

**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
FEBRUARY 10, 2009**

Mayor Crowley called the meeting to order and requested the Borough Clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Mr. Barton, Ms. Miller, Mr. Snyder, Mr. Zschack, and Mayor Crowley.
Absent: Mr. Stoll

Mayor Crowley introduced the Franklin Boy Scouts and Cub Scouts who conducted a flag ceremony and invited all in the audience to salute the flag. The Scout Masters thanked the Mayor and Council for having them tonight.

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. Resolution from Butler Borough Regarding the Restoration and Repair of Route 23 Corridor.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. December 2008 Finance Report.
2. Construction Permit Activity Report for January 2009.
3. Franklin Borough Police Report for January 2009.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of February 10, 2009.

Mr. Zschack made a motion to approve the consent agenda of February 10, 2009. Seconded by Mr. Barton.

Upon roll call vote:

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

COMMITTEE REPORTS

Mr. Barton discussed shares services. Mr. Wolak and the Mayor are working on the interconnect. He reported the recommendations from the Ordinance Committee regarding Walsh Road, Traffic Safety Officer, and installing a dry well for the wash station.

Mr. Zschack asked for executive session for negotiations and informed the Council of the items on the agenda for the Planning Board will be meeting on the 17th.

Attorney Ursin discussed the CO for Franklin Precast and the charge for the developer fee. Franklin Precast has appealed to the Division of Taxation.

Mr. Wolak gave his report. He explained that the entire budget for salt has been used because of the numerous ice storms since January 1st. He asked for executive session for contracts, FOP negotiations and employee contracts. Mr. Barton questioned if there was enough money in the budget for the overtime and asked

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about the camera to be used in the sewer line study. Mr. Wolak discussed that the camera had GPS and the price of the service. Mr. Barton would like to see how much a camera costs. Mr. Wolak and Mr. Zschack explained that there would be training and other costs involved.

The Mayor reported that DPW is trying to pinch every penny on overtime but with the ice, they need to go out to salt the roads. Jack Stoll is retiring after 28 years of work and we all wish him well. If state passes the law on the moratorium, it will push for residents to get final CO's.

OPEN PUBLIC SESSION

Mr. Limon made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Zschack. All were in favor.

Joanne Tatka of 151 Maple Road discussed that the Road Department use to get comp time for overtime. She asked if the Borough can hire outside help cheaper. She questioned the camera for the sewer lines. She asked about the longevity of \$5000.00 as a bonus of a retiring police officer. She wanted to know how many employees have cell phones.

The Mayor noted that the camera is used for identifying leaks in the lines. Rain water is entering the system, being treated and is billed as sewage treatment. He discussed that Mr. Kulsar is retiring and will be eligible for payment of unused sick time. The total is approximately \$30,000.00.

Mr. Wolak explained that the contracts have provisions for payment of unused sick time upon retiring. He added that there were four or five employees left on longevity. There are ten critical employees that have cell phones.

Mr. Barton added that the Borough was mandated to address the sewer inflow.

Michael Krupa of 134 Main Street A friend works for DYFYS and said that there is a cap of \$15,000.00 for sick time. He also asked who owns Fire Department Park.

The Mayor explained that is a state employee. Borough owns Fire Department Park.

Elaine Karpowicz of 168 Main Street said she received a letter telling her to remove snow and ice, after she removed the snow and ice the plow put it back. She feels that the Borough should clear the sidewalks. She explained that the Borough sidewalks and parking lot was not cleared.

The Mayor explained that it is the responsibility of the Road Department to clear the road to the curb.

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. Zschack. All were in favor.

OLD BUSINESS

Mr. Snyder asked about the shared services with Ogdensburg police.

Mr. Limon asked about the status of the Hamburg well. The Mayor replied that he has heard back from Ogdensburg and they hope the developer's helps with the well.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zschack motioned to approve the meeting minutes of the Regular Meeting and Executive Session held on January 27, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

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Clothing Bin Enforcement Resolution

A resolution adopting the designation the Franklin Borough Zoning Office as the "Appropriate Municipal Agency" for accepting permits and enforcing the provision of law relating to the use and placement of donation clothing bins was not adopted and replaced by Ordinance # 2-2009.

Approval NORWESCAP Lease Agreement

Mr. Zschack motioned to approve the three year lease agreement for office space at the Franklin Senior Center by NORWESCAP at a rent of \$3,744.00 a year for 2009, \$3,894.00 a year for 2010 and \$4,050.00 a year for 2011 and The Mayor is authorized to make the amendments. Seconded by Mr. Limon. Mr. Zschack asked about the time frame of the contract.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

Appointment of Alternate Public Defenders

Mr. Zschack made a motion to appoint Sheppard Kays, Esq. and John Williams, Esq. as Alternate Public Defenders at the same rate of the regular public defender. Mr. Snyder seconded the motion. It was noted that the Judge made the recommendations.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

Appointment of Alternate Prosecutors

Mr. Zschack made a motion to appoint Jarrod Cofrancesco, Esq. and Michael Hannifan, Esq. as Alternate Prosecutors at the same rate as the regular prosecutor. Mr. Snyder seconded the motion.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

Resolution Authorizing Participation in the PARIS Grant Record Purging Project by the County of Sussex

Mr. Snyder motioned to adopt a resolution authorizing the Borough of Franklin to participate in the PARIS Grant Records Purging Project to be sponsored by the County of Sussex as a Shared Service. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

Introduction Ordinance #1-2009 Amending Chapter 218 Signs

Mr. Snyder motioned to introduce an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 218 OF THE CODE OF THE BOROUGH OF FRANKLIN ENTITLED "SIGNS". Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

FINAL HEARING: FEBRUARY 24, 2009

Introduction Ordinance #2-2009 Clothing Bins

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Mr. Snyder motioned to introduce an ordinance entitled, "AN 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". Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

FINAL HEARING: FEBRUARY 24, 2008.

Introduction Ordinance #3-2009 Amending Fees

Mr. Snyder motioned to introduce an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 119, FEES OF THE FRANKLIN BOROUGH CODE". Seconded by Mr. Zschack.

Mrs. Leasure informed the Council that this ordinance is increasing the fees for all liquor licenses by 10%, they have not been increased since 2006. ABC allows municipalities to increase fees by 20% yearly.

Upon roll call vote:

Ayes: Barton, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: Limon

FINAL HEARING: FEBRUARY 24, 2009

Approval Presbyterian Easter Dawn Service

Mr. Snyder motioned to approve the request from the First Presbyterian Church to Hold Easter Dawn Service on April 12, 2009 at the Franklin Pond. Seconded by Mr. Barton.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Zschack made a motion to adjourn into closed executive session at 7:58 PM to discuss personnel and attorney client privilege matters. Motion seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Zschack

Nays: None Absent: Stoll Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 8:57 p.m. and Mayor Crowley declared the meeting to be reconvened into open public session.

MISCELLANEOUS COMMENTS

There will be a Sunday Breakfast with the Boy Scouts at the Immaculate Conception. Mr. Steve Van Dyk passed away. Russ Bennett passed away, he help the seniors for many years.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 8:59 p.m., seconded by Mr. Limon.

All were in favor.

Paul B. Crowley, Mayor

Patricia Leasure, R.M.C.