

**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  
MARCH 22, 2011**

Mayor Crowley called the meeting to order at 7:02 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. Snyder, 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):

1. Resolution 2011-28R of the Borough of Sussex RE: Opposing A-2095 and S-218 which revise the requirements for Medical Service Delivery.
2. Borough of Bloomingdale RE: State to conduct study to determine long and short term improvements on Rt. 23.
3. Township of Vernon RE: Resolution seeking state intervention to increase safety and public awareness on Route 23.
4. NJDOT: Dated 3/14/11 RE: Master Street Municipal Aid Program.

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

None Filed

**APPLICATIONS** (APPROVAL OF THE FOLLOWING)

None Filed

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING)

Payment of bills for the meeting of March 22, 2011.

Mr. Snyder made a motion to approve the consent agenda of March 22, 2011. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Snyder, Zschack

Nays: None Absent: None Abstentions: None

**COMMITTEE REPORTS**

Mr. Kulsar reported that he attended the interlocal meeting regarding the Littel Center and Recreation will be discussing the use of the center.

Ms. Miller requested an executive session to discuss personnel.

Mr. Snyder reported he was unable to attend the BPW meeting.

Mr. Giordano reported Recreation will be meeting tomorrow at 7:00 pm.

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Mr. Zschack reported on the discussions with the planner regarding the Route 23 and Zinc Mine areas. The budget was introduced at approximately six million. They are hoping to possibly cut more.

Mr. Kilduff gave his report which is on file in the Clerk's office. He thanked the Budget Committee for their time. He will be interviewing for the Violation Clerk / Deputy Court Administrator. He will offer a salary of \$10.00 to \$13.00 per hour. They will possibly be interviewing for a patrolman if the Chief leaves in May. He discussed the back-up well and combining trash pickup with Ogdensburg.

Attorney Ursin discussed how Franklin and Ogdensburg must be insinc for an interlocal trash pick to work, otherwise it will not work.

Mayor Crowley informed the Council that the owners from the Irish Cottage were the grand marshals for the St. Patrick's Parade. He was asked by the organization to give them a certificate.

**OPEN PUBLIC SESSION**

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

The Mayor discussed correspondence he received from Judy Sandpon, resident, where she recommended that BPW and DPW buildings should be combined to save money.

Sister Thomasina, 48 Wyker Road asked that the Council waive the fee of \$5.00 for the sale they will be holding on June 18, 2011. Mr. Kilduff stated he met with Sister Thomasina previously and will put it on the next agenda.

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 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

Ms. Miller motioned to approve the meeting minutes of the Regular Meeting for March 8, 2011. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Giordano, Kulsar, Miller, Snyder, Zschack  
Nays: None Absent: None Abstentions: Gardell

\$5.00 per Table Waiver for the NJ Herald

Ms. Miller motioned to approve to waive the \$5.00 per table fee for the NJ Herald's 4<sup>th</sup> Annual Monster Garage Sale to be held at the Littell Center on April 02, 2011. Seconded by Ms. Gardell.

Lee Williams, Promotion Manager of the NJ Herald explained that they pay \$75.00 per hour for 6 hours to rent the Littell Center.

Mr. Zschack asked if this is a profit for the NJ Herald. She replied yes about \$500.00. The center limited them to 50 tables this year.

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Mr. Kulsar asked how many were Franklin residents? She said that the vendors are from all over and not that many are from Franklin. She explained that the event brings people to Franklin.

Mayor Crowley said the fees for the American Legion were not waived.

Mr. Zschack said that the NJ Herald is a for profit organization.

Upon roll call vote:

Ayes: Gardell, Giordano, Miller

Nays: Kulsar, Snyder, Zschack, Crowley Absent: None Abstentions: None

Approval for NJ State Fireman's Association Membership Application for William Charles Drum, Jr.

Ms. Miller motioned to approve the NJ State Fireman's Association Membership application for William Charles Drum, Jr. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: None Absent: None Abstentions: Snyder

Introduction Ordinance #5-2011 To Exceed the Municipal Budget Appropriation Limits and to Establish a CAP BANK

Mr. Zschack motioned to introduce an ordinance entitled "AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK." Seconded by Mr. Snyder.

Mr. Rome, CFO explained that this is for the operating CAP to establish a CAP bank for future uses.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Snyder, Zschack

Nays: None Absent: None Abstentions: None

Approval of the Franklin Band Lease

Mr. Zschack motioned to approve the Franklin Band to lease an office at the Senior Center at a rate \$1.00 per year for a 3 year time period. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Snyder, Zschack

Nays: None Absent: None Abstentions: Miller

Resolution Authorizing 2010 Budget Appropriation Reserve Transfers

Mr. Zschack motioned to authorize the 2010 Budget Appropriation Reserve Transfers of \$60,666.00 from the current fund. Seconded by Ms. Gardell. Mr. Rome explained that the transfer is moving the money and funds to the 2011 reserve.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Snyder, Zschack

Nays: None Absent: None Abstentions: None

Approval of Chief Kistle's Retirement/Separation Agreement.

Mr. Zschack motioned to approve Chief Kistle's Retirement/Separation Agreement. Seconded by Ms. Miller.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Zschack

Nays: Snyder Absent: None Abstentions: None

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**EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Zschack made a motion to adjourn into closed executive session to discuss personnel. Motion seconded by Ms. Miller.

Upon roll call vote:

Ayes: Gardell, Giordano, Kulsar, Miller, Snyder, Zschack

Nays: None Absent: None Abstentions: None

After meeting in closed session, the Governing Body returned to their seats at 8:19 p.m. and Mayor Crowley declared the meeting to be reconvened into open public session.

**Approval of Administrators Contract**

Ms. Miller made a motion to approve the Administrators (James Kilduff) contract. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Gardell, Giordano, Miller, Snyder, Zschack

Nays: Kulsar Absent: None Abstentions: None

**MISCELLANEOUS COMMENTS**

Mr. Snyder questioned the Sussex County letter regarding the use of county roads for parades. He asked about the process and policy regarding holding parades. The Mayor will look into this.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Ms. Miller made a motion to adjourn the meeting at 8:20 p.m., seconded by Mr. Giordano. All were in favor.

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Paul B. Crowley, Mayor

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Patricia Leasure, R.M.C.