

**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  
OCTOBER 27, 2009**

Mayor Crowley called the meeting to order at 7:00 PM and requested the Borough Clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Mr. Limon, Ms. Miller, Mr. Snyder, Mr. Stoll, Mr. Zschack, and Mayor Crowley.

Absent: Mr. Barton

Mayor Crowley led the assembly in the flag salute.

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."

Mayor Crowley gave each of the Council Members a copy of the new Master Plan. After re-examination the Master Plan was adopted by the Planning Board.

**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. Township of Union, dated 10/14/2009 – RE: Resolution 2009-135, Model Highlands Septic System Maintenance Ordinance.

**REPORTS** (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Franklin Police Department for September 2009

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. None filed

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 27, 2009

Mr. Stoll made a motion to approve the consent agenda of, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**COMMITTEE REPORTS**

Mr. Limon reported that the Recreation Commission meets Wednesday night. The Halloween Parade is Saturday.

Mr. Zschack reported that at the Planning Board meeting the parking lot for Allied was approved. They continued the testimony for Braen Aggregates. It was determined that there is no impact on the bog. There was a public hearing for the Master Plan which was approved. He also reported that he discussed the Police Chiefs contract with the Chief.

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Attorney Ursin addressed the Council's use of email. He encouraged the Council to use the official email addresses that have been provided to them by the Borough. He stressed that under Open Public Records Act the use of the Council's home email if used for Borough business is considered archival. The Council always needs to copy the Clerk on all emails. He also explained to the Council email and quorums and the Open Public Meetings Act. The attorney also urged the Council not to discuss the revaluation tax assessment with the residents.

Mr. Wolak reported that there will be email for all of the Council within the next two weeks. He gave the Administrators report which is on file in the Clerk's office.

Mayor Crowley reminded everyone that Election Day is next Tuesday.

**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. Stoll. All were in favor.

Mike Krupa of 134 Main Street questioned who the manager of DPW and BPW was, as per Code 360, the individual coordinates both departments.

Mr. Wolak explained that he coordinates the superintendants of each department.

Mr. Krupa questioned the chief of police contract and how the Borough Council could justify the one million dollars in benefits to the individual over the last eight years.

Attorney Ursin informed Mr. Krupa that the current Council did not sign that contract and they are working on that contract.

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. Stoll. All were in favor.

**NEW BUSINESS**

Approval of Meeting Minutes

Mr. Snyder motioned to approve the meeting minutes of the Regular Meeting held on October 13, 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Snyder, Zschack

Nays: None Absent: Barton Abstentions: Miller, Stoll

Adoption Ordinance #14-2009 Salaries

Mr. Snyder motioned to adopt an ordinance entitled "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2009". Seconded by Mr. Limon.

Mayor Crowley opened the meeting to the public for any comments regarding ordinance #14-2009.

Joanne Tatka of 151 Maple questioned the salaries of the Borough Attorney, the Borough Engineers, the CFO, the amount of the CFO salary that is covered under shared services, and the Police Lieutenants salary.

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Attorney Ursin explained that his salary was averaged on past legal services provided to the town less 10%-15%. The contract includes all in-house legal issues but does not include outside litigation.

Mayor Crowley and Mr. Wolak informed Ms. Tatka that the Board of Public Works has their own Attorney and uses the Borough Engineer but the Planning Board has their own Engineer and Attorney. The CFO also services the Hardyston Township Municipal Utilities Authority.

Mayor Crowley explained that new Lieutenants start at a lower salary.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Introduction Ordinance #15-2009 Abandoned Vehicles**

Mr. Snyder motioned to introduce an ordinance entitled "AN ORDINANCE TO REPLACE CHAPTER 255 OF THE CODE OF THE BOROUGH OF FRANKLIN REGARDING ABANDONED VEHICLES." Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

The final hearing will be November 10, 2009.

**Resolution Authorizing Refund of Homestead Rebate Block 29 Lot 12.01**

Mr. Snyder motioned to adopt a resolution authorizing the Tax Collector to refund \$431.00 for the 2008 Homestead Rebate to Block 29 Lot 12.01 as the owners are current on their taxes. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Resolution Authorizing the Cancellation of Taxes Block 64 Lot 23**

Mr. Snyder motioned to adopt a resolution authorizing the Tax Collector to cancel taxes in the amount of \$4,524.12 for the second half of 2009 for 100% Disabled Veteran for Block 64 Lot 23. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Resolution Authorizing Refund of Veterans Deduction for Block 11 Lot 11.02**

Mr. Snyder motioned to adopt a resolution authorizing the Tax Collector to refund \$250.00 for 2009 Veterans Deduction for Block 11 Lot 11.02. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**Approval Dispatching Service Contract**

Mr. Snyder motioned to approve the Dispatching Service Contract with the Township of Sparta for 2010, 2011 and 2012. Seconded by Mr. Stoll.

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Upon roll call vote:

Ayes: Limon, Miller, Snyder, Stoll, Zschack

Nays: None Absent: Barton Abstentions: None

**MISCELLANEOUS COMMENTS**

Mr. Wolak gave two correspondences to the Council to review. One was regarding the medical benefits plan and the other being a sample letter to be sent the residents regarding the Tax Assessment.

Mayor Crowley explained that the Dog Census is being looked into.

Mr. Stoll questioned the property maintenance on two homes located on Mitchell Avenue.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 7:51PM, seconded by Mr. Stoll. All were in favor.

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Paul B. Crowley, Mayor

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Patricia Leasure, R.M.C.