

**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
October 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."

PRESENTATIONS

At this time Joe Martinez, stepped forward to give a representation regarding recommendations for the Pond Area by the Ad-Hoc Committee.

Mr. Martinez referred to his report explaining the recommendations. The recommendations were broke up into two sections; the first sections are the things we need to take care of. One is to give the pond area a blending back to its natural surroundings; painting the buildings to a tan that blends into the environment. Another recommendation discussed was clearing of where the baseball field is; there are two fence lines and the vines have taken down the netting.

Mr. Martinez continued with the following recommendations; add another camera by the pond area, to stop having cars parked in the grass area by the baseball field, have cones there for no parking, the concession stand needs to be gutted, cleaned, new boards and paint the stand, remove three dead tree that are used for the Christmas Tree lighting, scoreboard lights need to be fixed for baseball and football, line painter to define, for football, when they come back and for baseball. The sheds for softball are leaking; if we maintain with a new roof now we won't need a new one. A backstop is needed for safety, netting over the seating, have item such as baseballs, basketball and freebees to loan out at the pond.

Mr. Martinez referred to the wish list part of his recommendations. We need to come up with a five or ten year plan to start to see how we can bring the community back to Franklin. This list included a track around the pond area with two loops; an outer loop and inner loop surrounding the field, work out areas for teenagers, water feature by the concession stand, the two metal containers are eyesores removal of them and sell the metal as scrap metal and rent paddle boats.

Mr. Martinez described the pond area as a diamond that Franklin is not using. He hope the Council sees it that way too.

Mr. Martinez stated Franklin is the mineral capital of the world. What do we have to show for it when someone drives through this town. One of the proposals is to put a black light in the falls area to light that all up; we can do this on Franklin Night or on special occasions.

Mr. Martinez suggest having a dog park area down by the pond for the dogs to run. Mr. Martinez explained possible funding.

There was a discussion by the Council regarding Mr. Martinez presentation and the recommendations made from the Ad-Hoc committee. Some concerns from the

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Council regarding cost are lifeguards and insurance. These items will need to be addressed. Mr. Martinez suggested a charge for a badge to offset the costs.

Mr. Kilduff thanked Mr. Martinez for his work on the plan.

Mr. Martinez stated in closing he always hears stories in town of how things were in Franklin before; swimming in the pond and how they had all these things in that area. He plans on being here for awhile and is raising his family here; these are the stories he wants his son to tell when he is gone. He hopes the community we had gets back again. Mr. Martinez stated he wants those stories to continue.

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 September 19, 2013 from James Kilduff, Administrator to Ken Kloo, Director of the Division of Remediation Management NJDEP Re Franklin Borough, SRP PI: 003685, Activity Number Reference USR000001 Site Remediation LSRP Annual Fee.
2. Letter dated September 23, 2013 from Mayor Paul Crowley to Senator Steven V. Oroho, Assemblywoman Alison Littell McHose and Assemblyman Parker Space Re: Franklin Borough 2014 NJDOT Trust Fund Grant Applications.
3. Letter dated September 23, 2013 from Mayor Paul Crowley to Senator Steven V. Oroho, Re: Franklin Borough Underground Storage Tank (UST) File Closure.
4. Memo date September 26, 2013 from Joseph Drossel, Zoning Officer to Mayor, Council and Planning Board Re: Proposed ordinance change concerning parking of Commercial Vehicles and Recreational Vehicles parking/storing in a residential zone.
5. Pending Ordinance from Board of Chosen Freeholder to amend the fee schedule of the Department of Environmental and Public Health Services.
6. Letter dated October 1, 2013 from New Jersey State League of Municipalities to Municipal Clerks Re: Notice of Proposed Membership Dues.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction report for September, 2013.
2. COH report for September, 2013.
3. Tax Department report for September, 2013
4. Board of Health report for August, 2013
5. Fire Marshal/Fire Coordinator report for August, 2013
6. Municipal Court Report for August, 2013
7. Police Department mileage report for September, 2013
8. Recreation report for Franklin Night 2013 from the CFO.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None Filed

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

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

Mr. Limon made a motion to approve the consent agenda of October 8, 2013. Seconded by Mr. Babcock.

Upon roll call vote:

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

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Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS

Mr. Babcock had nothing to report.

Mr. Zschack had nothing to report.

Mr. Limon asked Mr. Kilduff to set up a meeting with the Police Chief for his contract. It will be himself, the Mayor and Mr. Zschack.

Mrs. Gardell had nothing to report.

Mr. Giordano thanked Mr. Limon and Mr. Babcock for their work on the Firemen's Parade. Mr. Giordano reported recreation will be having movies in the park every Friday at 7:00; if it rains they are still showing the movie. There will be soda, pop corn and things like that. Recreation is having a candy sale fund raiser to help increase Recreation's Budget. If interested see one of the recreation members. The Halloween parade is on October 26 at 1:00. The FOP has donated money for prizes; we are hoping to get glow sticks for the kids to have on Halloween.

Mr. Snyder reported when they were giving the awards (at the Firemen's Parade) one that stood out was the hose laying award. It brought back memories of 1977 when it was one the last time. It was a great thing to happen on the 100th Anniversary.

Mr. Ursin had nothing to report.

Mr. Kilduff thanked all the Firemen, Mr. Limon and Mr. Babcock who served as Chair and Co-Chair respectively and the entire Council that participated in the Firemen's Parade.

Mr. Kilduff reported his following administrator's report.

Borough Sites and Street Issues

The Franklin Fire Department hosted the Sussex County Firemen's Association Inspection Day and Parade on Saturday, October 5th. The parade was a spectacular success with participation by more than 3 dozen Fire Departments and marching bands. The event also celebrated the 100th year anniversary of Franklin Borough and brought in spectators from all over the County. Special thanks to all volunteer firemen and Council Members Joe Limon and Fred Babcock who served as Chair and Co-chair respectively.

The 24th Legislative District has sent letters to NJDOT in support of the Borough's local aid grant applications for CR631 and High Street improvements. The County has also been asked to endorse the Borough's CR631 sidewalk project. A resolution in support of the project is on Wednesday's Freeholder's Meeting agenda.

After numerous phone calls and emails, the Borough has been advised a new seal has been installed in the manhole cover on Rt. 23 at Mabie Street. The noisy manhole cover condition has been corrected.

A letter has been sent to NJDEP Commissioner Bob Martin by the 24th Legislative District in response to the Mayor's letter request for assistance. At issue is the NJDEP's attempt to collect fees and require the hiring of a Licensed Site Remediation Professional for a leaking underground heating oil tank that was removed from Borough Hall and remediated some 16 years ago.

The County has been working with the Borough Engineer to effect improvements at the Junction and Fowler Streets intersection. The improvements were offered in conjunction with the E-07 bridge project, at no charge to the Borough. New striping and traffic control signage has been installed. The signage may require passage of an ordinance.

In response to concerns about thru traffic on Rutherford Avenue South, the Borough Engineer has recommended this roadway restrict thru trucks. The intent is to address problems caused by heavy trucks using this road for the sole purpose of avoiding the traffic light at Franklin Avenue and Rt. 23 South. An ordinance restricting thru truck traffic on Rutherford Avenue South will be drafted for Council consideration.

Financial Control/Legal Issues

The Administrator and Police Chief participated in a meeting at Hardyston Township on September 25th to discuss the possibility of a shared service arrangement for 9-11 call dispatching. The mutual agreement may include Walkkill Valley towns with Hardyston as the lead agency. Franklin is currently

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in the first year of a five year agreement with Sparta Township. If talks progress, the likely starting date for a change in providers could be January, 2015.

A tax sale was conducted on October 3, 2013. Forty property liens were sold for delinquent 2012 taxes and water/sewer charges. The Tax Collector, Theresa Schlosser (CTC), reports 38 of the properties sold to outside lien holders and 2 properties were struck off to the Borough in the amount of \$801.30. The total sale of tax liens was valued at \$156,897.39.

The current tax collection rate for the third quarter has risen to 95.12%, now 1.20% below the anticipated 96.32% collection rate. Year to date tax collections on delinquent taxes totaling \$509,473 have now surpassed the budgeted amount of \$478,000.

Operational/Personnel Matters

Due to the 2014 Veterans Day Holiday falling on a Tuesday (November 11th), the Mayor & Council Meeting date, normally set for the second Tuesday of the month, will be rescheduled to Thursday, November, 6th, 2014. This date will be on the calendar for Council approval at the 2014 Reorganization meeting.

A part time employee was suspended without pay on Monday, September 30th following an incident on Friday evening, September 27th which resulted in the employee's arrest. Several police officers and Sparta ambulance squad members were injured during the incident. The matter is under disciplinary review and is not open for further public discussion.

The Borough attorney has sent a draft contract for Brian VanDenBroek, Acting DPW Supervisor to Brian's attorney. Copies have also been provided to the Council.

Land Use Matters

CM Franklin presented an application to the Zoning Board on October 2nd for amended preliminary and final site plan with variances to construct a 7,382sf Auto Zone Store and 5,600sf STS automotive Service Center on Route 23. In a lengthy meeting, the applicant was granted Board approval for the new development. If constructed, the project will result in the redevelopment of an abandoned property on Rt. 23 with two national tenants and provide ratable growth essential to stabilizing taxes.

The new owners of the Miner's Cove residential development project at 16 Main Street have been very active in infrastructure site work to include, in the near future, landscaping, paving, Belgium block curbing and signage to celebrate Franklin's mining history. This property sat for a number of years following the prior owner's failure to perform. The Borough called the performance bond for the purpose of restoring this site. The Council should consider cooperative support to offset the developer's effort to restore the site and ultimately add to the Borough's ratable base. The owner is offering a walk through tour of the site on October 25th.

Long-term and Capital Projects

The Borough has begun working with a citizen volunteer on its gas conversion project. A meeting with Elizabethtown Gas is in the offing; a suitable date has not yet been selected.

In line with the Council's commitment to continuing education and Best practices, ethics training for the Mayor and Council has been scheduled for Tuesday, October 15th, from 7pm to 9pm. Other neighboring towns may be invited to help defray the cost.

As required by the Administrative Office of the Court, a security meeting was conducted on October 7th. Participants included the Mayor, Judge, Administrator, Police Chief, Court Administrator and a Court Attendant. Among the recommendations for capital improvements were a security camera system and video teleconferencing capability.

Miscellaneous

Registered voters are reminded of the New Jersey Special Election for U.S. Senate on Wednesday, October 16, 2013. Polls open at 6AM and close at 8PM.

Residents should be aware JCP&L has advised the Borough of aerial patrols to inspect transmission lines. The slow flying helicopter patrols were scheduled to complete local inspections last week.

The Sussex County Economic Development Partnership will host the County's Mayor's Appreciation and Recognition Dinner on October 17th at the Farmstead Restaurant.

All residents are again reminded of the Board of Health's free Rabies Clinic on November 2nd from 1PM to 3PM at the Borough Garage.

Mayor Crowley reported the parade was great, it was a great day and everyone enjoyed themselves. Mayor Crowley thanked everyone that helped with the parade. Mayor Crowley commented during the presentation of awards a plaque was presented to the Borough. Mayor Crowley read to the public what was written on the plaque; presented to Franklin Borough 1913-2013 dedication and recognition on the Borough's 100th year anniversary and continuing support to the Fire Department. Congratulations from the Franklin Fire Department to Franklin Borough.

Mayor Crowley reported this Saturday Andrew Sullivan one of our Boy Scouts will be receiving an Eagle Scout award, he can't make [the ceremony] this time but Mr.

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Giordano will represent the Council. Mayor Crowley congratulated the Sullivan Family.

Mayor Crowley thanked the Girl Scouts for placing the pink ribbons around town for October being breast cancer awareness month.

Mayor Crowley stated after the meeting there will be a very short personnel committee in his office.

Mayor Crowley commented we are working on getting electricity for the recreation sign down by the pond. We will get the quotes; now that it is getting dark he would like to push that through. Mayor Crowley stated he would also push for the Council members to walk through the Miners Cove development.

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. Snyder. All were in favor.

Robert Allen, Jenkins Road, Franklin stepped forward. Mr. Allen commented on a truck going around picking up strap metal. Mr. Allen commented on Dan Stoll Sussex Fire Department helping him with the flag pole. Mr. Allen passed around pictures of the Sussex Fire Department truck when they helped him. Mr. Allen stated he also bought a \$60.00 flag and the flag is now flying like it is suppose to be.

Mayor Crowley commented the American Legion is looking into hiring a flag pole painter to come down to Memorial Park, with the Council's permission; they want to strip down the flag pole and repaint it. They are looking to donate that project to the Council.

Joanne Tatka, 151 Maple Road, Franklin, stepped forward. Ms. Tatka asked about Mr. Knutelsky being public works manager, no one seems to know how many hours or what the salary was.

Mayor Crowley explained there is no salary involved; he doesn't feel it will be much work he will be doing it as many hours as needed as Borough Engineer it is free.

Rachel Heath, 7 Hemlock Drive, Franklin, stepped forward. Mrs. Heath thanked Mr. Kilduff for reminding everyone of the free rabies clinic on November 2. Mrs. Heath commented in reference to the Senior Center; Monday night the boy scouts used the facility. This morning the front door was left unlocked; the eye was still on so the door was opening and closing; the back door was open with a flower pot. A flower pot in the front was knocked over and newspapers were placed on top of the dirt. Mrs. Heath stated she wonders where the supervision was; we used to have a check list for anyone that used the building. Mrs. Heath commented she was very upset and this is disheartening.

Mr. Kilduff stated he already spoke to the leader regarding this matter; he was sick at the time so it was an unusual situation down there, he assured him this will be taken care of.

Mrs. Heath asked there was no supervision.

Mr. Kilduff stated there was but not the usual supervision he [the scout leader] is going to address this.

Sean Kidd, 3 Evans Street, Franklin, stepped forward. Mr. Kidd asked if the Council will be taking comments tonight on the RV parking ordinance that was made public.

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Mayor Crowley stated at this point the ordinance has gone to the Planning Board; the next time you can make comments will be at the next Planning Board meeting. Then the ordinance will come back to the Council for a final open meeting.

Dick Durina, 23 Lozaw Road, Franklin, stepped forward. Mr. Durina stated in the NJ Herald on Tuesday October 1, he read an article that stated on Saturday September 30 at the Sussex Technical School the Sussex County Complete Street had a meeting for pedestrian friendly improvements. It was suggested that eight highway sites one site was in Franklin; to improve pedestrian safety along Rte 23 between Auche Drive and Washington Ave. Mr. Durina commented he thinks this would be a great project; he hopes this project for safety will be a top priority to this Mayor and Council also the Planning Board, Zoning Board and School Board should be aware of what is going on. The next meeting is at the Sussex County Technical School on December 5, on Thursday and there is also a website Sussex County complete streets.com. No time was in the paper.

Dawn Ingles, 72 Church Street, Franklin, stepped forward. Ms. Ingles commented on the project for sidewalks on Rte 631; she thinks this is a fantastic idea. Ms. Ingles commented she has been asking the sidewalks be fixed for years. Ms. Ingles commented her next issue is about snow; last year she received a letter regarding snow removal. How can she remove the snow if there are cars parked on the sidewalk. Ms. Ingles stated there has been a garbage truck going around at 4:00 in the morning.

Mayor Crowley stated Blue Diamond starts at 6:00AM.

Ms. Ingles commented she doesn't know who comes through at 4:00 and explained to the Council the noise that is being made at that time of the morning.

Sean Kidd, 3 Evans Street, Franklin, stepped forward. Mr. Kidd stated he would like to back up Ms. Ingles; he lives on Evans Street which is 250 feet away from her and the noise that is made when dumping the dumpster needs to be addressed.

Emily Basilwitch, Mill Street, Franklin, stepped forward. Ms. Basilwitch read a positive statement, when you hear negative statements about your town you want to defend it, being a concerned citizen, we have a Mayor that is always accessible and takes the time to listen and always get back to you. Our Council members are also very approachable just talk to them; don't listen to idle gossip, remarks are made about our police department; you know what would happen if you didn't have them; we would have to rely on the State police like they do in Sussex and Stillwater. How long do you think it would take them to get to you if there was a problem. The Borough has many lovely and well maintained recreational parks mostly all of them built by our local fire department and well maintained by our road department. Nowhere in Sussex County will you see a nicer area then that so let's enjoy what we have and be happy and work hard to make this a better community to live in and not dwell on the negative.

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. Snyder. All were in favor.

OLD BUSINESS

There was no old business for tonight's portion of the meeting.

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NEW BUSINESS

Approval of the Minutes

Mr. Snyder made a motion to approve the regular meeting minutes for September 24, 2013. (Absent: None) Seconded by Mr. Babcock.

Upon roll call vote:

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

Resolution 2013-91 Bond Anticipation Notes

Mr. Snyder made a motion to adopt resolution 2013-91 authorizing the issuance of not exceeding \$261,500 Bond Anticipation notes of the Borough of Franklin, in the County of Sussex, New Jersey. Seconded by Mr. Babcock.

Upon roll call vote:

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

Resolution 2013-90 Water and Sewer refund

Mr. Snyder made a motion to adopt resolution 2013-90 authorizing the Water and Sewer Collector to refund Donna Smith 19 South Street Block 709 Lot 4 for water and sewer overpayment \$226.50. Seconded by Mr. Limon.

Upon roll call vote:

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

Discussion on Procurement Card Program

At this time there was a discussion with Monica Miebach, CFO regarding how and whether a procurement card program could benefit the municipality.

Mrs. Miebach referred to number 17 on the best practice worksheet and explained to the Council the procurement card program. At this point the Borough is not eligible for the program because Ms. Miebach is not a QPA. This would be a program to consider for the future.

Mr. Limon asked is this one of the recommendations of best practice.

Mrs. Miebach commented no, number 17 asks if the Borough's CFO discussed with the Governing Body how and whether a procurement card could benefit the municipality. Mrs. Miebach stated right now we are not eligible; when she takes the QPA exam we could possibly enter [the program]. This is an item to be discussed to make the Council aware of available programs and what this program is all about.

There was a brief discussion on the Procurement Card Program.

Mayor Crowley commented what we need to do tonight is discuss the program, if the Borough decides [to use this program] it would have to come before the Council.

Discussion on Training for Elected Officials

At this time there was a discussion on training for Elected Officials.

Mayor Crowley stated [on the] best practice list it forces elected officials to go for training. Part of that training is done at the League of Municipalities Convention, there are other training area offered during the year that elected officials can go to. The locations for the training are not to convenient for elected officials in this area.

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This is one of the reasons the Borough is having the training here for the Council next week; so the Borough can offer training to the elected officials.

Mr. Kilduff commented a resolution was passed a while ago where this Council committed to best practices and mandatory training.

Mr. Limon questioned the amount.

Mr. Kilduff stated the cost is \$500.00; it is his intention to get from the Council how many will be attending. Mr. Kilduff intends to reach out to neighboring municipalities to see if they would be interested in sending any of their elected officials over here for \$25.00 to help offset the cost to the Borough.

Mr. Limon asked if the instructor works for the State.

Mr. Kilduff stated no, he is a qualified independent instructor; this class will be eligible for continuing education credits through the Department of Community affairs. Mrs. Miebach has taken a Course with him before.

Mrs. Miebach explained the instructor had previously worked for the Division of Local Government Services in ethics for 10 years and is now retired from the Division and is a teacher on Ethic having his own business.

Mayor Crowley commented they want us to go to education but they don't fund it. It is basically the Borough's responsibility for time, attendance, mileage etc.

Mr. Giordano asked if the class would be open to people who are on the Planning Board or Recreation Board; this might be helpful for Recreation or anyone on a Board.

There was a discussion on the training class for elected officials.

Resolution 2013-92 Current Fund Surplus Policy

Mr. Snyder made a motion to adopt resolution 2013-92 establishing a current fund surplus policy for the Borough as part of the State of New Jersey's Best Practices Checklist. Seconded by Mr. Limon.

Monica Miebach, CFO explained the resolution 2013-92 and 2013-94 to the Council. Mr. Kilduff explained the importance of the resolutions.

Mrs. Gardell asked if this was Water and Sewer combined.

Mrs. Miebach stated Water and Sewer combined.

Mrs. Gardell asked to modify resolution 2013-94 to Water and Sewer combined.

Mrs. Miebach stated it [the resolution] should state Water and Sewer operating. Can we amend that?

Mayor Crowley stated we are on number six [resolution 2013-92].

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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Mayor Crowley commented to change number seven to Water and Sewer Operating Fund.

Resolution 2013-94 Water and Sewer Operating Fund Surplus Policy

Mr. Snyder made a motion to adopt resolution 2013-94 establishing a water and sewer operating fund surplus policy for the Borough as part of the State of New Jersey's Best Practices Checklist. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Review of 2013 Best Practice Worksheet

Mayor Crowley commented we have been talking about the best practice worksheet at this time the CFO and Administrator have prepared the best practice worksheet for review and it has to be accepted by the Council and signed by the Clerk.

Mayor Crowley asked if anyone has any discussion or questions regarding the worksheet.

Mr. Snyder made a motion to accept the best practice worksheet prepared by the CFO and Administrator and have the Clerk certify the worksheet for transmittal to Trenton. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Babcock, Gardell, Giordano, Limon, Zschack

Nays: None Absent: None Abstentions: Snyder

Resolution 2013-93 Part-Time Court Attendant

Mr. Snyder made a motion to adopt resolution 2013-93 authorizing the Borough Administrator to hire Michael J. Burns as a part-time Court Attendant commencing October 8, 2013 at the rate of \$22.44 per hour at a minimum of three hours per session. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on Board of Public Works

At this time there was a discussion regarding the Board of Public Works.

Mayor Crowley commented the Board has not met in a long time. When he became Mayor and started attending the meetings at that time the meetings were only once a quarter. Sometimes the meetings were called off if they didn't have any topics other times they didn't have a quorum. Going back several administrations the Board of Public works which had traditionally been a very strong Board in Franklin was gutted by previous administrations and all of the financial responsibility was brought to the Council and the Administrator. At one point the Board of Public Works set the rates; over the years the ordinance has changed, when there was any serious questions it went to the Board of Public Works and no matter what the Board said it was then brought to the Council. The question was heard again by the Council. We still have a Board of Public works that can be brought into play any time; they worked really well the last time we went out for a garbage contract. At that time Steve Sluka was chairman and they did a great job. If we have a question like that in the future and we do not have a Board of Public Works it can be done as an Ad-Hoc committee.

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Mayor Crowley commented he also wanted to bring up that we have been contacted by Aqua, this is a company, there are several company's going around now that are soliciting to buy parts of public works, the sewage system, water system and run it as a private company. We haven't done anything about this; there are other towns and Boroughs in Sussex County that are entertaining these questions. Mayor Crowley stated he thinks this should at least be looked into; I wouldn't say I'm for it or not, a major change like that would have to go to the voters. We have a sewer system that is at least 25 years old and if the whole thing was sold to a private company they would have to maintain it. It could also be a problem because we would not longer have control of the rates. He is not saying he is for this but the Borough should at least look into it for the future; there is no rush but something the Council should consider.

The Council discussed the Board of Public Works, having an AdHoc committee without having to hire a secretary or professionals, when meetings are canceled last minute you still have to pay the attorney, EDU rates and setting up better procedures when there is a change of tenant.

Mr. Kilduff commented any changes being discussed would have to be through an ordinance, he is getting from the Council they might be interested in revising the ordinance such as the Board of Public works would be supplemented by an advisory committee to this Council. Do you want to continue to have a Board of Public Works as it is written in the current Ordinances or look more towards a less formal advisory committee that could provide the same kind of input to the Council without rising to the level of not having a Board with a Secretary and professionals.

Mayor Crowley asked the Council members to read the ordinance for the Board of Public of Works and then put this back on the agenda to discuss again. Also within the next month or so he will see about some type of AdHoc Committee to start looking into these companies that would buy all or part of Public Works to see if the Borough would really want to look into that or not. Before the Public gets upset that we [the Borough] are going to sell off the Board of Public Works any major change like that would have to be authorized by the voters. It would have to go to referendum.

Mr. Limon commented there is no rush on this.

Mayor Crowley said no.

Mr. Limon stated obviously they [the Board] is not meeting; right now we don't have to act on this.

Mayor Crowley stated we will put this on for discussion maybe in about a month; in the meantime he asked the Council to read the old ordinance.

Mr. Kilduff commented that would be chapter 10 on Board and Commission, chapter 213 Sewers, 270 Water and Chapter 325 water supply, the ordinance number 18-2009 which was the ordinance that replace portions of Chapter 10 and is really the controlling ordinance today regarding the Board of Public Works.

Mr. Giordano asked if it was possible to email the Council those numbers.

EXECUTIVE SESSION

There was no executive session.

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MISCELLANEOUS COMMENTS

Mr. Snyder has a concern regarding the lights being on for baseball season at a time when it is not baseball season. Mr. Snyder commented he knows we had approved something for them to use the field. Mr. Snyder stated he noticed the lights being on several nights; one night he went down to look and there was only four or five people playing baseball. All these lights are on and the expense; this is more than what we need to have for four or five people playing baseball.

Mr. Kilduff commented he had a conversation with the President of the Wallkill Valley Little League; she advised him they have a fall ball program which they have paid their fee. They would be using lights in the evening for that program. Mr. Kilduff commented she made a comment that someone might have access to the light box that shouldn't.

There was a brief discussion field use and who has keys for the light box.

There was a brief discussion on regarding refurbishing the flag pole at memorial park.

Mr. Giordano commented we should all agree on no thru traffic for trucks on Rutherford South.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 8:48p.m., seconded by Mr. Snyder. All were in favor.

Paul B. Crowley, Mayor

Robin Hough, Borough Clerk