

**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
June 13, 2017**

Mayor Giordano called the meeting to order, the clerk is on vacation and requested Mrs. Tremont 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."

PRESENTATIONS

At this time, Mayor Giordano request 2017 Royal Court of Franklin, Miss Franklin, Jr. Miss Franklin, Little Miss Franklin, Franklin Princess and Franklin Prince to step forward.

Mrs. McHose stepped forward to present the certificates.

Mayor Giordano announced, Miss Franklin Maria Cunneely, Jr. Miss Franklin Lila Cunneely, Franklin Princess Mia Sanchez and Franklin Prince Shane Hrbek, that was 2017 Royal Court. Little Miss Franklin Fiona Postas was not present.

COMMITTEE REPORTS

Mr. Limon reported recreation meeting was cancelled due to lack of quorum, there will be a workshop meeting Thursday. There was a personnel meeting, we are working on the advertising for the Tax Collector/Water Sewer Collector, [the current Borough's] tax collector/water sewer collector is resigning at the end of the month. The personnel committee selected Joyce Carr, as the Planning Board and Recreation Secretary at \$14.00 per hour.

Mayor Giordano asked for a motion to appoint her.

Mr. Limon made a motion to hire Joyce Carr, at \$14.00 per hour, for the Planning/Recreation Secretary. Seconded by Mr. Skellenger.

Mrs. McHose asked to add effective as of July 1, 2017.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Limon commented at the next meeting we should have [someone] for the tax collector position.

Mr. Dabinett reported paving commenced on Main Street, he was told they hope to finish the project by tomorrow. This is a real improvement for our town. Mr. Dabinett commented a year ago we had a company come in and review our water tanks and made proposals and suggestions as to what should be done to the tanks. After review of those proposals there is nothing that needs to be done immediately, some minor things touch up paint here or there but the one question that came up was the painting of the tank up in Franklin Meadows. Mr. Dabinett commented NBA came in, did some testing on the tank, and came back with a proposal, of an estimated cost to paint that water tank would be \$591,150. He wants the public to be aware that at some point in time the Borough will have to plan for them and explained.

**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
June 13, 2017**

Mr. Dabinett commented Mr. VanDenBroek and Mr. Vreeland, Engineer met with a contractor that does sleeving on our sewer mains where we had leaks. They have given the contractor videos of all the inspections and he is going to come back with some numbers and explained. There was a discussion on this. Mr. Dabinett also added that DPW has done a great job down at the pond.

Mr. Snyder commented he doesn't have a report, the units [for the air conditioning] are ready to be installed.

Mr. Rathbun commented as part of the ordinance committee, he thinks we should take a look at Mill Street onto Main Street if you are in a car it is hard to look left to see if people are coming or not. There was a motor vehicle accident there last week, we should look to change the ordinance as to how close someone can park a car to an intersection.

There was a discussion on parking on Main Street.

Mr. Skellenger commented all his committees already reported.

Ms. Fantasia commented we had a meeting of EDC, on June 8th, we had a discussion on the sign ordinance, feather flags and discussed a project for this year and explained. Ms. Fantasia commented we have some new businesses coming to town but will leave that up to the administrator and Mayor to report.

Ms. Fantasia commented we had our second capital budget meeting, when all is said and done we added to the list a server for the police department, the SUV less the insurance and what we were able to get back for that, the DPW dump truck the cost of an ambulance, the court room sound box, generators for the police department and Borough Hall with the priority for the police department and explained. Also added, Buckwheat Road, we had money set aside but this was pricey and explained the cost. Ms. Fantasia also explained they discussed going for bond and would it help getting a new bond rating.

Mrs. McHose explained the repair to date on the air conditioning. Mrs. McHose received a letter from Mr. Crabb, he is requesting to close High Street from Junction Street to Main from 8:30 to 12:00 on Saturday [June 17th] and explained why. Mayor Giordano asked if any Councilmembers had a problem with closing that road on Saturday, June 17. No one commented.

Mr. Dabinett commented we received a \$163,000 grant to pave Buckwheat Road, he wants the public to know we anticipate moving forward with [paving] Buckwheat Road and hopefully pave that by the end of the year.

Mrs. McHose commented there has been survey work done already and our Borough engineer is working to get the bid specs for Buckwheat Road done. They are hoping to get this done before school opens in September and explained.

Mr. Prol had nothing to report at this time.

Mayor Giordano commented we have recently been ranked the 9th affordable town to live in, so we are hoping to improve that by attracting businesses. This past week we met with Wawa, we have a number of properties in town they are looking at and explained. Mayor Giordano commented paving is going on, they will be paving High Street and they have half of Main Street done. There is an Italian restaurant that will be opening up in the old Wok N Sushi. Businesses are starting to come back to our town which is good to see.

**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
June 13, 2017**

Mayor Giordano commented we need an executive session for personnel.

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.

Dawn Rowe, 140 Munsonhurst Road, Franklin, stepped forward. Ms. Rowe asked about spraying for mosquitoes. Mayor Giordano explained to contact the County. Ms. Rowe commented on the Planning Board meeting being the same night as the High School Graduation.

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 May 27, 2017, from Patrick J Sinwich, Communications Officer, Bureau of Communications and Response Services, NJDEP, to Borough Clerk and Health Officer Re: Suspected Hazardous Substance Discharge Notification.
2. Resolution from Mount Olive Township in support of Assembly Bill No. 4532/Senate Bill No. 3049 Amending the Open Public Records Law.
3. Letter dated May 24, 2017, from Kleinfelder, Tanya Dmytrow, Environmental Scientist, to Town Council Re: former Exxon Response Action Outcome.
4. Email dated June 5, 2017 from Aimee Maul, County of Sussex Office of Public Health Nursing, Re: May, 2017 Public Health Nursing Activity Report.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction permit activity report for May, 2017.
2. Construction report for May, 2017.
3. COH report for May, 2017.
4. Zoning Officer report for May, 2017.
5. Tax Collector report for May, 2017.
6. Municipal Court report for April, 2017.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application by Joseph Moon, Moonlight Tattoo, LLC 418 Rt. 23, Franklin to operate a Tattoo Parlor.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 23, 2017.

Ms. Fantasia made a motion to approve the consent agenda of June 13, 2017. Seconded by Mr. Rathbun.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mayor Giordano explained the only piece of old business was the ordinance regarding Mobile Homes which is on the agenda.

**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
June 13, 2017**

NEW BUSINESS

Approval of the Minutes

Mr. Rathbun made a motion to approve the regular meeting minutes and executive session meeting minutes for May 23, 2017. (Absent: None) Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2017-48

Mr. Rathbun made a motion to adopt resolution 2017-48 authorizing the Borough Clerk to renew the following liquor licenses for the 2017-2018 licensing term.

Plenary Retail Consumption:

1906-33-014-006 Six Gee Corporation T/A Irish Cottage Inn

1906-32-013-007 Franklin 897 LLC. T/A Shop Rite Wines and Spirits

1906-33-009-012 Franklin Silver Ducat II LLC.

1906-33-008-006 Assembly Corp. T/A Black Bear Golf Course

1906-33-005-008 Franklin Silver Ducat II LLC.

1906-33-011-005 Kozs Korner

Plenary Retail Distribution

1906-44-003-009 The Williams Family Deli LLC.

1906-44-007-007 WC Franklin LLC. T/A Wine Country Franklin

Club License

1906-31-016-001 Franklin Fire Department

1906-31-017-001 Wallkill Golf Club

1906-31-015-001 Sgt. Francis M. Glynn Post 132 American Legion

Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Rathbun, Skellenger

Nays: None Absent: None Abstentions: Snyder, Limon

DPW Employee Step Increase

Mr. Rathbun made a motion to approve the step increase for Jesse Bogart from step one \$17.72 to step two \$18.64 at the recommendation of the Brian VanDenBroek, DPW Supervisor. Seconded by Mr. Dabinett.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on the AT & T and T-Mobile lease agreement

At this time, there was a discussion regarding lease agreements with AT & T and T-Mobile.

Mr. Prol commented this has been reviewed by Angelo Bolcato, Esq., and referenced his letter dated June 6, 2017, then explained the content of the letter.

Mayor Giordano commented we need to consider whether or not to rebid the space.

Ms. Fantasia commented both AT & T and T-Mobile can choose to terminate giving us 90 days' notice as long as they pay a termination fee equivalent to six months. If they give us 90 days with 6 months a total of 9 months of total revenue.

**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
June 13, 2017**

Mr. Prol commented he would be happy to discuss this further in closed session [regarding this] negotiation.

Mr. Dabinett made a motion to table [this discussion]. Seconded by Ms. Fantasia. All were in favor.

Ms. Fantasia commented this is something the finance committee can bring back to Monica now that we have these numbers, make a decision and a recommendation. Mayor Giordano commented that is a great idea. Mayor Giordano commented we will refer this to the finance committee. Mayor Giordano commented this will not be discussed in executive session.

Introduction to Ordinance 08-2017

Mr. Rathbun made a motion to introduce an ordinance 08-2017 entitled "AN ORDINANCE AMENDING CHAPTER 176 "MOBILE HOMES", AND CHAPTER 119 "FEES", OF THE CODE OF THE BOROUGH OF FRANKLIN." Seconded by Mr. Dabinett.

Public Hearing will be held June 27, 2017.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayoral Appointment

Mr. Rathbun made a motion to confirm the following Mayoral Appointment:

Recreation

Alternate #2 5-year term (expires 12/31/2017) Carrie Burgos

Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on Social Media

At this time, there was a discussion regarding appropriate social media use for employees, volunteers and including elected/appointed officials.

Mayor Giordano commented we work extremely hard to present a unified positive spin to Franklin regardless of what people think, you will never see this Board argue in public. We are here for the benefit of Franklin we are all committed for what is best for Franklin. That is our commitment, we want to insure the public that we want to hold people responsible for [comments on Facebook] and other public outlays, he respects their first amendment completely but as a volunteer, an appointee, employee you are a representative of this town as a whole and everything we do here is dependent and that Franklin is the place to be and we really want to impress upon everybody that is very important to us as individuals as a Council and to him personally as the Mayor.

Ms. Fantasia commented she did present something months ago regarding a social media policy and we did submit it to Mr. Prol for review, it stalled, she supposed things were quiet at that time. As we know election season can bring out the best and the worst in everybody. Ms. Fantasia commented one thing she would really like to know in reviewing Newton policy and Stillwater policy which are very similar and similar to what she introduced for your [Mr. Prol] review last year. Ms. Fantasia

**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
June 13, 2017**

commented we had a presentation at the last meeting by Tom Ferry, our Auditor, and taken directly from the notes [minutes] Thomas Ferry, Auditor stepped forward. Mr. Ferry started with page seven of the audit this is like the balance sheet of the current fund and explained page seven and the fund balance. Mr. Ferry commented that these are very good numbers. Mr. Ferry referenced page 24, water and sewer utility operating revenue, expenditures etc. these are good numbers again. Mr. Ferry commented the Borough is doing very well, he explained Municipal debt water is a self-liquating, revenue coming in pays for the debt going out. He commented these are all good signs you have a healthy Municipality. He explained tax collection rates for the past three years, what a fund balance is, how we got to the 2.4 million dollar fund balance, he explained the fund balance for the past five years and explained reserves.

Ms. Fantasia commented it is quite simple, it is public and it is transparent and it is damaging to this town when we have individuals who don't take the time to read the budget, don't take the time to come to a public meeting or understand the audit. Yet publicly criticize in ways they don't even take the time to comprehend. That brings her to Newton and Stillwater social media policy. This is not just social media meaning when we Tweet or use Facebook, or things of that nature. She is also referring to commentary on certain newspaper websites etc. This is what Stillwater and Newton do. They suggest that social media can be a fun and a rewarding way to share your experiences but also there is responsibility that comes with that. They make a suggestion, always be fair and courteous to fellow associates, customers, suppliers and people who work on behalf of the town. Also keep in mind that you are more likely to resolve work related complaints by speaking directly with your coworkers or by utilizing our policies then by posting complaints to a social media outlet. Never the less if you decide to post complaints or criticism avoid using statements, photographs, video or audio that reasonable can be viewed as malicious, obscene, threatening or intimidating. This example stuck out, might include an offensive post to intentionally harm someone's reputation or a post that can contribute to a hostile work environment. Make sure you are accurate when posting information or news. If you make a mistake correct it quickly.

Ms. Fantasia commented this is not meant to [stop] anybody's first amendment rights it is meant to have people stand up and do the right thing and morally responsible thing, social media is not the place for dirty laundry especially when you are dealing with budgets, we are here for one reason and one reason only and that is to represent the tax payers and it is so frustrating to read these kinds of things published again and again. We put in countless hours here to try to make things right. We have to move forward with this, she would like to have something ready at the next meeting to move forward on.

Mayor Giordano commented he does think that we have to work on a policy. It is time.

Mr. Snyder commented that was well spoken [Ms. Fantasia] what concerns me is going forward is with the penalties and first amendment rights. That will be something we need to look at also. How are we going to approach that?

Ms. Fantasia commented we can ask Mr. Prol about that, then referenced and read part of Newton's policy and gave an example.

Mr. Prol commented he isn't aware of any enforcement action taken against an employee but the policies you are reading from are from other towns his firm represents. He can look into this issue but it is a fine line between ones first amendment rights and one being in violation of a social media policy. Mr. Prol commented he will look at the case law and get back to you.

**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
June 13, 2017**

There was a discussion on social media, code of ethics policy that recreation adopted and elected officials.

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. Rathbun. All were in favor.

Caroline Price, 55 Maple Road, Franklin, stepped forward. Ms. Price spoke about swans and their eggs down at the pond.

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.

EXECUTIVE SESSION

In accordance with the provisions of the Open Public Meetings Act, Mr. Rathbun made a motion to adjourn into closed executive session to discuss personnel and negotiations for the Rifle Range Police use. Motion seconded by Mr. Skellenger. All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:42p.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. Skellenger. All were in favor.

Councilman Snyder left during executive session and did not return to the regular meeting after executive session.

Mayor Giordano commented we discussed Personnel and R&R negotiations.

MISCELLANEOUS COMMENTS

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 9:44p.m., seconded by Ms. Fantasia.

All were in favor.

Nicholas Giordano, Mayor

Robin Hough, Borough Clerk