

**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 8, 2011**

Mayor Crowley called the meeting to order at 7:03 pm and requested the Borough Clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Ms. Gardell, Mr. Giordano, Mr. Kulsar, Ms. Miller, Mr. Zschack, and Mayor Crowley.

Absent: Mr. Snyder

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.

Mr. Giordano pulled PO's 15683, 15688, 15616, 15661, 15663, 15682, 15684, 15681, 15687, and 15689 for further discussion.

Mr. Giordano made a motion to approve the consent agenda of February 8, 2011. Seconded by Ms. Miller.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Township of West Milford - Resolution seeking state intervention to increase safety and public awareness on Route 23.
2. Hampton Township – Resolution opposing Bill A-2095 and Bill S-818 which reverse requirements for medical service delivery.
3. Township of Hardyston – Letter to Governor Christie regarding COAH Reform Bill S1/A3447.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

Tax Collectors Report for January 2011.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

Payment of bills for the meeting of February 08, 2011.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

COMMITTEE REPORTS

Mr. Kulsar reported that Recreation will be having a special meeting for the concession stand.

Mr. Zschack reported that the finance committee met with the department heads and most of the budgets have no increases.

Ms. Miller reported that they are working on making revisions to the new Administrators contract since it is a combined contract. They are working on possibly combining DPW and BPW due to early retirements.

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Mr. Giordano reported that he spoke to recreation commission about ice skating, they gave him an answer of no because they are concerned about the liability.

Ms. Gardell reported that garbage will be discussed at the BPW meeting. The borough received a DOT grant for 150,000.00 for Master Street.

The Administrator gave his report which is on file in the Clerk's office. He also discussed that the Borough has used 808 tons of salt so far this winter with a cost of \$44,000.00.

The Mayor reported that the Borough received a steamer for the Senior Center from the Catholic Charities. He mentioned that COAH and Pension bills are being worked on at the legislative level.

OPEN PUBLIC SESSION

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

Dan Crum of 3 Highpoint asked if the Administrators contract is not ready. Why was the comment period reduced to three minutes? The Mayor said that it was at his discretion. Wanted to know how many retirements will be in 2011? The Mayor stated they are not sure how many. He asked if the Charger was back in service and was answered "no".

Mr. Stender of Church Street questioned the garbage issue. The Mayor said that it is on the agenda tonight.

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

OLD BUSINESS

Mr. Giordano discussed the vouchers that were pulled from the bill list. He asked about the total of \$501.24 for food allowance plus the \$107.00 for pizzas. The Administrator said that it was one person purchasing for all. Mr. Zschack said that this was discussed in the past. He had an issue with two 12 packs of soda, which is a little excessive. He does not believe that the borough should be paying for their food. The Mayor will have the administrator look into this. The Mayor added that this is in the contract.

Mr. Giordano motioned to approve the vouchers that were pulled from the bill list. Ms. Miller seconded the motion.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

Ms. Gardell mentioned that the Borough approved the wash station with Wantage, but they do not use it they wash the vehicles by hand. The facilities at Wantage are not equipped for salt.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zschack motioned to approve the meeting minutes of the Regular Meeting and Executive Session held on January 25, 2011. Seconded by Ms. Gardell.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

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Adoption Ordinance #3-2011 Amending Chapter 56-1

Mr. Zschack motioned to adopt an ordinance entitled "AN ORDINANCE ESTABLISHING A POLICY OF NO RESIDENCY REQUIREMENT IN HIRING EMPLOYEES AND MODIFYING SECTION 56-1 OF CODE OF THE BOROUGH OF FRANKLIN". Seconded by Ms. Gardell.

Prior to final roll call, Mayor Crowley opened the meeting to the public for any comments regarding ordinance #3-2011. There were no comments from the public.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

Introduction Ordinance #4-2011 Amending Chapter 119 Police

Mr. Zschack motioned to introduce an ordinance entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND REPLACING CHAPTER 119 OF THE CODE OF THE BOROUGH OF FRANKLIN REGARDING POLICE ACTIVITIES." Seconded by Ms. Gardell.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

The final hearing will be February 22, 2011.

Appointment of Public Agency Compliance Officer

Ms. Zschack motioned to appoint James Kilduff as Public Agency Compliance Officer for the year 2011. Seconded by Ms. Gardell.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

Appointment of Board of Public Works Members

Mr. Zschack motioned to appoint Steve Sluka as a regular member of the Board of Public Works term ending 12-31-11 and John Friend as Alternate #1 of the Board of Public Works term ending 12-31-12. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

Appropriate \$3,000.00 for Franklin Borough Website

Ms. Miller motioned to approve an appropriation of \$3,000.00 for website design and maintenance/hosting for 2011. Seconded by Ms. Gardell.

The Administrator mentioned that the pricing is less than what Hardyston Township paid. This is for the hosting fee and maintenance cost. The current site will be updated while the new one is being worked on.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

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Approval of Contracts for the Year 2011

Mr. Zschack motioned to approve the execution of the following contracts for the year 2011:

- A. Interlocal Agreement for Tax Collector with Hardyston Township for the year 2011 in the amount of \$90,147.99.
- B. Interlocal Agreement for Municipal Finance Department Services with Hardyston Township for the year 2011 in the amount of \$54,940.54.

Seconded by Ms. Gardell.

Mayor Crowley added that Hardyston would like all to be on multiple year contracts.

The Administrator stated that we are the host for Tax and Finance Departments. Hardyston would like to get all the towns that they service in multi-year contracts.

The Council discussed hiring two part time people for a construction department in Franklin and that they could run out the construction contract and go over the contract then.

The Interlocal Agreement for Construction Office with Hardyston Township for four years in the amount of \$101,384.00 with a 2% year over year increase has been tabled to a future meeting.

Upon roll call vote:

Ayes: Gardell, Kulsar, Miller, Zschack

Nays: Giordano Absent: Snyder Abstentions: None

Waive Fishing Permit and Fees for Boy Scout

Mr. Zschack motioned to waive the fishing permits and fees for the Franklin Boy Scout Troop 90 for two events scheduled in February and May at the Franklin Pond Recreation Complex. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: Snyder Abstentions: None

Discussion on Garbage Bid Specifications

The Council discussed the garbage bid specifications.

Ms. Gardell submitted hand outs with 8 options. She stated that the Board wanted to have many options to see the costs of different options. The survey showed that many residents wanted to keep the current services. If the borough can encourage more recycling then the costs could be reduced. Bulk pickup changes could help reduce costs. She informed the Council of how single stream recycling works and that people would not have to separate recyclables which would help them recycle more. She spoke about the possible changes in the billing process for tipping fees and pass through fees. The cost for the Borough to do its own trash pickup was not recommended because of the cost of trucks, employees, insurance and the trucks being maintained. Some of the Council wanted to further explore Borough trash pickup and felt it could be cost effective.

Approval of Police Car Purchase

Mr. Zschack motioned to approve the police car purchase of a 2011 Dodge Charger stealth package without window tint at a price of \$30,776.00. Seconded by Mr. Kulsar.

Upon roll call vote:

Ayes: Giordano, Kulsar, Miller, Zschack

Nays: Gardell Absent: Snyder Abstentions: None

MISCELLANEOUS COMMENTS

Mayor Crowley discussed the ordinance for the parking lot and snow removal; he gave this to the ordinance committee.

Mr. Giordano discussed an ordinance requiring residents to shovel out fire hydrants on their property. He reminded the public to keep doors locked on cars and remove any change from view. The Mayor added to remove GPS's.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 8:30 p.m., seconded by Ms. Miller. All were in favor.

Paul B. Crowley, Mayor

Patricia Leasure, R.M.C.