

**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 27, 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. Skellenger, Mr. Snyder, and Mayor Giordano.

Absent: None

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."

PRESENTATIONS

Mayor and Council and Recreation Commission presented David and Reginald Hocking a prize for the fish (with tags) they caught at Franklin Pond.

Mr. Rathbun presented the prizes to David and Reginald Hocking. Mr. Rathbun explained when you catch a fish with a tag there is a prize associated with that.

Mayor Giordano commented this is a reminder we do stock the pond, this is from money we raised from doing the Carnival.

COMMITTEE REPORTS

Ms. Fantasia commented there isn't much to report from the last EDC meeting, their next meeting is a joint meeting with Hardyston held here at Franklin on Thursday, October 13, at 7:30pm. Ms. Fantasia gave an update on the Transportation Alternative Program; the finance committee was looking at that along with herself, Mr. Dabinett and Mr. Knutelsky. We are at the stage where first we do need letters of support for the path from residents, specifically those from our Senior population, we will be going down to our Senior Center and asking for letters of support for the path because we want to establish connectivity between the Senior Center and the walking path. We will also need letters for support for the beautification of Main Street from businesses that are located on Main Street. Ms. Fantasia commented she has created a template that she is going to share here at Borough Hall if somebody can give her a hand in distributing that and get those letters in. Ms. Fantasia commented she, Mrs. McHose and Mr. Knutelsky need to meet to discuss what the next step is because we talked about needing some amendments to the grant itself to meet the financial requirements. Ms. Fantasia reported on the Planning Board meeting and explained the applications that were on the Planning Board September 19, meeting agenda.

Mr. Skellenger reported last Thursday he attended his first Open Space meeting with the County. Mr. Skellenger explained a project Vernon had presented to the Open Space Committee. The Open Space committee controls money that helps communities purchase land; not to do any projects it is just the purchase of the land. Mr. Skellenger commented a lot of communities have their own Open Space Committee within their town or borough; maybe this is something we can look into.

Mayor Giordano commented if you think that is worth while we can probably do that.

Mr. Rathbun reported on October 15, we are going to have a fishing contest at the Franklin Pond, Braen Stone has donated \$2,000 for restocking the trout, again there will be tagged fish and prizes associated with that. On October 29, is the Hullabooloo, Braen Stone donated \$1,500, Irish Cottage donated \$500 and Sussex Bank has donated \$500 [for that event]. For the fishing contest the FOP has donated something for prizes. Mr. Rathbun commented FOP has donated for everything.

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Mr. Rathbun explained the events for October 29, starting with the Halloween parade at 11:00AM.

Mr. Snyder reported on Building and Grounds. Mr. Snyder thanked Mr. Kidd and his daughter for doing an excellent job done at the pavilion area, a lot of effort was put into doing an excellent job. Mr. Snyder commented in Borough Hall we are not doing anything with regards to the air conditioning; we don't have to now but we are still looking into taking care of that. The steps in front of Borough Hall are starting to be repaired, we are working on some adjustments to that; putting a rail up was talked about and maybe a middle rail. Also, down at the park, the area where there is mulch and clay, will be done next month. We are in the process of revamping the recreation stand and Mr. Dabinett has volunteered his time in doing that, painting and putting in a new sink to make it operative to be able [use it] as a refreshment stand and the DPW employees had been down there working.

Mr. Dabinett explained what had been done by DPW.

Mr. Snyder commented the two bathrooms down there [at the pond] is a concern; we need to look at keeping them operative and when that stand is opened it will probably be best to keep them open but we are going to have them under lock and key control afterwards. Mr. Snyder commented Mrs. McHose is going to get a report on what was spent on the port a Johns.

Mr. Snyder reported on the lighting down at the pond. Some of the lighting isn't working properly and we need to go forward in correcting this. Maybe a minor fix with football in that area and explained the poor lighting and number of lights out. Mr. Snyder commented we are going to have to discuss this as a capital project to look into for the upcoming year. Mr. Snyder commented the equipment ordered is on the agenda tonight.

Mr. Dabinett reported on the Public Utilities Committee. There was a brief meeting; Mr. Skellenger had another affair to attend, Glenn Soules wasn't able to make it so it was him, Brian VanDenBroek and Mr. Rathbun. We discussed the equipment being purchased tonight.

Mr. Limon reported on the Personnel Committee. There was a meeting with Ms. Fantasia, Mr. Skellenger, Mrs. McHose and himself, it went very well, we reviewed the contract of Mr. VanDenBroek, Public Works Supervisor, we should have something soon on this so we can [renew] his [contract] again without any issues. Also, we will be inviting Chief McInerney to their next meeting [personnel] to finish up his contract to see if something can be worked out by the end of the year.

Mrs. McHose commented one thing she wanted to make public; is our CFO attended a conference this past week; she got some new information on OBAMA care. We were under the impression that we only will be able to offer one year contracts because of the change at the beginning of January 1, 2018; that has now changed and it is pushed off until 2020 and explained.

Mr. Limon commented under old business we are looking at hiring a labor assistant mechanic.

Mayor Giordano commented we will probably have that on the next agenda for the hire.

Mr. Limon commented we were under the understanding in personnel that it was old business being held up due to financial constraints.

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Mayor Giordano commented if we are good financially to make the hire.

Ms. Fantasia commented what we discussed when talking about checking our budget was we would not hire any new employees unless an employee retired. With Mr. Heller retiring as of December we are proposing a new hiring date of November 1, so there will be a cross over for appropriate training that might be necessary. We are proposing a hiring date of November 1, with Mr. Heller retiring in December.

Mayor Giordano asked if they wanted this on the next agenda or consider the hire now.

Ms. Fantasia commented it is our recommendation to ask Mr. Bolcato whether this can be considered under old business.

Mr. Bolcato asked if this was previously discussed by the Council. Mayor Giordano commented it has been previously discussed by the Council.

Mr. Bolcato commented it carries, you can do that if it is the Council's pleasure, providing you have the financing available to fund the position, it sounds like you do.

Ms. Fantasia commented correct there is budgeting for that position.

Mayor Giordano commented are you looking to hire one or two people.

Mr. Limon commented as of now we would like to hire one and after the first of the year if the budgeting is available hire that other individual.

Ms. Fantasia commented the personnel committee along the Council found both candidates highly qualified so moving forward as we examine our new budget and for the upcoming year we [would consider] the other candidate but for now we are keeping our finances controlled we can really only replace the one employee.

Mr. Dabinett commented he wanted everyone to be aware the starting salary of this individual is \$16.82. Mrs. McHose commented \$16.86. Ms. Fantasia commented under provisional statues it is \$16.86 per hour.

Mr. Limon made a motion to hire Andrew Burd as a labor/assistant mechanic as of November 1, 2016. Seconded by Mr. Dabinett.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mrs. McHose reported the bridge down by the pond is reopened and looks beautiful. Mrs. McHose, Chief McInerney and Tom Knutelsky, Borough Engineer inspected High Street. Mr. Knutelsky determined it was safe to be reopened.

Mayor Giordano commented there will be an executive session tonight for personnel the 2017 appointments for professionals and Litigation for Four Winds. The Sussex County Firemen Parade will be this Saturday. The Franklin Fire Department has a golf outing on October 21st. The Hullabooloo will be on October 29, he reminded everyone this is in conjunction with the Fire Department. There is a fishing contest October 15, it is for fisherman under 14 years old and explained the event.

Mayor Giordano commented he met with Easter Seals to talk about their building, they came up to see what they can do with the building to make it more attractive for sale. Mayor Giordano informed them [Easter Seals] the Borough would love to have

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that building for our police department. Mayor Giordano asked them to donate the Building to Franklin Borough for part of our Main Street [plan] and explained the building and the idea of moving the police department to Main Street. Mayor Giordano commented he spoke to the President of Easter Seals, he was not against this, he asked that the Borough solicited letters from the public asking Easter Seals to donate the property to the Borough of Franklin for use of a police station and the top floor to become a recreation center and this idea. Mayor Giordano commented we would like to have people write letters of support, asking Easter Seals to donate their building to the Borough; to bring those letters into Borough hall or send them to Borough Hall.

Mayor Giordano commented we have some issues with vandalism down at the pond and explained what has happened. Mayor Giordano asked if anyone is down at the pond and sees anything please report it. There has also been illegal dumping down there and explained.

Mayor Giordano asked Mrs. McHose where we were at with the new police car. Mrs. McHose commented we just received notice it was ready and John Rome is ready to pick it up and do the registration.

OPEN PUBLIC SESSION

Mr. Snyder 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.

Rachel Heath, 7 Hemlock Drive, Franklin, stepped forward. Mrs. Heath commented she was at the meeting on July 26, and spoke about the bridge; she asked then about the bridge and if they were going to put the light back on the falls. Mrs. Heath commented at that time the Council was going to look into the matter, obviously there is no light on the falls.

Mayor Giordano commented he asked the Engineer about his. When the light was installed it was installed way below code and the County was not going to take responsibility for the light and explained the light, wiring being cut and not safe.

Mrs. Heath asked why did they put the sidewalk on the other side, if you recall the sidewalk was on the fall side, they put the sidewalk on the left hand side, school children and the crossing guard are on the opposite side of the pond to cross the children and asked where they are going to walk. This is a side walk to nowhere. Mrs. Heath thinks this is a safety issue.

Mrs. Heath asked what the proceeds where from the Carnival. Mayor Giordano commented the Carnival grossed slightly less than \$40,000, recreation took home around \$12,000.

Mrs. Heath commented there is a rumor the Council is taking over the church on Main Street, is that true. Mrs. Heath commented are you taking over the financial responsibility of that church.

Mayor Giordano commented we are not going to take financial responsibility of the church, we have called in the lease on the church. The lease terms are still somewhat under discussion with the bank so he can't really go into it much further. Mayor Giordano commented the taxpayer is not going to be responsible for the church. Mayor Giordano commented we are going to try and work with what was there, we don't know where we are going to go from the point with which the lease is finally settled. It hasn't been decided yet, the ownership of the building is still in discussion.

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Mrs. Heath commented straight answer is the Borough involved.

Mayor Giordano commented we called in the terms of the lease.

Mrs. Heath commented we are taking the lease over.

Mayor Giordano commented we are going to be the owners of the building, but that doesn't mean the taxpayers are going to be spending any money.

Mrs. Heath commented of course we are, you can't maintain the buildings we have now, it is a great idea to for the police station but we have to take care of what we have. The Senior Center is a disgrace.

There was a discussion back and forth regarding the church.

Robert Allen, Jenkins Road, Franklin, stepped forward. Mr. Allen commented on a booklet and the Zinc Mine Property. Mrs. McHose explained to Mr. Allen the redevelopment and rehabilitation for that property will be on the Planning Board next meeting. Mr. Allen commented on this man that wants to buy the top section of the Zinc Mine property.

There was a discussion on Zinc Mine Property.

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. Limon. All were in favor.

OLD BUSINESS

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

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 September 14, 2016 from Autumn M. Sylvester, Coordinator, Sussex County Office of Farmland Preservation and Conservation, to Sussex County Municipal Clerks, Re: Update to County Farmland Planning Incentive Grant.
2. Letter dated September 16, 2016 from Jeff Spatola, Chief of Staff, District 24 Legislators, to Local elected Officials, Town Administrator, County Freeholders, & County Administrator, Re: Local Officials Meeting.
3. Information received on September 14, 2016, to Franklin Borough Council, Re: Pipeline awareness.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Health Department report for June, 2016.
2. Health Department report for July, 2016.
3. Police Department report for August, 2016.
4. Municipal Court report for August, 2016.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 27, 2016.

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Mr. Limon made a motion to approve the consent agenda of September 27, 2016.
Seconded by Ms. Fantasia.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

NEW BUSINESS

Approval of the Minutes

Mr. Limon made a motion to approve the regular meeting minutes and executive session meeting minutes for September 13, 2016. (Absent: Mr. Dabinett)

Mayor Giordano commented we will have a change in the executive session minutes they were revised to show that Mr. Limon was not present. Mr. Limon commented yes he left before executive session.

Ms. Fantasia requested a spelling change, bottom of page one the last paragraph, Paul Metchum is Meacham.

Mr. Limon amended the motion to accept the changes.

Ms. Hough asked if on page 7 the regular minutes to insert something to show Mr. Limon had left the meeting.

Mayor Giordano commented the clerk would like to add on page 7 after the executive session Mr. Limon left the meeting prior to the executive session; she would like to put you were not there for executive session and left the meeting thereafter.

Mr. Limon commented that is fine, that is exactly what happened.

Seconded by Mr. Rathbun.

Upon roll call vote with changes:

Ayes: Snyder, Fantasia, Limon, Rathbun, Skellenger

Nays: None Absent: None Abstentions: Dabinett

Application for a Social Affair Permit

Mr. Limon read "A motion is in order to approve the application for a social affair permit submitted by the Franklin Fire Department, premises for the social affair permit is the Franklin Firemen's Park on October 29, 2016." Mr. Rathbun made the motion to approve the application for the social affair permit. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Rathbun, Skellenger

Nays: None Absent: None Abstentions: Snyder, Limon

Resolution 2016-85

Mr. Skellenger made a motion to adopt resolution 2016-85 authorizing the Borough Clerk to renew the following liquor license for the 2016-2017 licensing term;

1906-33-004-006 Sullivan's Gas Light Inn, Inc.

(This license required a special ruling from the Division of Alcoholic Beverage Control which was provided in the Council packets.)

Seconded by Mr. Limon.

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There was a brief discussion on the license. Mrs. McHose explained the process the Municipal Clerk does when renewing each liquor license. Mrs. McHose commented she wanted to praise the Clerk publicly for following up and taking care of the 14 liquor licenses because it is a lot of work.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2016-86

Mr. Skellenger made a motion to adopt resolution 2016-86 authorizing the purchase of DPW Equipment per ordinance 15-2016. The resolution authorizes the purchase of a Kawasaki Loader 62Z7, Kubota Compact Tractor and Kubota Compact Excavation in the total amount of \$195,518.50. Seconded by Mr. Dabinett.

There was a discussion on the resolution, the equipment, multi machine discount on the equipment and the breakdown of the purchase was explained. The DPW was praised for taking good care of their equipment.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Skellenger made a motion to adjourn into closed executive session to discuss **personnel matter 2017 professional appointment and Four Winds Litigation**. Motion seconded by Mr. Snyder. All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:10p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

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. Limon. All were in favor.

No one from the public stepped forward to address the Governing Body.

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

MISCELLANEOUS COMMENTS

Mr. Dabinett commented on the lighting at the pond. Mr. Dabinett commented the lighting on the one end of the field by the concession stand is very bad, there are a lot of bulbs and ballasts that need to be replaced. Mr. Dabinett commented last year Mr. VanDenBroek received a quote from High Point Electric for \$9,500. to do that work. While that isn't a final solution it is a band aid and he thinks we should address that at this point. It is October, the fields are being used down there, God help us if a child gets hurt as a result of the lighting. Where ever we can take the money from, he thinks we need to come up with the money and move on this to get those lights fixed.

Mr. Limon commented you are estimating that at \$9,500., what does that include light bulbs or is it LED lighting.

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Mr. Rathbun commented he believes that is for the rental of the lift to get up there and do the work and the labor, we would supply the actual bulbs.

Mr. Limon commented regular light bulbs are a thing of the past if you switched over to LED bulbs would that help the overall point of the lighting situation.

Mr. Rathbun commented last year when he was chairman of recreation he had Moscow lighting come out and we walked around and explained the problems with the lighting. To replace the lights along on the football and baseball field it was estimated to be about \$100,000., we wouldn't recoup that money back for at least 20 to 25 years. Mr. Rathbun explained the bulbs used now. Mr. Rathbun explained an email he received from football; they will no longer be using that field because of the field conditions. Mr. Rathbun asked what were the dangerous conditions. Mr. Rathbun commented he was told the lighting was dangerous for the kids and there was a lot of geese [droppings] on the field.

Mr. Snyder commented what he mentioned earlier could be a quick fix to use the field, Mrs. McHose was trying to get a hold of Marianne Smith at Hardyston and see if we can use the portable lighting they have in Hardyston. That might help us out, it is a lot of money, \$9,000 to replace bulbs. Let's do a quick fix if we can so it will be safe for the kids down there and work from there.

There was a discussion on the control over the lights at the pond, what was included in the quote from Musco, a short term solution, do we need Council approval and time frame of when the next meeting was, have Mrs. McHose contact Hardyston, the height of the lights at the pond and this should be taken care of as soon as possible.

Mayor Giordano commented lets authorize Mrs. Mchose to discuss this with Hardyston, come up with a plan and if she can't come up with anything before the next meeting we will authorize a repair. It is not an agenda item we can't spend that kind of money without it being on the agenda.

Mr. Bolcato commented the CFO needs to verify the funds are available.

There was a discussion on the geese situation at the pond.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 9:25p.m., seconded by Mr. Skellenger. All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk