

**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
JANUARY 26, 2010**

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. Kulsar, Mr. Limon, Ms. Miller, Mr. Snyder, Mr. Stoll, Mr. Zschack and Mayor Crowley.

Absent: None

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."

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):

None filed

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

None filed

APPLICATIONS (APPROVAL OF THE FOLLOWING):

First Presbyterian Church – Use of Gazebo for Easter Dawn Services of Worship, Sunday April 4th, 2010 from 5:45am to 7:45 am.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

Payment of bills for the meeting of January 26, 2010.

Mr. Snyder made a motion to approve the consent agenda of January 12, 2010. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS

Mr. Stoll reported that the Main Street signs are in and they will be put up when the ground thaws.

Mr. Limon reported that Recreation meets tomorrow night. He asked who was in charge of the sidewalks in front of Immaculate Church.

Mr. Wolak replied that the County is in charge.

Mr. Snyder asked for executive session for personnel.

Mr. Zschack reported that at the Planning Board meeting they had no applications before them and there were no changes to Chairman, Vice-Chairman or Professionals. The Finance Committee will meet with some departments regarding the budget. They might be able to finalize the budget at the next meeting.

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Mr. Wolak gave his report which is on file in the Clerk's office. He discussed the purchase of a four wheel drive, patrol car or stealth car for the police detective. The Chief said that a four wheel drive is preferred.

Mr. Snyder did not want a stealth car and agreed with Mr. Kulsar on the four wheel drive.

Mr. Zschack preferred the stealth car because of price difference.

Mr. Limon would like to see a marked car.

Mr. Stoll asked what is going to happen to the older vehicles and was informed that they would be auctioned. He was for a marked vehicle with four wheel drive.

Mr. Kulsar said that a four wheel drive was lacking from the fleet. It would be good for the department when the roads are bad. He would prefer a Durango or Expedition because the others are not heavy enough.

Ms. Miller was for a marked car with overhead lights.

Approval to Purchase Police Vehicle

Mr. Snyder motioned to purchase a marked car for the police. Ms. Miller seconded the motion.

Upon roll call vote:

Ayes: Kulsar, Limon, Miller, Snyder, Stoll.

Nays: Zschack Absent: None Abstentions: None

Mayor Crowley congratulated the Clerk's Office for the New Jersey State League of Municipalities Honorable Mention Award for the Borough Calendar. He discussed the fire at Concetta Towers and stated that Ptl. Grissman and Ptl. Culgari ran into the fire and should be honored. The EDC is being revamped with the appointments being made at the next meeting.

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. Limon. All were in favor.

Joanne Tatka of 151 Maple asked for the council to purchase a new car that would conserve fuel. She said that Netcong Police Department has a Smart Car.

Mayor Crowley said that smaller cars are not very versatile.

Ms. Tatka asked about the sidewalks on Hemlock Drive only going half way.

Mr. Wolak informed her that the people who had sidewalks wanted to keep them and the others did not want new sidewalks. Half of the repairs will be done this year.

Ms. Tatka questioned if the Borough has any input on the cable TV charges.

Attorney Ursin said that the Borough approves the franchise periodically and services such as the internet and fiber optics. A public hearing is required when being renewed.

Mr. Krupa of 134 Main Street read a letter from June 6, 2007 he wrote to Mr. Zschack. He also asked for Mr. Zschacks resignation.

Attorney Ursin explained that his complaints are not appropriate in this forum.

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

OLD BUSINESS

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

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zschack motioned to approve the meeting minutes of the Reorganization Meeting held on January 5, 2010. Seconded by Mr. Stoll.

Upon roll call vote:

Ayes: Kulsar, Limon, Snyder, Stoll, Zschack

Nays: None Absent: None Abstentions: Miller

Mr. Zschack motioned to approve the meeting minutes of the Regular Meeting and Executive Session held on January 12, 2010. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption Ordinance #1-2010 Amending Chapter 176 Mobile Home Park Rent Stabilization

Mr. Zschack motioned to adopt an ordinance entitled "AN ORDINANCE AMENDING CHAPTER 176 OF THE FRANKLIN BOROUGH CODE, ARTICLE II "MOBILE HOME PARK RENT STABILIZATION". Seconded by Mr. Limon.

Mayor Crowley opened the meeting to the public for any comments regarding ordinance #1-2010. There were no comments from the public.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution Authorizing Tax Refund Block 37 Lot 16

Mr. Zschack motioned to adopt a resolution authorizing the tax collector to refund an overpayment of \$429.24 to Block 37 Lot 16. Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval Shared Service Agreement for Vehicle Washing Equipment

Mr. Zschack motioned to approve the Shared Service Agreement for Vehicle Washing Equipment with Wantage Township beginning February 1, 2010 and terminating on December 31, 2010 at the rate of \$20.00 per vehicle. Seconded by Mr. Stoll.

Mayor Crowley explained that this is for the large heavy trucks. Mr. Snyder questioned the notice of five working days. Mr. Wolak explained that they will train our people to use the system and they then will have immediate access.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval to Participate in the Hepatitis B Vaccination Program

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Mr. Zschack motioned to approve participation in the Sussex County Hepatitis B Vaccination Program for Emergency Responders at a fee of \$30.00 for vaccine given. Seconded by Mr. Snyder.

Mr. Wolak explained that this is a requirement by State law.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Waiver of Bingo and Raffle Fees for Franklin Fire Department

Mr. Zschack motioned to approve the waiver of \$500.00 in Bingo Fees and \$750.00 in Instant Raffles Fees charged by the Borough of Franklin for the Franklin Fire Department. Seconded by Mr. Kulsar.

Upon roll call vote:

Ayes: Kulsar, Miller, Zschack

Nays: None Absent: None Abstentions: Limon, Snyder, Stoll

Appointment of Clough Harbor as Consulting Engineer

Mr. Zschack motioned to approve the appointment of Clough Harbor as Consulting Engineer for the Municipal Back up well at the same rate as 2009. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Kulsar, 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. Stoll made a motion to adjourn into closed executive session at 7:51 p.m. to discuss personnel and attorney client privilege matters. Motion seconded by Mr. Zschack.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 8:24p.m. and Mayor Crowley declared the meeting to be reconvened into open public session.

Approval to Carry Over 2009 Vacation and Holiday Time

Mr. Stoll made a motion to approve Officer Douma, being injured on the job to carry over time of eight (8) personal days and seven (7) holidays to be used within three (3) months of returning to work. Seconded by Mr. Kulsar.

Upon roll call vote:

Ayes: Kulsar, Snyder, Stoll, Mayor Crowley

Nays: Limon, Miller, Zschack Absent: None Abstentions: None

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:25 PM, seconded by Mr. Stoll. All were in favor.

Paul B. Crowley, Mayor

Patricia Leasure, R.M.C.