

**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 28, 2009**

Council President Barton 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, Mr. Limon, Ms. Miller, Mr. Snyder, Mr. Stoll, Mr. Zschack, Mayor Crowley arrived at 7:10 pm.

Council President Barton led the assembly in the flag salute.

Council President Barton 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."

BUDGET HEARING

The Registered Municipal Accountant Katherine Mandell and CFO Sam Rome were present for the budget hearing. Mr. Rome discussed the handouts he presented to the Council and public. He explained that the budget is on hold in Trenton so the Borough cannot adopt the budget at tonight's meeting. He stated if the Borough does receive State Aid the budget will have to be amended prior to the adoption. He explained that the State Aid figures will come sometime in the first or second week of July. He discussed the school figures. He informed the Council that as introduced the budget tax increase would be approximately 20 cents. If the Borough gets the same amount of aid as last year the increase would be 12 cents.

The Borough Administrator added that every category in the budget has been cut. There has been over a two hundred thousand savings this year. The management of the town has cut one hundred and ninety two thousand dollars. He explained that the Council only controls thirty two percent of the budget, because of contract obligations.

Mr. Limon asked about the salary increase over 1.5%. The Administrator advised that it includes the police department.

Mr. Zschack questioned the water and sewer salaries. As per the CFO, overtime, shift differential and step increases increase the line item.

The CFO explained that selling off assets could be an option if the Borough does not receive any State Aid. It is nice to pay for the projects up front.

There was a brief discussion on the various areas of the budget.

Ms. Mandell explained the budget process and doing what is best for the Borough. She explained that the introduction of the budget has items that are needed in the Borough.

The CFO explained that if all the money is shown up front, the State could possibly say that the Borough is not in need of extraordinary aid.

Mr. Snyder wanted all to know that Mr. Zschack is doing terrific job as Chairman for the Budget Committee.

Mayor Crowley opened the meeting to the public for any comments regarding the 2009 Budget. There being no one present who wished to address the Governing Body regarding the 2009 budget, Mayor Crowley closed the meeting to the public.

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.

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CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Township of Andover - Resolution Declaring May 2009 as Service of Community Month.
2. Township of Fredon – Resolution dedicating \$700,000 annually from Pleasure Boating Fees to the Lake Hopatcong Fund.
3. JCP & L Proposed Economic Stimulus Demand Response Public Hearing.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Municipal Court Report for March 2009.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Use Application for the Senior Center from Wallkill Valley Elite Cheerleading League on the first Tuesday of every month for 2009.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of April 28, 2009.

Mr. Snyder made a motion to approve the consent agenda of April 28, 2009. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS

Mr. Zschack asked for executive session for police negotiations. There were no applications for the Planning Board.

Mr. Snyder commended the EDC along with the residents and businesses for an excellent job on clean up day. He added that DPW did a good job on Evans and Oak Street drainage.

Mr. Limon reported that the recreation commission is having a workshop for Franklin Nite. He mentioned that the senior luncheon was a success, there were approximately 65 participants.

Mr. Stoll discussed Taylor and Buckwheat Road problems. He informed the Council that the new owner of the house on the corner wants a new drainage system but the Borough is unable to take care of the problem. He stated that a guardrail has been requested from Wine Country to Blockbuster from the Department of Transportation.

Mr. Wolak, gave his Administrator's report which is on file in the Borough Clerk's office. He informed the Mayor and Council of the request from a medical service for a medical van to provide medical services to income restricted residents. The Council briefly discussed locations where the services could better be reached by the residents. He informed the Council that police sick time has already gone over budget for the year. He requested \$5000.00 out of the budgeted \$7200.00 be used for paving of the ambulance parking lot and to purchase new doors. The items were discussed briefly. He commented on the problems he foresees with the new sign ordinance. He requested executive session for police negotiations and litigation.

Approval Improvements of \$5000.00 to First Aid Squad Building

Mr. Snyder made a motion to approve spending \$5000.00 for paving and new door improvements to the Wallkill Valley First Aid Squad. Ms. Miller seconded the motion.

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Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Mayor Crowley reported that with all the trash that has been picked up there is still more trash to be picked up. He thanked the EDC, volunteers and business that participated in the clean up. The Girl Scout Garage Sale was a big success. Treatment for the pond will start in about a week. The Main Street Committee will be sponsoring a truck event the same day as the Mineral Show this fall and is requesting that Main Street be closed for the event. He suggested that the Recreation Committee be involved in the event. He added that the Board of Public Works discussed becoming an ad-hoc committee and will meet on an as needed basis. The ordinance will be updated to reflect the change.

OPEN PUBLIC SESSION

Mr. Stoll 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.

Claire Stoll of 5 School Plaza talked about the traffic problems on School Plaza. The cars are double parking on the roadway for the school events. This is creating a problem with only one lane for cars to pass. She expressed that closing Walsh would only cause more problems on Washington and Buckwheat. She asked about the sidewalks that never happened. She commented that the School Plaza turnaround is not large enough.

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. Limon. All were in favor.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Snyder motioned to approve the meeting minutes of the Regular Meeting and Executive Session held on April 14, 2009. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: Limon, Miller

Adoption Ordinance #6-2009 Regulating Clothing Bins

Mr. Snyder motioned to adopt 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". Seconded by Mr. Zschack.

Prior to final roll call, the Mayor opened the meeting to the public for any comments regarding Ordinance #6-2009. There were no comments from the public.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Adoption Ordinance #7-2009 United Telephone Co. Easements

Ms. Miller motioned to adopt 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". Seconded by Mr. Zschack.

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Prior to final roll call, the Mayor opened the meeting to the public for any comments regarding Ordinance #7-2009. There were no comments from the public.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

Resolution Awarding Contracts for Phase II Scott Road Project

Ms. Miller motioned to adopt a resolution awarding contracts for Phase II of the Scott Road Slope Reconstruction/Road Resurfacing Project. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None 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 8:19 PM to discuss police contracts and litigation. Motion seconded by Mr. Limon.

Upon roll call vote:

Ayes: Barton, Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 9:17 PM. and Mayor Crowley declared the meeting to be reconvened into open public session.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 9:18 PM, seconded by Mr. Limon. All were in favor.

Paul B. Crowley, Mayor

Patricia Leasure, R.M.C.