky, our other engineer. We discussed road paving and the cost. Mr. Knutelsky hopes to have the plans and cost to the Council by May 5, so on May 10, the Council can take some action. We are looking to go out to receive bids around June 8 and paving sometime in early July. We are talking about paving Main Street from one end to the other and Rutherford Ave from Red's Deli all the way down to

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where Rutherford Ave joins Rte 23 by TD Bank and the traffic light at that point. With all of this said Mr. Dabinett has to speak to Monica our CFO to make sure the funds are available, he believe they are.

Mr. Dabinett commented we are also looking to do the portion of Junction Street that wasn't paved in the past and the remainder of High Street that wasn't paved in the past.

Mr. Snyder reported after the completion of that meeting Dawn, Alison, Joe Martinez, Brian and himself met for the Building and Grounds committee. Work that has been completed are security window downstairs in Borough Hall, new phones are up and working. Some of the needs going forward with the building are security cameras inside Borough Hall, Fire Department, EMS and we are still waiting for bids on that work. Mr. Snyder commented they are looking to put a flat screen in the Chambers here with regards to the administration of the Courts, we are not sure of the size or where it will be located. We are waiting for four extra cameras, four have been installed in the Police Department and four more are going to be installed. Down at the Senior Center the toilets need to be replaced, there are six of them, we are going to do it on an as need bases through the years. We are also looking into other ADA requirements, the repair of the steps in front of Borough Hall and putting up a railing, new lettering on the doors and elevator in Borough Hall, carpets need to be replaced in Borough Hall and to upgrade the thermostats being used. Also the ongoing issue of the containers down at the pond, they will be removed within the next two months before the Carnival.

Mr. Rathbun reported at the last meeting we discussed DPW going down and scraping the baseball field. DPW went down there and the field looked great for opening day. The fishing contest is May 7, from 9:00am to 12 noon, you don't have to be from Franklin, we sent newsletters to all the surrounding schools in the Walkkill Region. July 7 through July 10 is the Franklin Carnival, we are still looking for people for gaming trailers. We will have a tent at Sussex County Day and we will be selling tickets there also.

Ms. Fantasia reported on Thursday, April 14, EDC met together with Hardyston, which is one of our two annual meetings, this one was held in Hardyston. One point discussed was the shared service of a Joint First Aid Squad together. We discussed at length some accountable systems that should be in place for volunteer organizations in the Borough and shared service. We also discussed the fact that Hardyston currently has LOSAP in place, they might be a good resource for us with researching LOSAP for our volunteers. Ms. Fantasia commented Hardyston noted one of the strengths for us to attract businesses to Franklin was the abundance of Water supply/capacity. That is something Hardyston does not have.

Mrs. McHose, Administrator, had nothing to report.

Mr. Prol, Esq. reported he exchanged some phone calls regarding Morris County Habitat for Humanity project, that is ongoing, he has a draft sale agreement. The other issue is he did have some minor changes to the Evans Street Water Tower Verizon Lease, he asked that one of the Council members bring that up under old business.

Mayor Giordano reported Sussex County Day is this Sunday, May 1, we will be preselling tickets there and we will have a Franklin table there. The FOP Lodge and Braen Stone fishing contest is May 7, 9:00am to 12, you do not have to be a Franklin resident.

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Mayor Giordano commented street sweeping will hopefully be done in May. We had some pre meetings with developers, projects possibly in the works are for the old Hospital Property and potential development for the old Super Wal-Mart property. Mayor Giordano commented leaf and grass pick up starts this Thursday. Mayor Giordano commented he had spoken to the Chief of Police to address the speeding truck issues people complain about. The Chief has assured the Mayor they will be working on that.

Mayor Giordano commented Baseball and Softball opening was a very good turnout, with scratching and turning the field it brought up something we need to look at. Equipment wise for DPW we have no tiller, to look at getting one in the near future. Mayor Giordano commented the fountain has been reinstalled, the flag on the island has been changed, the Council did take action and we did turn off the water on a property [owner that owed] over \$5,000. The Administrator has asked that we might consider possibly doing some type of payment plan, if the Council is agreeable to that we could authorize a payment plan that the administrator will work out.

Mayor Giordano reminded everyone their 2016 Financial Disclosures are due on April 30.

Mayor Giordano commented we will have an executive session on litigation tonight, Mr. Ursin will be joining us.

OPEN PUBLIC SESSION

Mr. Rathbun 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.

Mike Gunderman, 22 Jenkins Road, Franklin, stepped forward. Mr. Gunderman commented he has a copy of the plans which he purchased for the walking path down at Franklin Pond. Mr. Gunderman commented on paving the beach area, why are we paving that area, there is so much history involved with that beach and explained the history. Mr. Gunderman commented to rethink these plans, why pave the beach.

Betty and Bob Allen, Jenkins Road, Franklin, stepped forward. Mrs. Allen commented on a call she received from a gentleman from Sparta, he had something they might be interested in he found in his Uncle's basement. The Gentleman brought it down to Mr. and Mrs. Allen and they had some work done on it. Mr. Allen passed around a copy of what they were speaking of. It is a picture of the first Continental Congress, the picture was done by the Vocational School Student in 1915. Mr. Allen described the picture, the school does not want the picture at the school.

Mayor Giordano commented he would love to have the [picture] in Borough Hall. It is a nice piece of Franklin History, we can find a place to hang it and would be very grateful if you donate it.

There was a discussion/suggestions where to place the picture in the Borough.

Mrs. Allen asked if new lights will be going in on Main Street. Mayor Giordano commented street scaping is part of what we are looking at in the Planning Grant. They are working on street scaping and an overall look to Main Street through the Planning Grant, we will have an option to look at the lighting.

Ivan and Theresa Sherwood, 193 Corkhill Road, Franklin, stepped forward. Mr. and Mrs. Sherwood are the owners of the horse farm. Mr. Sherwood commented we wanted to bring to the Council's attention some local concerns and safety concerns

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regarding the Braen blasting and trucks and the excessive size of the blast the last few weeks. A few weeks ago we had a blasting committee meeting where local community members joined us and talked about issues they were having with their home. Damage that's done to them, we are concerned and concerned with our business. The blast without a doubt in the last few weeks have been excessively bigger and our concern with the horses and with people at the farm. Personally with the farm anything under ground, wells, septic systems, pool; what is going to happen with that. Mr. Sherwood explained after the article was in the Sunday New Jersey Herald on Monday at 8:00 in the morning a representative from Braen Aggregates, Bill Gurgens, who is the assistant to the president of Braen, he was there to talk to them about issues and concerns they were having. Mr. Sherwood explained the conversation to the Council. Mr. Sherwood commented Mr. Gurgens put the ownership back on Franklin regarding the blast and commented Braen was being pressured to get the new entrance done quicker. Mr. Sherwood commented their concern was is that really the case, how long will these big blasts go on and are they in the correct guidelines. Mr. Sherwood explained the impact from the recent blasts on his property and family.

Mayor Giordano commented he wouldn't say they are being pressured; we paved Corkhill Road over the last two years basically because it was in poor condition. They [Braen] originally agreed to pave 600 feet of that road in combination with the new entrance to the Quarry. As far as the explosions; he doesn't think anyone in the town of Franklin is really qualified to regulate how much explosives or where they put it. Mayor Giordano commented he is aware of your concerns and understands, he will monitor it and explained. Mayor Giordano commented Braen has always been very responsive and he would consider a pretty good neighbor. Mayor Giordano commented this has been a Quarry for 100 years, they are moving into different areas and they are expanding.

Mr. Sherwood commented we are not looking to get them shut down, we want to be a good neighbor.

Mrs. Sherwood commented when we are giving a lesson and you have a seven year old on the back of a horse, [Braen] does tell us when the blasts are and we try to always work around them. But if someone gets thrown or hurt we are going to get sued.

The conversation went back and forth regarding the concerns. Mike Gunderman, works for Braen, sitting in the public commented Braen has a State blasting inspector on site for every blast and explained.

Sally Crabb, Jenkins Road, Franklin, stepped forward. Mrs. Crabb commented that her foundation cracked, she called Braen, they never called back. Mrs. Crabb commented besides her house she talked to DEP because of the bog turtles, they are Federally endangered and that was her biggest concern; she wanted to mention that to the town.

Karen Folkerts, 113 Main Street, Franklin, stepped forward. Ms. Folkerts commented when they put the sidewalk in front of her house related to the Senior Building, about one third of the water is coming down Mill Street and running across her property. Apparently her property was the drainage plan for the Street and explained.

Ms. Folkerts commented on the town garbage; she took the time and gathered what she considers to be the biggest problems with the garbage culture in Franklin and gave an example. Ms. Folkerts handed to each Council member her hand out to

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review. Ms. Folkerts commented she would be willing to help out and be a volunteer.

Mayor Giordano commented to let everyone know the Zoning Officer comes in an hour earlier than everyone else in Borough Hall, he is here at 7:00am one of the reasons he does that is because we have a lot problems with people who put garbage out, drop garbage off at other people's houses because they run a business and bring garbage into town. We have been somewhat successful in identifying the culprits.

There was a discussion back and forth regarding garbage.

Emily Basilwitch, Mill Street, Franklin, stepped forward. Ms. Basilwitch commented on the Billboard on the intersection of Mabie Street and Route 23; it is obstructive and explained, then asked if it could be removed.

There was a brief discussion on the sign.

There being no one else present who wished to address the Governing Body, Mr. Rathbun made a motion to close the meeting to the public, seconded by Mr. Dabinett. 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 March 31, 2016, from Hardyston Township Mayor and Council to Mr. Golden and Mr. Chanda, Re: Sparta Mountain Wildlife Management Area Forest Stewardship Plan.
2. Email dated April 19, 2016 from Cathy Schultz, Hopatcong Clerk Re: Highland Regional Green Infrastructure Workshop for Municipal Leaders.
3. Sandyston Township resolution 33-2016 to support Sussex County C.L.E.A.R. Program-Community Law Enforcement Addiction Recovery.
4. Letter dated April 14, 2016 from Karen Osellame, Planning Board Secretary to Sussex County Planning Board RE: Adoption of the 2016 Master Plan Re-Examination Report and Approving Master Plan Amendments for the Franklin Borough on March 21, 2016.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Health Department report for March, 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of April 26, 2016.

Mr. Limon made a motion to approve the consent agenda of April 26, 2016. Seconded by Ms. Fantasia.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Snyder, Dabinett

Nays: None Absent: Martinez Abstentions: None

OLD BUSINESS

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Mr. Prol commented the Council previously approved entering into an award of a contract based on a bid submitted by Verizon, the sole bidder. We went back and forth with the vendor, Verizon's Counsel and we do have a couple minor changes. Mr. Prol commented he would like additional approval from the Council to accept these changes. Mr. Prol commented the first change is to extend the date when we start the payment to being a month after they receive their building permit. We thought this was a reasonable change and we recommend approval. Mr. Prol commented there are some other minor [changes] the language be that the term of the lease will begin, for ten years, beginning on the first day of the month following issuance of the building permit by the Borough. They don't anticipate that to be too much longer. The other changes proposed are minor. Mr. Prol recommends the Council approve those changes.

Mr. Snyder made a motion to approve those two changes to the contract. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Snyder, Dabinett

Nays: None Absent: Martinez Abstentions: None

NEW BUSINESS

Approval of the Minutes

Mr. Rathbun made a motion to approve the regular meeting minutes and executive session meeting minutes for April 12, 2016. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Snyder, Dabinett

Nays: None Absent: Martinez Abstentions: None

Public Hearing on the 2016 CY Municipal Budget

Mr. Rathbun read, Mayor Giordano will open the meeting to the public for public comments on the 2016 Municipal Budget. Seconded by Mr. Dabinett.

Tom Ferry, Auditor and Monica Miebach, CFO was present for the discussion on the 2016 CY Municipal Budget.

Mr. Martinez arrived approximately 8:00 during discussion on the budget.

Mr. Ferry commented Mayor and Council have the handout, there are also copies of the handout for the Public. Mr. Ferry explained 2016 Municipal Budget referring to the handout as he explained. Mr. Ferry explained the tax point, current fund analysis of revenues, amount to be raised by taxation and this year there is a decrease \$48,189. Mr. Ferry explained a pie chart of revenues, appropriation side, reserve of uncollected taxes, tax collection rate, estimated and actual levy, pie chart for estimated tax rate, for every dollar the tax payer gives us only 33 cent of your dollar stays here, 16 cents goes to the County and the regional and local school together make up 50 percent. Mr. Ferry commented 50 percent of that dollar tax payers give us go right out the door to the two schools. We can only control 33 percent, if you want to talk about the 50 percent you have to go to the School Board meeting.

Mr. Ferry asked if there were any questions on the current fund.

Mr. Ferry commented the average assessed house this year was \$174,704. last year it was \$174,400 a slight increase. The taxes on the average house just for Municipal not including the County and the two Schools, were \$2,047. Last year the average assessed house in 2015 just for Municipal \$2,111., we are coming in at a \$64.17 decrease in taxes this year. Job well done.

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Mr. Ferry referred to the water and sewer budget and explained we had a two dollar increase in our total budget. Mr. Ferry explained we used an additional \$59,000 in fund balance to balance the budget. Mr. Ferry explained the water and sewer budget referring to the handout.

Mayor Giordano invited anyone from the public with questions on the budget to step forward.

No one stepped forward.

Mr. Rathbun made a motion to close to the public for any questions regarding the 2016 Budget. Seconded by Ms. Fantasia. All were in favor.

Resolution 2016-48 to adopt the CY 2016 Municipal Budget

Mr. Rathbun made a motion to adopt the 2016 budget resolution 2016-48. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance 08-2016

Mr. Rathbun made a motion to adopt Ordinance 08-2016 "FIRE DEPARTMENT CAPITAL PURCHASES AN ORDINANCE APPROPRIATING THE SUM OF \$28,278.81 FROM RESERVE FOR FIRE DEPARTMENT EQUIPMENT BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY. Seconded by Mr. Martinez.

Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding ordinance 08-2016.

No one from the public stepped forward.

Mr. Martinez made a motion to close to the public ordinance 08-2016. Seconded by Mr. Rathbun. All were in favor.

Upon roll call vote:

Ayes: Fantasia, Martinez, Rathbun, Dabinett

Nays: None Absent: None Abstentions: Limon, Snyder

Introduction to Ordinance 09-2016

Mr. Rathbun made a motion to introduce an ordinance 09-2016 entitled "AN ORDINANCE AMENDING CHAPTER 161" LAND DEVELOPMENT" AND CHAPTER 218 "SIGNS". Seconded by Mr. Martinez.

Mayor Giordano commented for the purpose of this discussion he will have to abstain.

Mrs. McHose explained the ordinance.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Public hearing will be held May 24, 2016.

Littell Community Center Shared Service Agreement

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Mr. Rathbun made a motion to approve the Littell Center Shared Service Agreement in the sum of \$48,584.00 for a two year period of January 1, 2016 through December 31, 2017. (Agreement provided in the Council packets, agreement tabled on April 12, 2016) Seconded by Mr. Dabinett.

Mayor Giordano commented we had a joint recreation meeting with Hardyston last week, we went over some of the logistics involving the Littell Center. We are going to be getting reports, which will go to Alison and we will distribute them to the Council. Mayor Giordano commented Ms. Fantasia and Mr. Dabinett had visited the Littell Center and they evaluated it as well. At this point he thinks we should continue on with it for the time being.

Upon roll call vote:

Ayes: Fantasia, Limon, Rathbun, Snyder, Dabinett

Nays: Martinez Absent: None Abstentions: None

Franklin Historical Society Ground Lease

Mr. Rathbun made a motion to approve notice of default to tenant and lender regarding the Franklin Historical Society Ground Lease Agreement. (drafts in Council packets) Seconded by Mr. Dabinett.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Rules for the Pond Area

Mr. Rathbun made a motion to change the rules in the pond area to allow dogs in certain areas to be determined by the Recreation Commission. Seconded by Mr. Dabinett.

Mayor Giordano commented the pond area is very important to a lot of people, they go down there every day and he encourages people to use the pond as much as possible. Some of the places you do see dogs, it would be nice to have a Bark Park. He would like to ask Recreation to change the rules and to allow dogs in the front section of the pond, there is opportunity to have some other activities down there and he hopes the Council would be agreeable to the change. Mayor Giordano commented this was discussed with Angelo Bolcato, and this wouldn't require an ordinance change we could just change the rules.

Ms. Fantasia commented if someone isn't responsible with what is left behind [with the dog] who gets the fall out.

Mayor Giordano explained we can put up signs, maybe have bags available. Recreation will be in charge of that area. It would be nice to see people down there having fun with their dogs.

Mr. Limon commented would we have recreation update us on this.

Mayor Giordano commented correct, he could ask the members of recreation to do a walk through, then bring it to Building and Grounds.

Mr. Martinez asked will we put a fence around that area.

Mayor Giordano commented he doesn't think so, that area is off the road he was thinking of but maybe recreation will think we should fence it in.

Mr. Dabinett asked are the rules that are in place now not allowing dogs.

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Mayor Giordano commented now it is basically only seeing eye dogs are allowed. So the rules are kind of out of step with today and explained.

There was a discussion on allowing dogs, using a leash, people are responsible for their dogs, recreation would determine the area, Carnival coming to that area, use a leash and have a fence for safety standpoint,

Mayor Giordano asked if anyone was against sending this to recreation for a recommendation. Mayor Giordano asked do you want to table this and send it to recreation.

Mr. Prol commented a motion to table it would be a superseding motion.

Mr. Martinez made a motion to table this and have recreation come back [with rules]. Seconded by Ms. Fantasia.

Mayor Giordano commented we have a motion and a second to table this and bring it to recreation to see what their recommendation is.

Upon roll call vote:

Ayes: Fantasia, Martinez, Rathbun, Snyder, Dabinett

Nays: Limon Absent: None Abstentions: None

Franklin Pond Playground Equipment

Mr. Rathbun made a motion to authorize the replacement of worn playground equipment from Ely Associates, Inc. In the amount of \$3,140.10. Seconded by Mr. Martinez.

Mayor Giordano commented the mulch in the area of the playground is basically a rare item we need to replace it from time to time, it is in need of replacement. Also, one of the things found while they were looking at the mulch was a slide that was damaged that had a sharp edge on it, they since closed that slide.

Mr. Dabinett commented he is under the impression this is for two new slides.

Ms. Fantasia asked when will this be installed.

There was a brief discussion on how soon the slide would be fixed and if it would be fixed before the Carnival.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction to Ordinance 10-2016

Mr. Rathbun made a motion to introduce an ordinance 10-2016 entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Mr. Limon.

Mayor Giordano explained the ordinance.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Public hearing will be held May 10, 2016.

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Public Service Project

Mr. Rathbun made a motion to approve the public service request from Junior National Honor Society students at Immaculate Conception Regional School to clean, refurbish, replace the two basketball nets at the Franklin Pond Recreation area and re-lining the court. Seconded by Mr. Limon.

Mrs. McHose explained the request.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Fireworks For Franklin Carnival

Mr. Rathbun made a motion to approve a contract for Fireworks for the Franklin Carnival from Garden State Fireworks. (Two contracts provided with description of services.) Seconded by Mr. Martinez.

Mrs. McHose commented for clarification the information in the packets was not the correct contract. Mrs. McHose commented the first night would be July 7, the fee for the first night show is \$3,500., then on the last night of the Carnival July 10, rain dates are left open, at that second day is \$5,000. It is a total of \$8,500; we are hoping to offset the cost of this by donations.

Mayor Giordano commented recreation is looking for sponsors.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

ADDENDUM

Approval of New Jersey State Firemen's Association Membership Application

Mr. Martinez made a motion to approve the application for membership of Theodore V. Lang, 15 Wildcat Road, Franklin, to the Franklin Fire Department as recommended by Fred Babcock, Franklin Fire Department Chief. Seconded by Mr. Rathbun.

Upon roll call vote:

Ayes: Fantasia, Martinez, Rathbun, Dabinett

Nays: None Absent: None Abstentions: Limon, Snyder

Mayor's Appointment to the Zoning Board of Adjustment

Mayor Giordano commented long time Zoning Board member Richard Kell has sent in his resignation, he will be moving out of Franklin. This is effective as of July 1. With the Council's approval he would like to move Wes Suckey up to member, move Richard Knop up to Alternate 1 and appoint Rafael Burgos to Alternate 2.

Mr. Martinez made a motion to confirm the following appointments for the Zoning Board of Adjustment beginning July 1, 2016. Seconded by Ms. Fantasia.

Member	Wes Suckey	term expires 12/31/2016
Alternate #1	Richard Knop	term expires 12/31/2017
Alternate #2	Rafael Burgos	term expires 12/31/2016

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Snyder made a motion to adjourn into closed executive session to discuss **Litigation Franklin Meadows**. Motion seconded by Mr. Rathbun.
All were in favor.

Mayor Giordano commented we may or may not take action after executive session.

After meeting in closed session, the Governing Body returned to their seats at 9:30p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

Mr. Limon made a motion the Borough enter into the settlement as put forth in executive session. Seconded by Mr. Rathbun.

Upon roll call vote:

Ayes: Fantasia, Limon, Martinez, Rathbun, Dabinett

Nays: None Absent: None Abstentions: Snyder

OPEN PUBLIC SESSION

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

MISCELLANEOUS COMMENTS

Mr. Martinez apologized for being late, he was stuck in traffic. Mr. Martinez asked if letters went out to people who have items in the container [down at the pond].

Mayor Giordano asked Mr. Sean Kidd in the public if he was notified.

Mr. Kidd commented he was not notified but Dawn Ingles is the Scout leader for Franklin of the service unit leader. If anyone in Franklin would have been notified it would have been her.

Mr. Martinez commented he would speak to Alison to see when this will happen.

Mr. Limon commented there was a resident that asked if we were repaving the beach at the pond.

Mayor Giordano commented the paving of the walking path didn't include the beach, he doesn't recall that.

There was a brief discussion on the path, beach, florescent minerals in the beach area and board walk.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Martinez made a motion to adjourn the meeting at 9:40p.m., seconded by Mr. Snyder. 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
April 26, 2016**

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk