

**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 24, 2017**

Mayor Giordano 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. Dabinett, Ms. Fantasia, Mr. Limon, Mr. Rathbun, Mr. Skellenger, Mr. Snyder, and Mayor Giordano.

Absent: None

Mayor Giordano led the assembly in the flag salute.

Mayor Giordano 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."

**COMMITTEE REPORTS**

Mr. Limon reported we were supposed to have a recreation meeting earlier this month, there was not a quorum [therefore], it was canceled, we have a workshop recreation meeting on Thursday at 7:00. Mr. Limon will report on the workshop at the next meeting. Mr. Limon commented he had nothing to report on personnel.

Mr. Dabinett reported the public utility committee met last Thursday night, we have been served with a notice of violation by the Water Compliance and Enforcement Act from the State of New Jersey, in regard to providing radio data for the water tanks and water system here in the Borough of Franklin. Mr. Dabinett commented we arranged through Mr. VanDenBroek to have a company called NEO Systems Inc. come in, they did a survey a month or two ago. They came to our meeting on the 19<sup>th</sup> and provided us with a proposal for the radio network data between the DPW office and five remote locations in the Borough and explained the information given to them and the proposal costs be \$65,500.00.

Mr. Prol asked who issued the notice of violation. Mr. Dabinett explained. It was issued September the 9<sup>th</sup>. Mayor Giordano commented we have had that on our radar for some time; we had discussed this last year and explained. Mr. Prol explained the response time in a notice of violation.

Mr. Skellenger asked if the \$65,000. was for the three full phases of the project. Mr. Dabinett commented that is correct and explained.

Mr. Dabinett commented we also discussed a proposal for painting the 300,000-gallon water tank up at Franklin Meadows. We have talked about this numerous times but until we get a set of specs drawn up and go out and get an idea of prices we don't know exactly what we are facing. Mr. Dabinett commented he was told Indian Fields painted their tank a year or so ago in Hardyston and it cost them \$350,000. to paint that tank. Mr. Dabinett commented our committee would recommend a proposal to provide an evaluation and prepare specifications for the tank at a cost of \$6,500 dollars and our engineer suggested we put another \$5,500. in for our engineering and attorney fees, a total of about \$12,000. to get this up and rolling. Once we get the specs we can go out for RFP's, get prices and know what we are facing and how we can budget for it in years to come.

Mayor Giordano explained a problem with the tank two years ago, and to continue looking into this would be something for the Council to consider. Mayor Giordano commented so everyone knows this is painting the tank inside and outside. Mr. Dabinett commented correct.

Mr. Dabinett commented the committee also discussed Tom Garrera will be retiring from the Water Department and it was suggested we hire a part time water meter reader. In speaking this Mr. VanDenBroek he suggested we hire someone at about

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\$15.00 an hour for approximately 150 hours per quarter. That being the case the total cost would be roughly \$9,000 a year to have the meters read. That is something we should [do] shortly because the meters are going to have to be read again at the end of March. Mr. Dabinett commented if the Council agrees he would like to see that on the next agenda.

Mayor Giordano commented he can certainly do that for you Mr. Dabinett, that is not a problem if the Council is agreeable to that.

Mr. Dabinett commented the last thing he has is the dump truck that burnt up and the quotes we got back from the insurance company there were two options and explained them to the Council.

Mayor Giordano asked Mr. Dabinett do you want me to add that to the next agenda for deciding what we are going to do with that truck, we definitely want to evaluate the situation before we let it go. Mr. Dabinett commented he thinks two weeks is enough time to get the data we need and if not we can always postpone it.

Mr. Snyder reported with regards to Building and Grounds, we were informed by Mrs. McHose the flag pole down at the park by the pond, is not there any longer. Bob Allen had inquired about it, we found out John Rome was very gracious in taking it down to fix then put it back up.

Mr. Snyder commented he is going to call a [committee] meeting with regards to RFP for the security cameras with the Administrator and Mayor. Mr. Snyder commented there was discussion several months ago, with regards to the dam light when they put the E-4 bridge back, they still want to put the light over the dam so we will have to look into that a little further and explained. Mr. Snyder asked about the TAP grants. Mrs. McHose commented there is nothing new.

Mr. Rathbun reported public safety is in the process of setting up another meeting with the gun club [rifle range] hopefully within the next couple of weeks. Mr. Rathbun explained a letter he received regarding grants.

Mrs. McHose commented she forwarded the email/letter to Jim Williams and Fred Babcock because there is a short time frame on that.

Mr. Skellenger commented all of his committees have reported already. Mr. Skellenger congratulated the FOP and our police for a great event last Friday at the Brownstone.

Ms. Fantasia reported on finance, the finance committee has not met, our CFO has provided us with the budget worksheets we requested with a three-year average of reference moving forward. The CFO is meeting with all departments over this week and next week so we hope to meet in February to go over preliminary numbers. As we move forward it is good that Councilman Dabinett spoke about potential projects, because our budget has no wiggle room so as much as we get in the sooner the better. Ms. Fantasia commented at the last meeting Mrs. Heath had commented on the Borough's ambulance and emergency services. Ms. Fantasia commented she had a discussion with our Administrator, Mrs. McHose suggested getting all the records of response times and so on for all the calls in the Borough so that can be provided to the Council, so moving forward we make a decision on how to address it.

Ms. Fantasia reported the new organized Planning Board met on Tuesday, January 17, the Chairman selected was Nathan Foulds and the Vice Chair is Louise Murphy. The group decided their primary meeting will be the third Monday of the month,

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which was the original Planning Board meeting times, with the second meeting if needed the first Wednesday of the month. The Planning Board Attorney is David Brady, Board Engineer Thomas Knutelsky and Board Planner is Ken Nelson.

Ms. Fantasia reported on EDC, they had their Reorg meeting on Thursday, January 12, Steve Zydon was named Chairman and Judy Williams is the Secretary. Ms. Fantasia commented on some budget concerns as a group and proper funding for some tasks and having access to electronic tax maps.

Ms. Fantasia referenced an article in the newspaper, out of 84 schools that competed at Rutgers University last week, our Franklin Middle School Students won the award for designing the most economic future city. Ms. Fantasia commented she would like to invite these students to an EDC meeting and maybe even be able to recognize them here for their accomplishment.

Mr. Snyder commented the percent of taxes we had for this quarter, came in low at 93.77 percent which is far below what we needed to have, the first quarter percent calculation was 99.16, the second quarter was 98.33 third quarter was 97.57 and fourth was 93.77 and then explained the deficit. We need to make calls again to get that percentage higher. Mr. Snyder commented he wanted to point that out.

Mrs. McHose thanked Mr. Snyder and commented she was quite busy in December with the new combined Planning Board so that took her away from the collection calls but she will get back on that. Mrs. McHose commented in regards to the budget we have closed 2016 and are now on a temporary budget so there is to be no capital spending during the temporary budget unless there is an emergency. Mrs. McHose commented she has been working with the CFO and the CFO has been meeting with the Department Heads. Mrs. McHose will be meeting with the CFO to discuss the Administration budget and Planning Board budget.

Mrs. McHose commented she attended the first Planning Board meeting and EDC. When we get the new tax maps this year we are going to have electronic access and she will definitely make sure EDC has the ability to tap into that. We talked about doing an updated survey of properties, vacant properties, we have a lot of activity happening now, we received an application for a major subdivision of the former Zinc Company site. That application has been distributed to the professionals.

Mrs. McHose commented she coordinated and attended a concept meeting with the owner of Westwind Manor who is exploring the expansion of his property. Mrs. McHose commented she worked on information regarding combining the Municipal Courts with Ogdensburg. Mrs. McHose commented she explored drafting a written policy regarding snow and storm closures. Prepared information with the chair of building and grounds, first on the list is RFP's for security systems. We are also looking to possibly have vendors at the pond area and we need to look into the Borough's phone system and explained.

Mrs. McHose commented there has been a few issues on personnel nothing concrete, she has been discussing things with the members and the chairman.

Mr. Limon commented the last time we had a meeting [personnel committee] it was unanimous that we hire that other candidate for Public Works. Now, Mr. Dabinett said something about a meter reader is there any way we can look into that candidate, so we don't have to go back through this all again, it was unanimous when we had that meeting that we wanted that other candidate.

Mayor Giordano commented they were different types of jobs though, he doesn't know if you would have someone working full time do a part time job. Mayor

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January 24, 2017**

Giordano commented it is up to the Council we can certainly look into that. Mr. Limon commented when we had the meeting last time we were all unanimous that we like that other candidate and he really thinks we should move forward on it so we don't have to go through that all again, it was a lot of work.

Mayor Giordano commented are you talking about a full time hire or a part time hire.

Mr. Limon commented if we are going to hire full time why wait.

Mayor Giordano commented it is up to the Council, if the consensus is that is the way they want to go then that is what we will do.

Mr. Dabinett commented we were unanimous in hiring the person we hired, he doesn't know that there was any discussion on retaining the second party.

Mr. Limon commented is was unanimous as in subcommittee.

Ms. Fantasia commented the subcommittee had said that if in need, if somebody were to retire or leave the position, that the second candidate was a suitable candidate for an upcoming position. So, it would be the recommendation of the personnel committee, to recommend to the Council consideration for hiring of the second individual. So, what we are saying is are we moving forward with a replacement hire for a full-time position in the near future or our we just looking for a part time meter reader at this 150 hours per quarter. Ms. Fantasia commented she thinks we can discuss that in personnel and come to a decision as to what the needs are at the department and make a recommendation.

Mr. Dabinett commented we have John Rome who is an excellent mechanic, Ray Smith is an excellent mechanic, this young man we hired is an excellent mechanic. The other applicant is also a mechanic, we do not need in his opinion four mechanics working in that garage. If we hire another position we need somebody that can operate a back hoe, bulldozer, drive a truck and plow snow that is the type of person he thinks we would be looking for in the future.

Mrs. McHose commented in addition we would have to approach the individual, it has been a long time.

Mrs. McHose commented we also had other issues in personnel that were unanimous as well regarding some merit raises for a couple of employees so we do have action that was taken in the committee and we will have to address at some future date.

Mayor Giordano commented maybe we are putting the cart before the horse on the hires, the Council has to decide do we want to hire someone full time in anticipation of the actual retirement or do you wait until the retirement and in the meantime, hire someone part time to fill the training needs of reading the meters. As far as hiring someone full time after retirement the Council will have to make that decision and if they are in favor of that.

Mr. Dabinett commented right now the suggestion is we hire a part time meter reader for 150 hours, period.

Mrs. McHose explained her meeting with the acting director of the Sussex County Department of Health. Mrs. McHose commented she has been assisting with the Zoning Officer and helping with filtering the information while he is out on medical leave.

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January 24, 2017**

Mr. Snyder commented with regards to written policy for snow, it is his understanding there is a written policy for that and what it does say is that all employees are to report to Borough Hall no matter what it is unless the Governor declares a State of Emergency. What it does also say, was that the person that does not want to come to work doesn't need to come to work but they have to take their own time with regards to time off. Now if the person comes in late we don't have any issue with regarding to docking them for an hour or so if they are late to get to work but they must make an effort the policy says to get into work.

Mrs. McHose commented what she instituted what was not in place, was a snow tree and explained.

Mr. Prol commented he would like to talk about the Rifle Range in executive session.

Mayor Giordano commented we talked in EDC about formulating a budget for EDC, our hope is that they would be able to get some schooling in land use. We are hoping the Council will allow the EDC members to go to the basic land use courses that are offered by the League of Municipalities so they get a better understanding of how Zoning and Planning works. We also discussed having an actual budget where they can implement some plans for their own and explained. We also spoke about having an EDC member being on a subcommittee on a Land Use Board, the Chairman and Vice Chair of the Land Use Board were both very agreeable to that. We also discussed the priorities of the town.

Mayor Giordano commented we have a meeting in February with the DCA about the Main Street Planning Grant. Mrs. McHose commented she thinks the day is the 8<sup>th</sup> at 10:00.

Mr. Dabinett commented he thinks that EDC should have a larger budget within reason and explained.

**OPEN PUBLIC SESSION**

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

Joann Tatka, 151 Maple, Franklin, stepped forward. Mrs. Tatka thanked Mr. Dabinett for having the information forwarded to her on the sick days. Mrs. Tatka asked about comp. days and vacation days. Do they use it or lose it? Or can all the departments carry over to the next year, police, DPW and regular employees.

Mr. Dabinett commented the police cap at a maximum of \$15,000. Mrs. Tatka commented that is sick days but what about comp. time and vacation days.

Mayor Giordano commented there is a statutory limit on comp time that gets paid out every June according to our new contract and explained. There was a discussion back and forth on sick and vacation time for Police, DPW and regular employees.

Mrs. Tatka asked if Sterling Plaza was paying for their own pumping station? Mr. Dabinett commented that pumping station was sold to the Borough of Franklin for one dollar years ago, Mr. Dabinett explained the ordinance and an agreement worked out with Mr. Deacon.

Mrs. Tatka commented on bills that were brought up at the last meeting regarding the Historical Society and asked were they not pre-approved. Mr. Snyder commented they were on a voucher and the voucher was not signed by the finance committee, we are getting a legal opinion on where we are at with the church and

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explained the reason of not signing the voucher. The bills were not paid Mayor Giordano explained the process of paying bills.

Mrs. Tatka asked about the total for the County Board of Health. Mrs. McHose commented she found out we pay \$56,000., it is based on a percentage based on our assessed value of our homes in town and our population. Mrs. Tatka asked about the lights on the viaduct bridge, final decision on the truck and police car. Both questions were answered by the Mayor.

Mr. Limon commented he wants to follow up on the Hungarian Church, he was under the understanding that if it gets paid it would be status quo so when everything can get handled accordingly because it was so small. Mr. Limon commented he is on the finance committee, he would sign it but somebody else has to sign it so that is why it was not signed. Mr. Limon commented he wants everyone to know if these are not being paid and it is holding something up, he thinks we are making a mistake.

Brian Glynn, 23 Fowler Street, Franklin, stepped forward. Mr. Glynn commented on the church the bills where so minimal we would pay them every quarter. Mr. Glynn commented the County does pay for the light bill for the bridge.

There being no one else present who wished to address the Governing Body, Mr. Dabinett made a motion to close the meeting to the public, seconded by Mr. Skellenger. All were in favor.

**CONSENT AGENDA**

Mayor Giordano 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 January 12, 2017, from Alison L. McHose, Borough Administrator, to First Energy Corp, Mr. William Kenyon, Transmission Project Manager Re: Temporary LZ at First Energy Franklin Substation.
2. Letter received January 9, 2017, from Richard Lonn, director Regulatory Compliance, Elizabethtown Gas.
3. Letter dated January 8, 2017 from Patrick J. Sinwich, Communications Officer, Bureau of Communications and Response services NJDEP Re: Hazardous Substance Discharge Notification.
4. Township of Colts Neck, resolution 2017-18A supporting the filing of a complaint by the New Jersey Association of Counties with the New Jersey Council on Local Mandates that the Criminal Justice Reform Act, N.J.S.A. 2A:162-15 ET.SEQ., Constitutes an unfunded State Mandate in violations of Article VIII, Section II, Paragraph 5 of the New Jersey Constitution.
5. Email dated January 13, 2017 from Aimee Maul, County of Sussex, Office of Public Health Nursing, to Mayors and Board of Health Secretaries, Re: Municipality Activity Statistics for December, 2016.

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

1. 2016 Annual Raffle Report.
2. Registrar quarterly report for October 1, 2016 to December 31, 2016.
3. Police Department report for December, 2016.
4. Tax Collector report for December, 2016.
5. Health Department report for November, 2016.
6. Health Department report for December, 2016.

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

1. Application for use of the Senior Center from Joseph Hendershot, Boy Scout Troop Scout Master for January 26, 2017 from 7:00 – 8:30 PM.

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January 24, 2017**

2. Application for use of the Senior Center from Joseph Hendershot, Boy Scout meeting on 2/14/17, 3/14/17, 4/11/17, 5/9/17, from 7:00 – 8:30 PM.

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

1. Payment of bills for the meeting of January 24, 2017.

Mr. Limon made a motion to approve the consent agenda of January 24, 2017. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

Mr. Limon commented this is regarding personnel, what he isn't understanding is if we have a personnel meeting we recommend something and vote, and now Mr. Dabinett is ahead of Public Works, so he is suggesting we hire someone. Who is actually in charge, is it the personnel committee or public works.

Mayor Giordano commented the Council is in charge as a Body.

Mr. Limon commented the same things happens with public safety, is personnel in charge of public safety hire or is public safety recommend who we hire for law enforcement.

Mr. Prol commented the committees for the Council are advisory.

Mayor Giordano commented if the committee has advice to moving forward with a hire they would say we have this person, we were unanimous, the committee is recommending to hire this person. What the committee should do, if you are going to hire someone and the Council decided we are going to hire someone what you can do is call him or email him and he will put it on the agenda. Then the body of the Council would say yes or no, the committee advises to the Council. We can move forward with that at any time you just have to let him know and he will put it on the agenda.

Ms. Fantasia commented she feels the individual will eventually come to us have already kind of cleared the need and we are getting the candidates who are the most qualified and fit that position. It should all work together and not necessarily have conflicting agenda per say.

Mayor Giordano commented the Council decides whether they want to hire that person or not. If the Council wants to hire someone they would direct the Administrator to place an ad for the job, then the administrator and supervisor of the department would review the applications. The personnel committee could be involved with the interviews it all depends, if it was a police hire and public safety was involved or personnel we would have to decide that before we start that process. As far as the other employees he thinks personnel would be the people involved with that.

Mr. Limon commented we [personnel committee] have these meetings and it is either unanimous or a majority and if it wasn't a majority he wouldn't even report on it, because it would be lost in subcommittee. Mr. Limon commented we have all this work in it and here we are looking to hire somebody again with his recommendation. Maybe the personnel committee has to hear from the supervisor as well. Mr. Limon commented it seems like we have these meetings and when we make a recommendation there is no action on it.

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Mayor Giordano commented from this point forward if you have a meeting and have a recommendation, if you let me know, I will put it on the agenda and then the Council will vote yes or no. That is probably the best way to address your issue and he will make sure it gets on the agenda.

Mr. Limon commented he wants it to be known that we met [personnel committee] and there are really no results.

Mr. Snyder asked where are we with ordering the tablets [for the Council].

Mrs. McHose commented she spoke to the CFO and we had a question on whether these tablets would need a phone line. When discussing with individual Council members they think it would just need Wi-Fi capability not a phone line. That would be costly for each of them to have a phone line. Do we need a vote on this, to authorize her to go forward with the purchase? Mrs. Miebach as the QPA had done some research, we also had the opportunity to get some used iPad. Do you want to authorize her to move forward with the purchase or present the pricing?

Mr. Prol asked if they were in the budget already?

Mrs. McHose commented you are right this is capital so it would have to be after March, since we are on a temporary budget.

Mr. Snyder commented find out the cost and we can decide as a Council whether or not we are going to purchase them at that price.

Mr. Snyder commented on the safer grant for the Fire Department. Mr. Dabinett commented on getting a grant writer. There was a discussion.

Mr. Snyder asked Mrs. McHose if the Council can get an updated version of the vehicle inventory for the Borough. Mrs. McHose commented we have that for insurance purposes. There was a brief discussion.

**NEW BUSINESS**

Approval of the Minutes

Mr. Rathbun made a motion to approve the regular meeting minutes and executive session meeting minutes for January 10, 2016. (Absent: Mayor Giordano) Seconded by Mr. Limon.

Ms. Hough commented Mr. Prol showed her on page 7, there needs to be a change NJSS to NJSA. Ms. Hough commented she doesn't change anything without it being stated.

Mayor Giordano commented the Clerk has brought up on page 7, in the fourth paragraph from the bottom, where it starts Ms. Fantasia the NJSS: 40A: 60-5 it should be NJSA not NJSS. Just a minor error.

Mr. Rathbun made a motion to adjust on page 7, NJSA 40A: 60-5 and NJSA 40A: 60-6. Seconded by Mr. Limon.

Mayor Giordano commented we have an amended motion to approve the minutes with the correction.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

Nays: None Absent: None Abstentions: None

Introduction to Ordinance 1-2017



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January 24, 2017**

Mr. Rathbun made a motion to introduce an ordinance 01-2017 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING ARTICLE II, CHAPTER 5 ENTITLED "ADMINISTRATION OF GOVERNMENT" OF THE CODE OF THE BOROUGH OF FRANKLIN, TO RESCIND AND REPLACE SUBSECTIONS 5.4, 5.5 AND 5.7 – RULES OF COUNCIL, ORDINANCES AND RESOLUTION, AND POWERS AND DUTIES OF THE MAYOR." Seconded by Mr. Dabinett.

**Public Hearing will be held February 14, 2017**

Mr. Limon commented we received an email earlier on this ordinance, he was advised of it 15 minutes before the meeting, he thought we were all in agreeance on this, so he had asked the Attorney what it was.

Mr. Prol commented the ordinance changes were proposed and approved and approved by the Council at the last meeting, so they were placed on the agenda today because at the last meeting there was a vote taken by the Council. The memo you received addresses comparison of the State Statue and the Borough ordinance as it is currently written. One thing he points out in the memo is that currently the Administrator and Mayor of the Borough both have simultaneously the power to supervise employees, his reading of the State Statue is that power would be council and that can be delegated by Statue to the Administrator. And explained the Statue. The council has the executive authority of the Borough and the law-making authority, they can delegate executive authority to the administrator by ordinance.

Ms. Fantasia commented to clarify what we had discussed at the last meeting, our goal is to align with what the State prescribes, in your opinion from what you had interpreted us moving forward and voting yes on this and aligning ourselves back to the State is more in alignment to what your interpretation of the law would dictate.

Mr. Prol commented in largely the current ordinance specifically with respect to the powers and duties of the Mayor, it largely recites the State Statue in different wording, but it adds this additional provision that the Mayor supervises the conduct and acts of all officers of the Borough. Mr. Prol commented he finds that the ordinance as it is written right now really does reflect the State Statue it takes the words mixes them up a little bit and tells it a different way except for that additional provision. If it is the Council's desire to simply have State law control the positions, the Mayor's role and the Council's role, then to simply reflect the provision of the State Statue in the ordinance and that is what we propose.

Upon roll call vote:

Ayes: Limon, Skellenger, Snyder, Dabinett, Fantasia

Nays: Rathbun Absent: None Abstentions: None

Resolution 2017-19

Mr. Rathbun made a motion to adopt resolution 2017-19 honoring Dr. Paul B. Crowley, esteemed member of our community, who has been chosen to serve as Grand Marshal of the 2017 Sussex County Saint Patrick's Day Parade. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Fantasia

Nays: None Absent: None Abstentions: Dabinett

Resolution 2017-17

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Mr. Skellenger made a motion to adopt resolution determining that the group of properties consisting of Block 601 Lots 1, 2, 3, 5 and 6, and Block 904 Lot 1 is an area in need of redevelopment with the powers of eminent domain (A "Condemnation Redevelopment Area") and Designating the portion of Main Street from the Municipal building to Hudson Street ("Study Area B") as in need of Rehabilitation. Seconded by Mr. Limon.

Please note the following information regarding the properties listed above:

New Block and Lot #	Old Block and Lot #	Property Address
BI 601 Lot 1	BI 16 Lot 80	19 Sterling Street
BI 601 Lot 2	BI 16 Lot 77	Sterling St. Rear - Scott
BI 601 Lot 3	BI 16 Lot 72	Sterling St. Rear
BI 601 Lot 5	BI 16 Lot 76	Sterling St. Rear - Scott
BI 601 Lot 6	BI 16 Lot 1	389 Rutherford Ave.
BI 904 Lot 1	BI 16 Lot 78	95 Main Street

Ms. Fantasia asked Mr. Prol when she is sitting at the Planning Board and she recuses herself from voting, because if they are voting on something that would be presented to the Council, she doesn't vote there but comes back here and wants to make sure she is within her rights to vote on something although she sits on both Boards. Mr. Prol commented yes, you can vote on this.

Mayor Giordano asked can the Mayor and the Council member of the Land Use Board actually vote on this type of item on both incidences. Mr. Prol commented sure.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

Nays: None Absent: None Abstentions: None

Ms. Fantasia commented on that [matter] when she was in Land use Mr. Brady advised her not to vote on this because it was something that was sent by the Council there for development so for me to vote there it is almost like voting on what she sent to them. That is why she is asking for the clarification, maybe he was airing on the side of caution but he advised her to abstain on the vote there.

Mr. Prol commented his professional opinion is you can vote on this.

Resolution 2017-18

Mr. Skellenger a motion is in order to authorize the award of non-fair and open contract for professional services to Daniel A. Colfax, Esq. providing the services of Public Defender for the year 2017 in the sum of \$150.00 per client. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

Nays: None Absent: None Abstentions: None

Application for Taxi License

Mr. Skellenger made a motion to approve the application for a taxi license to Steve Collins, Anytime Taxi for the year 2017. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

Nays: None Absent: None Abstentions: None

Resolution 2017-20

**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 24, 2017**

Mr. Dabinett made a motion to adopt resolution 2017-20 authorizing submission of a Strategic Plan for the Governor's Council Alcoholism and Drug Abuse Grant for Fiscal Grant Cycle July 2014- June 2019. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

Nays: None Absent: None Abstentions: None

Resolution 2017-21

Mr. Dabinett made a motion to adopt resolution 2017-21 authorizing the tax collector to refund Shapiro & DeNardo, LLC the amount of \$50.00 for lien redemption figures. Seconded by Mr. Snyder.

Mayor Giordano commented this is a waist of the Council's time for \$50.00, in the future just authorize a small [amount] anything below a certain number.

Mr. Prol commented his suggestion is to just put it on the consent agenda.

Mayor Giordano can we agree if it is \$100.00 or less it is a consent agenda item.

Upon roll call vote:

Ayes: Limon, Rathbun, Skellenger, Snyder, Dabinett, Fantasia

Nays: None Absent: None Abstentions: None

**EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Skellenger made a motion to adjourn into closed executive session to discuss Rifle Range and Shared Services with the Court. Motion seconded by Mr. Dabinett. All were in favor.

Mayor Giordano commented we are not anticipating any type of action [afterwards].

After meeting in closed session, the Governing Body returned to their seats at 9:30p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

Mr. Dabinett made a motion to return from executive session. Seconded by Mr. Snyder. All were in favor.

**OPEN PUBLIC SESSION**

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

No one from the public stepped forward.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public, seconded by Mr. Rathbun. All were in favor.

**MISCELLANEOUS COMMENTS**

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 9:32p.m., seconded by Mr. Skellenger. All were in favor.

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Nicholas Giordano, Mayor

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Robin Hough, Borough Clerk