

**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 8, 2013**

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. Babcock, Mrs. Gardell, Mr. Giordano, Mr. Limon, 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.

Mr. Snyder referred to the letter from the Tax payer regarding the Roads; the road department has done a good job on the roads during the winter storms and the concerns on roads where the traffic is heavier.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated December 13, 2012 from John Nugent Superintendent Sussex County Municipal Utilities Authority to Borough Clerk re: Sewage Flows.
2. Letter dated December 21, 2012 from Gene F. Feyl, Executive Director, New Jersey Highlands Council to Mayor Paul Crowley Re: Highlands Council Executed Grant Agreement Module 3.
3. Letter dated December 11, 2012 from Richard Pompelio, New Jersey Crime Victim's Law Center to Mayor Crowley and Governing Body re: The New Jersey Human Rights Coalition.
4. Letter dated December 31, 2012 from Wayne D. Yahm, Director Hamburg Police Department, to Mayor Crowley.
5. Letter dated December 27, 2012 from Mrs. Claudia Simet to Mayor Crowley.
6. Letter dated January 4, 2012 from Mayor Crowley to Mrs. Claudia Simet Re: Scott Road and Viaduct Bridge Replacement.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health report for November, 2012.
2. Construction Permit Activity Report for November, 2012.
3. Municipal Court Report for November, 2012.
4. Board of Health report for December, 2012.
5. Construction Report for December, 2012.
6. COH report for December, 2012.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of January 8, 2013.

Mr. Limon made a motion to approve the consent agenda of January 8, 2013. Seconded by Mrs. Gardell.

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Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder, Zschack

Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS

Mrs. Gardell had nothing to report.

Mr. Giordano reported there will be a Recreation meeting the third Wednesday of January.

Mr. Snyder had nothing to report.

Mr. Limon had nothing to report.

Mr. Zschack reported the committee conducting the police interviews are done with the task. They interviewed 21 candidates for the new police officer and have chosen a candidate to hire. Mr. Zschack stated they would like to authorize the Administrator to start the background check. This person is PTC certified and would start at the first step.

Mr. Babcock had nothing to report.

Mr. Ursin, Attorney had nothing to report.

Mr. Kilduff reported items from his administrators reports; the full report is filed in the clerk's office.

Mr. Kilduff reported from his administrator's report that the Council meeting scheduled for February 12 is a Borough Holiday. Mr. Kilduff asked the Council if they would consider rescheduling the February 12 meeting to Wednesday February 13. Mr. Kilduff asked for the Council's direction.

Mr. Giordano asked how much would it cost to advertise this change of date in the Herald.

Mayor Crowley stated we have a Council meeting that Tuesday; aren't most of those Holiday's on a Monday.

The Council discussed the Holiday and changing the meeting date.

Mayor Crowley stated Borough Hall is closed that day we would have to call employees in on the Holiday.

Mr. Giordano commented we would have to advertise so which one is more cost effective.

Mrs. Gardell asked how did we get a Holiday on a Tuesday if the State does it different.

Mayor Crowley said because the Borough gives both Holidays; whereas alot of entities have combined them through negotiations over the years.

Mr. Limon asked what are the options.

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Mayor Crowley said if we have the Council meeting on the 12th, it is a Holiday, the Borough Hall is closed we would have to ask some Borough employees to come in for the Holiday.

Mr. Giordano said only two employees would be coming in that day; Mr. Kilduff who has a contract and Ms. Hough who would get paid her normal meeting rate.

Mayor Crowley commented the easiest thing would be to advertise and move it.

Mr. Snyder asked if the Council would have a quorum on the 13th.

There was a brief discussion on the Council's availability for that date.

Mayor Crowley asked for a motion to move the regular meeting of February 12 changed to February 13.

Mr. Babcock made a motion to reschedule the Mayor and Council February 12, 2013 meeting to February 13, 2013. Seconded by Mrs. Gardell.

Upon roll call vote:

Ayes: Babcock, Gardell, Limon, Snyder, Zschack

Nays: Giordano Absent: None Abstentions: None

Mr. Kilduff reported Darlene Tremont has passed the State registrar examination. Mr. Kilduff continued reporting items from his administrator's report; full report is on file in the clerk's office.

Mayor Crowley reported after the tragedy in Connecticut he and the chief have been in contact with officials at the Elementary School regarding additional security; making sure the security at the school is adequate or as adequate as we can give them. Mayor Crowley said we will work with them to make sure anything we can do to help them for security in the grammar school is done.

Mayor Crowley explained how the funds would be dispensed that the Borough received from FEMA. Mayor Crowley also informed the Council of the Walgreens application that is before the Zoning Board is very controversial. Mayor Crowley stated there are signs and letters going around asking that the Borough stop commercial development in that neighborhood. That commercial development has already been zoned; the station that is there is commercial development it is zoned for commercial development and has been there for 40 years. Mayor Crowley said if this application is turned down there will still be commercial development on that site since it is zoned for that. It is up to the people that own the property.

Mayor Crowley asked Mr. Limon to get the personal committee together for a meeting regarding the Administrator evaluations.

Mayor Crowley informed the Council the State Historical Society is coming up with another evaluation of the Historical significant of Franklin. Concerns with the Viaduct Project, part of it is the historical implications of the town in that project. We had one meeting at the Borough that was well attended. There will be another meeting February 28 at 7:00PM at Borough Hall.

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. Snyder. All were in favor.

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David Fanale, 59 Liberty Lane, Franklin, stepped forward. Mr. Fanale stated he looked into the tree that needed to be removed at the Cemetery. The tree is in the JCP & L right of way; he suggested the Borough contact JCP & L to see if they would take down the tree.

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 Mrs. Gardell. All were in favor.

OLD BUSINESS

Mr. Giordano stated the Council had discussed redoing old ordinances in relation to police hires and promotions.

Mayor Crowley said we had discussed that with the Chief of Police; as soon as this hire is finished we expect to review the whole process so it will be smoother in the future.

Mr. Giordano commented the Council had also discussed altering some hours of some employees in certain divisions that would eliminate some overtime.

Mayor Crowley stated this was discussed; at this time to try and do this would create havoc especially since there is a PERC action in process in those areas.

Mr. Limon asked when would you want to set up a meeting regarding the administrators contract. Mr. Limon asked about Friday morning. There was a brief discussion regarding the date.

NEW BUSINESS

Approval of Meeting Minutes

Mr. Snyder made a motion to approve the meeting minutes of the Regular Meeting and Executive Session minutes held on December 11, 2012. (Absent: Mr. Kulsar) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Gardell, Giordano, Limon, Snyder, Zschack

Nays: None Absent: None Abstentions: None

Mr. Snyder made a motion to approve the meeting minutes of the Reorganization Meeting minutes held on January 1, 2013. (Absent: Mrs. Gardell) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Giordano, Limon, Snyder, Zschack

Nays: None Absent: None Abstentions: None

Approval of Taxi License Application

Mr. Snyder made a motion to approve the Taxi License Application submitted by Steve Collins trading as Anytime Taxi for the year 2013. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder, Zschack

Nays: None Absent: None Abstentions: None

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Resolution 2013- 13 Authorizing in REM Foreclosure Proceedings

Mr. Snyder made a motion to adopt resolution 2013-13 authorizing in REM Foreclosure Proceedings. Seconded by Mr. Limon.

Mr. Ursin explained the resolution; REM Foreclosure Proceedings.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder, Zschack

Nays: None Absent: None Abstentions: None

Appointment to the Planning Board

Mayor Crowley explained number 4 and 5 are listed as appointments; these are his appointments and the Council is being asked to confirm the Mayor's appointment to the Planning Board and the Economic Development Committee.

Mr. Snyder made a motion to appoint Jim Nidelko, 49 Butler Street, Franklin as Planning Board Alternate #2. Seconded by Mr. Babcock.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder, Zschack

Nays: None Absent: None Abstentions: None

Appointment to Economic Development Committee

Mr. Snyder made a motion to appoint Floy Estes, 13 Taylor Road, Franklin as Economic Development Committee Alternate #1. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Snyder, Zschack

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mayor Crowley stated he would like to make a comment to the Council; when Council members have questions of employees of the town, sometimes this can result in employees spending alot of time trying to answer Council member inquires. If a Council member has a question about town business they should discuss that with the administrator. Mayor Crowley explained the reason he was requesting this.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Zschack made a motion to adjourn the meeting at 7:22 p.m., seconded by Mr. Snyder. All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Acting Borough Clerk