

**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  
May 28, 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. 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.

**CORRESPONDENCE** (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter dated May 8, 2012 to Senator Oroho from Sussex County Board of Chosen Freeholders Re: Opposition to Senate Bill 2528 and Proposed exemption from source separation requirements. (Attached 2 resolutions from Board of Chosen freeholders included)
2. Resolution and Annual Report of Franklin Borough Zoning Board of Adjustment required by N.J.S.A 40:55D-70.1.
3. Letter dated May 6, 2013 from Dena Confusion to Mayor Crowley and Council Members Re: Donation.
4. Email from Dawn Inglis to Mayor Crowley and Council Members Building Bridges Scout Weekend.
5. Memo dated May 13, 2013 to Chief McInerney from Patrolman William Grissom Re: Patrol Vehicle Statuses.
6. Letter dated May 22, 2013 from James C. Kilduff, Administrator to Mr. Dave Rockle Re: Commercial vehicle parking in a residential zone.

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

1. Municipal Court Report for April, 2013.
2. Construction report for April, 2013.
3. Animal Control Report for February, 2013.

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. Application for Peddler license for Juan Zerna to operate an ice cream truck.

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 28, 2013

Mr. Limon made a motion to approve the consent agenda of May 28, 2013. Seconded by Mr. Zschack.

Mrs. Gardell stated there are two letters she would like to pull off the consent agenda and add to the business for discussion. Mrs. Gardell commented they are letters #2 and #3 in correspondence. One was a resolution and a report from the Zoning Board of Adjustment and the other was a letter regarding a donation.

Mr. Limon amended his motion. Mr. Zschack amended his second.

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Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

**COMMITTEE REPORTS**

Mr. Babcock had nothing to report.

Mr. Zschack had nothing to report.

Mr. Limon reported there was a personnel committee meeting last week; the committee unanimously recommends a 2% raise for the non union employees. This is item number 9 on the agenda. Mr. Limon stated there was also a discussion on several employees; increasing their hours and making them full time. Specifically the secretary of the police department and the assistant secretary here in the office. The committee didn't recommend any action on that; as of now that is not an issue.

Mr. Giordano reported recreation is working on Franklin Night which is June 29.

Mrs. Gardell reported the ordinance committee had a meeting, reviewed and discussed the existing accessory use requirement for commercial trailers and recreation vehicles. This is on the agenda for further discussion tonight.

Mrs. Gardell made a motion for the next 90 days while we review this [the ordinance] we have a moratorium on the enforcement of these two sections of code Land Development chapter 161-32D subsection 5 and subsection 6. Seconded by Mr. Zschack.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

Mr. Ursin, Esq. had nothing to report.

Mr. Kilduff reported some of the items from his administrators report which is on file in the clerk's office.

Mayor Crowley thanked everyone who helped and participated in the Memorial Day Ceremonies yesterday. The American Legion was very happy; the ground was maintained at the memorial park. Mayor Crowley thanked the police department for helping with the parade.

Mayor Crowley mentioned an accident that was on Hamburg Mountain coming down Rte 23. Mayor Crowley commented he brought this up to Senator Oroho the issues of many accidents coming down the mountain. He has brought this up to the Chief of Police; we are going to try to petition NJDOT to look at that area again for safety concerns both the Hardyston area and Franklin area of Rte 23 coming down the mountain.

Mayor Crowley thanked Judy Williams for setting up the 100th Anniversary Events, the Historical Society, Franklin Band, Franklin School Band and Glee club participated.

Mayor Crowley requested an Executive Session for personnel.

**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 Mrs. Gardell. All were in favor.

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Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina had several questions to ask the Mayor. Mr. Durina stated the questions did not have to be answered tonight.

Mr. Durina asked why can't we get the old Jersey Central Power and Light Building on route 23 from the State back on the tax rolls.

Mr. Durina asked why can't we merge the Planning and Zoning Boards into one Board saving the Borough money on engineering and lawyer fees.

Mr. Durina asked why can't we after four years give the Board of Public Utilities a contract stop the legal fees, the year 2008 was the last year that there was a signed contract. Mr. Durina asked why can't we have two open public sessions and explained why. Mr. Durina asked why can't we hire lawyers from Sussex County better yet from Franklin. At one time there were four law offices on Main Street. Mr. Durina asked for the safety and well fair of the Franklin citizens why can't the Mayor sit down and negotiate in good faith with the Borough's Board of Public Works supervisor Brian Vandebroek. Mr. Durina read several letters of recommendation.

Mayor Crowley gave an explanation regarding the old Jersey Central Power and Light building. We had been pushing the DEP for the last couple of years to sell the JCP & L building. The Borough has gone through Senator Oroho, Assemblywoman Alice Littell McHose and all the way to the Governor's office on this; the Governor's office kicked it down to the Commissioner of the DEP who also kicked it back to an Assistant Commissioner. One of the biggest problems is a legal problem that was bought when it was sold by green acres funds they feel they can't sell it because of the green acre funding of it, the building can be sold again to the highest bidder as normal State land could be. The Borough has pushed again and brought this up continually to them, it is an eyesore; as much as I like the Lake Hopatcong commission he doesn't think it is a proper place for their equipment to be. The Borough keeps bringing this matter back up to the DEP commissioner to make better use of the property if it can't be used by the State he would like to see the property be sold and back to the tax rolls but so far the Borough has not been able to do that.

Brenda Gunderman and George Gunderman 36 Nestor street, stepped forward. Mrs. Gunderman asked if the Council would consider a custom cover to cover an RV. Mrs. Gunderman explained the camper is not an eyesore.

Mayor Crowley stated the ordinance committee is reviewing this.

Mr. Gunderman commented the campers are registered New Jersey Vehicles. Mr. Gunderman explained there is no room for a fence.

Pat Rowett, 36 Rte 23 Franklin, stepped forward. Ms. Rowett stated the DEP which is in the old Jersey Central Power and Light Building have been good neighbors. They make a good effort to maintain the property and she explained the area.

Dave Morgan, 150 Main Street, Franklin, stepped forward. Mr. Morgan questioned why he has to hide a regular licensed insured vehicle. .

Mayor Crowley explained the ordinance.

Mr. Morgan asked about getting signatures from his neighbors stating they don't mind the vehicle being there.

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Joann Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka questioned why the Borough engineer was called to look at the pond improvement plan. Mrs. Tatka commented there seems to be negativity as to where the Littell Center and Franklin Pond is concerned. Everything is an idea but there is never any action. Ms. Harden had left funds for the Borough to use for Recreation.

Mrs. Tatka asked if Mr. Kilduff was an additional Planning Board member.

Mayor Crowley stated he is replacing Wes Suckey.

Mrs. Tatka asked about sewer allowances and Volunteer Credit plan resolution.

Mr. Ursin stated it is a program where the town certifies that if someone is a volunteer in the Fire Department, Ambulance Squad it's possible they can get some type of monetary credit at the County College, it doesn't cost the town any money.

Mrs. Tatka asked the percentage of the health insurance that the employees pay, summer help, status of the police secretary, secretary being considered full time, Walgreens application being a Zoning Board application and tax exempt entities.

Mike Gunderman, 22 Jenkins Road, Franklin, stepped forward. Mr. Gunderman is also the recreation commissioner. Mr. Gunderman questioned the need for 172 parking spaces at the Pond. Mr. Gunderman explained the natural beauty of the pond area. Mr. Gunderman commented recreation has done what was asked and is coming up with an Adhoc committee.

Rachel Heath, 7 Hemlock Drive, Franklin, stepped forward. Mrs. Heath commented on the difficulty of the Council and asked to address the employment of Brian Vandebroek. Mrs. Heath stated he started many years ago part time and has been a great employee. Mrs. Heath stated she is taking everything from the minutes of March 26. Mrs. Heath commented she understands they agree on the salary the little sticky points were asking for retro pay and to pay for his schooling to obtain his certified public works manager certificate. Then go back for negotiations. Mrs. Heath stated every other employee has been able to go to school and the schooling has been paid for by the Borough. Mrs. Heath commented when they needed the job filled he didn't want to do it but he took the responsibility and did the job. Mrs. Heath referred to Borough Ordinance regarding promotions and transfers and read part of that ordinance. Mrs. Heath asked the Council to keep considering.

Jim Vantassel, 313 Rutherford Ave. Franklin, stepped forward. Mr. Vantassel commented he has been a resident all his life and explained a positive experience he had with Mr. Vandebroek in regards to a tree that was a hazard to his house. Mr. Vantassel stated Mr. Vandebroek is an asset to the Borough.

Mike Olesky, 20 Hemlock Drive, Franklin, stepped forward. Mr. Olesky stated Brian Vandebroek has his full support, he has been a resident for almost 30 years in this town and he does a great job. Mr. Olesky asked the Council to do what they can to help Mr. Vandebroek.

Judy Williams, 279 Wildcat Road, stepped forward. Mrs. Williams gave an example to the Council of in issue that the Presbyterian church was having with their water. Mrs. Williams commented when she came to the scene Mr. Vandebroek had the maps for the old achieves going back to the Zinc Company days because the water line was between 80 and 100 years old. Mr. Vandebroek knew where to find it, what to do with it, how to act on it and helped come up with a reasonable logical answer very quickly. Mrs. Williams stated on the 100 year celebration when she needed extra work done she followed the chain of command with Mr. Kilduff, the

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department of public works and road department was extremely professional, cooperative, logical and very nice to work with. Mrs. Williams asked this issue to be revisited in personnel, in private and maybe he is more of an asset then we all realized.

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. Babcock asked Mr. Kilduff what the status was of the pond area with the playground.

Mr. Kilduff stated he sent an email to Mr. Vandebroek asking him to schedule those repairs; the cost will be approximately \$5,000. The Borough has money set aside to use for that purpose. It is a matter of scheduling it, we have to close it [the playground].

Mr. Giordano asked about the status of the ambulance repairs.

Mr. Kilduff stated he is waiting for the ordinance to come effective.

Mayor Crowley called for a 10 minute recess at 7:50 PM.  
The Council reconvened approximately 8:00 PM.

**NEW BUSINESS**

Approval of Meeting Minutes

Mr. Zschack made a motion to approve the regular meeting minutes for May 14, 2013. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

Discussion regarding Littell Center Fee Structure

At this time there was a discussion regarding the Littell Center Fee Structure

Mr. Kilduff explained a letter in the Council's packet regarding the Littell Fee Structure to Marianne Smith, Manager at Hardyston to waive the fee (for the Historical Society). Mrs. Smith sent back a letter regarding the fee structure dated May 13 with a copy of the ordinance that is involved. The only question regarding fees is with the Historical Society.

Mr. Giordano suggested to have a clause added that would exempt the Hamburg, Franklin, and Hardyston groups [Historical Society] from fees for a fund raiser, if you remove non profits then non profits would come in and use the Littell Center with no fees.

Mr. Zschack commented he would agree with that logic.

Mr. Giordano stated by exclusion they have their office there and Hamburg could have a fund raiser there.

Mr. Kilduff asked what recommendation do you want to send back to Hardyston.

Mr. Giordano stated under non profits; instead of removing the clause completely you would then have it open for all non profits with no fee, insert a clause that would

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specifically exclude the Franklin Historical Society, Hardyston Historical Society and the Hamburg Historical Society for their equivalence of fees for doing fund raisers at the Littell Center.

Mr. Kilduff commented this would only pertain to the Historical Society.

Mayor Crowley stated for Mr. Kilduff to call Mrs. Smith at Hardyston, see what she thinks about this recommendation and then put this back on the agenda. Mayor Crowley commented we haven't had a joint recreation meeting in a while. He suggested to have a joint meeting and bring this up at the meeting.

Approval of Contribution to Walkkill Valley First Aid Squad

Mr. Zschack made a motion to approve a contribution to the Walkkill Valley First Aid Squad for financial assistance in the amount of \$2,800.00 from the County of Sussex. Seconded by Mrs. Gardell.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

Resolution 2013-44 Compensation Balances

Mr. Zschack made a motion to approve resolution 2013-44 approving dedication by Rider Account set up for the purpose of Accumulated Leave Compensating Balances. Seconded by Mr. Limon.

Monica Miebach, CFO explained the resolution to the Council.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

Resolution 2013-45 Approving Extended Hours for Construction of Bridge E-07

Mr. Zschack made a motion to approve resolution 2013-45 granting extended hours for the construction of Sussex County Viaduct Bridge E-07. Seconded by Mr. Limon.

Mayor Crowley explained the County has run into problems in the construction they have asked us now that the weather is nice to start earlier and work later. To extend the hours so the County can stay on schedule. As much as he doesn't like this he doesn't like the fact that the bridge is closed.

Mr. Giordano suggested to open this to the public to see how these hours are going to affect them. Mr. Giordano stated opening up work hours at 6:00 in the morning is a bit aggressive.

Mrs. Gardell asked what is allowed in the Borough's ordinances now.

Mayor Crowley commented to start at 7:00AM.

Mr. Zschack asked about the other end this (resolution) states 9:00 what is it currently.

Mayor Crowley commented he thinks it is 8:00.

Mr. Kilduff advised the Council he met with the project engineer, they ran into some engineering issues and have fallen a little off schedule. These are the hours the County asked for. Mr. Kilduff commented it is included in that ordinance they have to take in about 25 deliveries of large steel beams to accommodate this project. The

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County wants to schedule the deliveries to have them either delivered at night or mid day not during rush hours.

The Council had a discussion regarding the hours for construction of the bridge.

Mrs. Gardell stated she is hesitant in extending the hours; we asked the County going into the project if any extra hours were needed; they reviewed what the ordinances were for working hours and they said the project could be done with the allowable hours. Mrs. Gardell commented she is home during the day and can hear and feel the pounds all the way to her house she can't imagine being closer to that construction project. To have the construction start at 6:00 in the morning going to 9:00 at night that is after dark and doesn't seem reasonable to her to extend the hours at this time.

Mr. Kilduff commented they have fallen a little off schedule, the bridge is supposed to be complete by the end of the year, they are looking for some accommodations to have the ability to work after hours during certain phases of the construction. Mr. Kilduff gave some examples. We don't want to see the construction go beyond December 31.

Mr. Giordano asked if there were any penalties.

Mayor Crowley stated no

Mr. Giordano asked if there was a bonus if they get done early.

Mayor Crowley stated no.

Mr. Kilduff stated he isn't aware of any penalties but if there is a good reason for the delays then the contractor may be exempt from those penalties. Mr. Kilduff stated the resolution in front of you reflects what was requested. We do want to see the project get done.

Mr. Babcock commented we have prime time coming up weddings, events in the town, on the weekends. Mr. Babcock stated he is totally against the weekends.

There was a discussion on the resolution.

Mr. Zschack commented the last be further resolved we are saying they can make deliveries any time any place; he has an issue with that. Mr. Zschack stated he has concerns about this.

The discussion continued.

Upon roll call vote for resolution 2013-45:

Ayes: Limon

Nays: Babcock, Gardell, Giordano, Zschack Absent: Snyder Abstentions: None

Resolution # 2013-46 Postal Meter Lease

Mr. Zschack made a motion to adopt resolution 2013-46 authorizing the execution and issuance of the necessary purchase order in the total amount not to exceed \$8,495.00 to Mail Finance A Neopost USA Company, Contract #75256 for the postal meter lease. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

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Resolution 2013-47 Dell Computers Purchase

Mr. Zschack made a motion to adopt resolution 2013-47 authorizing the execution and issuance of the necessary purchase order in the total amount not to exceed \$7,021.45 to Dell Computer Corporation for the purchase of 6 computers, 3 monitors and 1 laptop. Seconded by Mr. Limon.

Monica Miebach, CFO explained the resolution.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

Resolution 2013-48 Amend Resolution 2013-40 for Copier Lease

Mr. Giordano made a motion to adopt resolution 2013-48 authorizing the amendment of resolution 2013-40 for the copier lease increasing the contract price to \$22,680.00. Where an error on the monthly lease stating the monthly rate as \$369.00 instead of \$378.00, due to the police copier using the Fax option. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

Resolution 2013-49 Special Emergency Appropriation

Mr. Giordano made a motion to approve resolution 2013-49 approving the 5 year emergency appropriation for Municipal Tax Reassessment in the total amount of \$25,000.00. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Gardell, Giordano, Limon, Zschack

Nays: Babcock Absent: Snyder Abstentions: None

Resolution 2013-43 Awarding Raises for Non-Contract Employees

Mr. Giordano made a motion to adopt Resolution #2013-43 to raise the salaries and wages 2% retroactive to January 1, 2013 for non-contract employees. Seconded by Mr. Limon.

Mayor Crowley stated this is recommended by the personnel committee; when he looked at other towns around the Borough this is basically the same amount the other areas are getting. With the increase in Health most of the employees will be taking home less than they were before.

**Prior to voting, Mayor Crowley opened the meeting to the public for any comments on resolution 2013-43.**

Dick Durina, 23 Lozar Road, Franklin stepped forward. Mr. Durina asked what is a none contract employee.

Mayor Crowley stated the Chief of Police, the police have a contract with the FOP and the administrator have contracts.

Mr. Durina questioned what defined a contract employee and a non contract employee.

Mayor Crowley explained there is an employee handbook instead of having a contract for every employee.



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Mr. Giordano asked about people that were already given raises and had their hours extended or made full time.

Mayor Crowley stated they will be included.

Mayor Crowley explained this is a yearly raise.

Mr. Giordano asked in the past when people have received raises before they would not be included in the yearly raises.

Mayor Crowley stated that was not the recommendation from the personnel committee, the recommendation is straight across the board 2 percent.

Mr. Giordano commented it would be appropriate to remove the Mayor and Council from the raise. Mr. Giordano stated the employees should get a raise but as Mayor and Council this shouldn't be on the same vote.

Mayor Crowley explained.

The Council had a discussion regarding the resolution and raises.

Rachel Heath, 7 Hemlock Drive, Franklin, stepped forward. Mrs. Heath stated you are elected officials not employees.

Mr. Ursin commented they are employee's.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina gave the history of previous Councilman and the pay they received.

Joann Tatka, 151 Maple Road, Franklin, Stepped forward. Mrs. Tatka asked if the Council would be publishing a salary ordinance. Mrs. Tatka asked to have a conservative councilman on the next negotiating committee.

Mrs. Gardell asked was eliminating stipends part of this.

Mr. Limon stated no they were not.

Mrs. Gardell asked why the salary adjustments are retroactive for six months instead of saying effective July 1, 2013.

Mr. Limon explained.

Mrs. Gardell stated she doesn't dispute the employees desire an adjustment in their pay, 2 percent is reasonable but I have never worked for an organization that gave back pay for half the year.

Mayor Crowley stated the 2 percent does not increase any stipends.

Mr. Zschack made a motion to amend the original motion to exclude the Mayor and Council from this resolution. Seconded by Mr. Giordano.

Mr. Ursin stated the way Mr. Zschack just made that motion the vote now will be to amend the original motion then take a seconded vote on the motion. It is a two part motion now; if you vote yes to amend it you take Mayor and Council right out of the Resolution then the issue would be to vote on the remaining people in the resolution.

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Upon roll call vote on amendment:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

Upon roll call vote on original motion as amended:

Ayes: Giordano, Limon, Zschack

Nays: Gardell Absent: None Abstentions: Babcock

Discussion on Heritage House

Mayor Crowley stated at the request of the Historical Society they have asked the Borough to put this discussion off until another meeting.

Discussion on Commercial and Recreational Vehicles

At this time there was a discussion on Commercial and Recreational Vehicles.

Mrs. Gardell stated the ordinance committee met and reviewed the Land Use code that deal with commercial vehicles and campers.

Mr. Zschack commented he thought as a committee we weren't ready to make a recommendation until we reviewed it again.

Mrs. Gardell commented we [the committee] will meet again.

Mayor Crowley asked Mrs. Gardell about the two letters pulled from the consent agenda.

Mrs. Gardell stated the annual report from the Zoning Board of Adjustment had some recommendations; do those recommendations get forward to the Planning Board.

Mayor Crowley stated yes it goes to the Planning Board.

Mrs. Gardell commented the other letter with a donation offer; so we need to take action on this to accept it.

Mr. Kilduff asked Mr. Ursin someone wants to donate a park bench in the memory of her child would that require Council action to accept the donation.

Mrs. Gardell asked if there were other benches at the pond with a certain style.

There was a brief discussion on the bench.

Mr. Zschack made a motion to approve the donation for the bench. Seconded by Mr. Babcock.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

**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 matters. Motion seconded by Mr. Giordano.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

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After meeting in closed session, the Governing Body returned to their seats at 9:06 p.m. and Mayor Crowley declared the meeting to be reconvened into open public session.

Mayor Crowley asked for a motion for personnel action for a police officer.

Mr. Ursin stated it is his understanding the Council made a conditional employment offer to Hamburg Police Officer VanderPloeg III. The Council wishes to finalize that offer on condition upon the receipt of the whole and final reports by the administrator. The motion would empower the administrator to extend the final offer of employment and to get the wheels in motion because we received a written indication that the final approval of the background check, physical and psychological are in order and on the way.

Mr. Zschack made the motion. Seconded by Mr. Babcock.

Mr. Kilduff asked for verification his start date would then come after he received the missing documents.

Mr. Ursin said correct. Mr. Ursin commented when you say the missing documents the full documents written full report.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: Snyder Abstentions: None

**MISCELLANEOUS COMMENTS**

Mayor Crowley stated it was mentioned tonight about a physical inventory of computers which reminded him that we have no physical inventory of the Fire Department. Mayor Crowley asked if it is possible to get a physical inventory of the equipment.

Mr. Limon stated they have a full inventory every year.

Mr. Ursin asked the Mayor if he wanted him to give the Council an update on the Group 5 meeting regarding the amended developers agreement.

Mr. Ursin explained briefly the amended developers agreement that the property owners are seeking. Mr. Ursin asked if anyone on the Council would object to this amendment.

There was a brief discussion by the Council regarding Wal-Mart and the sale of land purchased by green acres and combining the two land use boards.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 9:20 p.m., seconded by Mr. Zschack. All were in favor.

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Paul B. Crowley, Mayor

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Robin Hough, Municipal Clerk