

**REGULAR AGENDA
FOR THE MAYOR AND COUNCIL MEETING
BOROUGH OF FRANKLIN,
HELD AT THE MUNICIPAL BUILDING, 46 MAIN STREET
FRANKLIN, NEW JERSEY AT 7:00 P.M. ON
APRIL 14, 2009**

- A. **Mayor Crowley** will call the meeting to order; Clerk will call the roll.
- B. **Mayor Crowley** will invite all present to salute the flag.
- C. **Mayor Crowley** will state that "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. It has been properly advertised, and certified by the Clerk."

D. **PRESENTATIONS**

There are no presentations scheduled for tonight's meeting.

- E. **CONSENT AGENDA:** **Mayor Crowley** will request that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made, at this time.

After all persons have had an opportunity to review the consent agenda and offer requests for changes, Mayor Crowley will request a motion to approve the consent agenda.

- F. **COMMITTEE REPORTS:** **Mayor Crowley** will allow each member of the Council, Borough Administrator, Borough Clerk, and Borough Attorney to present their respective committee report.

Mayor Crowley will offer the Mayor's Report.

- G. **OPEN PUBLIC SESSION:** **Mayor Crowley** will request a motion to open the meeting to the public, for any questions or comments concerning the good and welfare of the Borough. **All comments should be directed to the Mayor and kept to a 5 minute maximum.**

After giving all persons present an opportunity to address the Governing Body, **Mayor Crowley** will request a motion to close the meeting to the public and return to the regular order of business.

H. **OLD BUSINESS:**

I. **NEW BUSINESS:**

1. **Approval of Meeting Minutes**

A motion is in order to approve the meeting minutes of the Regular Meeting and Executive Session held on March 24, 2009. (Absent: Stoll)

2. **Adoption Ordinance #5-2009 Exceed Budget Cap**

A motion is in order to adopt an ordinance entitled "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK".

Prior to final roll call, **Mayor Crowley** will open the meeting to the public for any comments regarding ordinance #5-2009.

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3. Withdrawal Ordinance #2-2009 Regulating Clothing Bins

A motion is in order to withdraw Ordinance #2-2009 Regulating Clothing Bins.

4. Introduction Ordinance #6-2009 Regulating Clothing Bins

A motion is in order to introduce an ordinance entitled "ORDINANCE OF THE BOROUGH OF FRANKLIN, SUSSEX COUNTY, NEW JERSEY TO ADD CHAPTER 104 TO THE CODE OF THE BOROUGH OF FRANKLIN TO REGULATE DONATION CLOTHING BINS".

FINAL READING: APRIL 28, 2009

5. Introduction Ordinance #7-2009 United Telephone Co. Easements

A motion is in order to introduce an ordinance entitled "AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF UNITED TELEPHONE COMPANY OF NEW JERSEY, INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC ROADS, STREETS, OR HIGHWAYS IN THE BOROUGH OF FRANKLIN, SUSSEX COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF".

FINAL READING: APRIL 28, 2009

6. Approval Garden State Fireworks Contract

A motion is in order to approve the contract from Garden State Fireworks, Inc. for the Franklin Nite Fireworks Display to be held on June 27, 2009 at a cost of \$5,000.00.

7. Approval Nisivoccia & Company Contract

A motion is in order to approve the contract from Nisivoccia & Company, LLP for auditing Franklin Borough's Financial Statements for the years ending December 31, 2008 and December 31, 2009 at a fee not to exceed \$25,000.00.

8. Approval Franklin Fire Department Membership

A motion is in order to approve the Franklin Fire Department membership application of Douglas G. Talmadge.

J. EXECUTIVE SESSION – IF REQUESTED

Mayor Crowley will request a motion to adopt a resolution to adjourn into Executive Session to discuss certain items excluded from the public.

THE OPEN PUBLIC MEETINGS ACT ALLOWS THE MAYOR AND COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES,

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FRANKLIN, THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

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THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE BOROUGH CLERK'S OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW.

Be further advised this Resolution shall take effect immediately.

- K. MISCELLANEOUS COMMENTS: **Mayor Crowley** will allow each member of the Governing Body to offer any miscellaneous comments which they may have at this time.

- L. ADJOURNMENT: **Mayor Crowley** will request a motion to adjourn the meeting.