

**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
July 10, 2012**

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. Giordano, Mr. Kulsar, Mr. Limon, Mr. Zschack, and Mayor Crowley.

Absent: Mrs. Gardell, 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."

Mayor Crowley presented an award to Paul L for appreciation of his brave action when Ms. Babcock and her dog were being attacked by a pit bull and he stepped in between the two dogs.

Ms. Babcock stated she wanted this to be an inspiration for others.

Mayor Crowley said the Presentation by Matthew Maynard for his Eagle Scout project is being taken off the agenda for now he may come back at a later date.

Mayor Crowley stated he was changing the order of the agenda and is going to the addendum first. The audit came out unfortunately it didn't give the Borough enough time to send this to the Council before hand. Mr. Ferry is here to explain the audit; there are some recommendations, none of them are serious. At the next month's meeting this will be on the agenda.

Mr. Kilduff explained the timeline of the audit and why it had to be placed on the agenda tonight due to the Council only meeting once a month in July. Next month our CFO will be at the meeting to review the corrective actions.

Summary or Synopsis of Audit Report

Mr. Tom Ferry of Ferraioli, Wielkocz, Cerullo & Cuva Certified Public Accountants, explained to the Council an overview of the 2011 Franklin Borough Audit Report. Mr. Ferry explained the income statement, budget appropriations, fund balance, page 20 water and sewer, items Borough has control over and items there are is no control over.

Mr. Ferry referred to the last page recommendations. Mr. Ferry explained one recommendation is having an escrow for police outside services; Monica Miebach has started this process already. Mr. Ferry stated a formal cash receipt journal is needed to be kept by Planning and Zoning. This needs to be corrected. A formal cash journal needs to be kept by recreation also. This needs to be corrected.

Resolution 2012-57 Certifying Review of the 2011 Audit

Mr. Limon made a motion to adopt resolution 2012-57 certifying the Franklin Borough Council has reviewed the 2011 Audit Comments and Recommendation as required by N.J.A.C.5:30-6.5. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Giordano, Kulsar, Limon, Zschack

Nays: None Absent: Gardell, Snyder Abstentions: None

Mr. Kilduff said we have a certification form that needs to be signed by the Council to go to Trenton along with the resolution.

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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. Letter dated July 7, 2012 to Sharon P Nann, Franklin Meadows, from James Kilduff, Administrator Re: Franklin Meadows solid waste and recycling.
2. Mayor's Advisory dated July 3, 2012 from William G. Dressel, Jr. New Jersey State League of Municipalities Re: Appellate Division to Consider Issue of Housing Trust Funds; Failure of Council on Affordable Housing to Adopt Trust Fund Commitment Regulation.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction report for June, 2012
2. COH report for June, 2012
3. Tax Department report for June 2012
4. Fire Marshal Report for June 2012

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application to operate a Tattoo Parlor; Applicant Dayna Sallick – Germinario trade name Bella Arte Tattoo LLC.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of July 10, 2012.

Mr. Limon made a motion to approve the consent agenda of July 10, 2012. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Giordano, Kulsar, Limon, Zschack

Nays: None Absent: Gardell, Snyder Abstentions: None

COMMITTEE REPORTS

Mr. Kulsar had nothing to report.

Mr. Zschack had nothing to report.

Mr. Limon had nothing to report.

Mr. Giordano had nothing to report.

Mr. McBriar, attorney had nothing to report.

Mr. Kilduff reports some of the items on his administrator's report which is also on file in the Clerk's office.

Mayor Crowley reported Franklin Night was a great success; there were many volunteers and recreation did a great job. Mayor Crowley thanked everyone that helped make Franklin Night a success. Movie night will be Friday at 7:00. Mayor Crowley informed the Council and public a Franklin Family of three young men are singers; these very talented young men are trying to raise money to compete in

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Ireland. If anyone would like to see how talented this group is they are giving a free concert at the Franklin Library on July 20 at 2:00PM.

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. Zschack. All were in favor.

Joe Beach, One Hilltop Lane Franklin, stepped forward. Mr. Beach questioned how can the estimated tax bill for this quarter go up 10 percent.

Mayor Crowley explained the tax law, 2 percent is the amount of the tax levy. Mayor Crowley stated the tax bill you received was an estimate.

Mr. McBrior explained a website that has information for real property tax of New Jersey information.

Robert Allen, Jenkin Street, Franklin stepped forward. Mr. Allen stated Franklin Night was enjoyable.

Jim Marino, 4 Hilltop Lane, Franklin, stepped forward. Mr. Mariano stated his concerns about taxes and the assessment of homes in Franklin.

Mayor Crowley commented the assessment in Franklin was done before the market crashed.

Mr. Mariano expressed his concern when the police department was called regarding a strange person walking threw the neighborhood he called the police department, the response time was a half hour. Mr. Mariano stated that response time is terrible.

Mayor Crowley stated he would pass that on to the chief.

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. Zschack. All were in favor.

OLD BUSINESS

Mr. Giordano questioned the train show fees if they were waived.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Zschack made a motion to approve the meeting minutes of the Regular Meeting held on April 10, 2012. (Absent: Kulsar, Limon, Snyder) Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Giordano, Zschack

Nays: None Absent: Gardell, Snyder Abstentions: None

Adoption of Ordinance #2-2012 An Ordinance to Appropriate the Sum of \$42,000 from the Capital Improvement fund for Drainage improvements on Evans Street.

Mayor Crowley informed the Council and public due to publication error by the New Jersey Herald ordinance #2-2012 final reading will be August 14, 2012

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Introduction Ordinance #3-2012 Setting a range for Salaries of certain officers and employees.

Mr. Zschack made a motion to introduce an ordinance entitled "Ordinance setting range for salaries for certain officers and employees of the Borough of Franklin, County of Sussex and State of New Jersey for the year 2012. Seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Giordano, Kulsar, Limon, Zschack

Nays: None Absent: Gardell, Snyder Abstentions: None

Final Reading August 14, 2012

Discussion of Franklin Meadows Condominium Association

Mayor Crowley explained that Franklin Meadows are thinking of putting in a compactor to solve there garbage problems at one point they asked the town to help them. Blue diamond is willing to pick up once a week. There will be no savings to the Borough having their pick up this way. Franklin Meadows will be getting the compactor; they are responsible for the compactor and the maintenance. Blue Diamond will pick up this once a week.

There was a brief discussion on Franklin Meadows garbage pickup and the compactor.

Resolution #2012-56 Municipal Affordable Housing Trust Fund

Mr. Zschack made a motion to adopt resolution#2012-56 revising resolution #2012-44 Municipal Affordable Housing Trust Fund Plan. Seconded by Mr. Limon.

Mr. Ken Nelson, Planner stepped forward. Mr. Nelson explained to the Council the revised resolution regarding the Municipal Affordable Housing Trust Fund Plan. Mr. Nelson read for the record the additional language that COAH asked to be included. Mr. Kilduff explained what had been going on in Trenton regarding COAH.

There was a brief discussion regarding the Affordable Housing Trust Fund Plan.

Upon roll call vote:

Ayes: Giordano, Kulsar, Limon, Zschack

Nays: None Absent: Gardell, Snyder Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 7:53p.m., seconded by Mr. Limon. All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Acting Borough Clerk