

**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 27, 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. Skellenger, Mr. Snyder, and Mayor Giordano.

Absent: Mr. Rathbun

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 there is a recreation meeting next Thursday at 7:00PM. There are no fireworks this year for the fourth we are having [the fireworks] in September. Recreation is working very hard on the Carnival. We are looking for sponsors as well as volunteers that will help and anyone with a gaming license to have gaming trailers. We are looking to meet with Buildings and Grounds regarding the concession stand.

Mr. Limon reported on Personnel, in the personnel committee we are authorizing the administrator to look for a full time Public Works Laborer, we have someone retiring. Mr. Limon commented we are recommending to re-advertise for the clean community's grant. We had three applicants and [we] hire five so we are looking for two more. Maybe re-advertise through the website something like that.

Mr. Limon commented we are looking to hire an interim tax collector as we continue our search, as of Friday Theresa Schlosser is leaving. We are recommending the finance clerk, Pam Crum assume the duties of payroll and pensions for the Borough effective July 1, 2017. Her salary if approved would be adjusted by \$3.00 an hour which is right now \$17.54 she would be up to \$20.54. the pension duties are required by State law. For this added work, we are recommending it was unanimous that we bump her up while we look for the full time [tax collector] but we have to have somebody in there now. If you want right now I will make that motion.

Mr. Limon made a motion that Pam Crum assume the duties payroll and pensions for the Borough effective July 1, 2017, raising it [her hourly rate] \$3.00 an hour from \$17.54 to \$20.54.

Mayor Giordano commented you might want to do that under new business.

Mr. Limon commented I will [redact that].

Mr. Skellenger commented don't we have a field request that we have to address.

Mayor Giordano commented yes.

Mrs. McHose commented there was a request for a picnic to be held on Thursday, July 6, 2017 at the pond. Recreation doesn't meet until that night they ask if the Mayor and Council would consider the application; she did check with our insurance carrier and it is ok as far as the insurance company is concerned that we allow this group [to use the softball field]. They filled out the field request form everything was proper and done right. The recreation chair went over the application and asks Mayor and Council to consider allowing this request.

Mayor Giordano asked if the Council had any problems with that request.

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Mr. Limon commented he will make that motion. Seconded by Mr. Skellenger.

Mayor Giordano commented the Attorney suggested to do this under new business as well.

Mr. Limon commented he made the motion and he [Mr. Skellenger seconded it]. We will hold this [until new business]

Ms. Hough commented you made the motion and second now and we are not going to vote on it until new business. Mayor Giordano commented correct.

Mr. Dabinett reported on the public utilities committee; we met Thursday evening. We discussed improvements to our water distribution system, repairs to the I & I, studies have been done we have a contractor come in and gave us some prices on new technology and explained. Main Street has been paved and he has heard nothing but good things about that.

Mr. Snyder commented as you know the air conditioner is working. Mr. Snyder commented he will meet with Jen Giordano regarding the concession stand this week, the contractor has been assigned to repair the DPW garage and fencing, work at the pond area is continuing, the DPW have removed most of the old asphalt walkways near the Fireman's Monument, the community garden has been planted, volunteers are caring for the plants, cameras for Borough Hall, DPW garage and water department Building, the Ambulance Building and possible the bays in the Fire Department Building. DPW has assisted with the Walkkill Valley First Aid Squad in preparing an area for a new shed which has been completed. We will be ordering a new key pad for the finance section of Borough Hall due to high traffic. There have been upgrades to the changing area/bathroom down at the DPW has been completed, all work was done in house. Mr. Snyder thanked Eagle Scout Jake Hubert for an amazing job for his work on the gazebo and sign down at the pond and explained.

Mr. Skellenger had nothing to report.

Ms. Fantasia commented she reported on the EDC at the last meeting; so, following the July meeting she will have a [report] on EDC. As far as the Planning Board she will defer to Alison for that, she was present at the Planning Board meeting. However, she was present for all of 10 minutes because they were voting on a D Variance and she had to recuse herself.

Mayor Giordano commented the same reason he was not there.

Ms. Fantasia commented as far as the financial notice in your packets there is a nice break down that is in alignment with what she presented at the last Council meeting, she believes Monica shared this with everybody it is the appropriation notes for the capital ordinance that explained what we verbally discussed and explained. As far as LOSAP goes, Mr. Snyder and Ms. Fantasia had a brief discussion and we feel the best way to move forward is to finalize the specifics of the point system. We are asking Robin if she can send out this week the Hardyston, Mount Olive and Rockaway Township ordinance via email to the Chief and John Friend. Mayor Giordano commented maybe Bill Lanham. Ms. Fantasia commented to give them a week for their preferences, we looked at all three and we think the three are valid. So, we can present this to the Council, we are on a time line again we have to move on this.

Mayor Giordano asked did they find out what ambulance they are looking to order.

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Monica Miebach, CFO/QPA commented first we have to join a national COOP and then advertise; you have to advertise because New Jersey State Law requires someone else the opportunity to come in and give a price within the State. It is out of Houston Galveston and they make ambulances, fire trucks etc.

There was a discussion on ambulances and going through the process.

Mrs. McHose commented there was a Planning Board meeting Monday, June 19<sup>th</sup>, that was a hearing for two D Variances and they are specific to a request for an increase from 250 units to 300 units and the other variance had to do with lifting the age restricted zoning off a portion of the property. The hearing will be continuing July 5, we did not finish this hearing, which went to 11:30 at night.

Mrs. McHose commented she will bring up under new business Freeholder Phil Crab, our Franklin Historian sent us an email today. Mayor Giordano commented we can do this now because this is just adding members to the committee. Mrs. McHose commented this is a committee; you requested that he [Phil Crab] as the historian create an exploratory committee to talk about our options in forming a commission. We don't have a commission in our current ordinance, we do have an Historian position but we don't have the actual commission. So, these people would be throwing ideas around and helping the historian with that. Mrs. McHose commented the Historian [Phil Crab] is recommending Dr. Earl Verbeek, John Sowden and Ralph Bonard and explained the credentials and backgrounds of each. There was a brief discussion on the committee.

Mr. Prol commented he received communication from Dave Brady, Planning Board Attorney regarding Minor's Cove. They are looking to move forward with construction of the second building which is seven town homes based on the approval by the Zoning Board of Adjustment in 2004. Mr. Prol is reading the developers agreement and looking into that.

Mayor Giordano commented he is requesting an executive session, we are going to talk about personnel which will be an update for police matters, contracts with Habitat for Humanity in regards to COAH and we are also going to talk about the Franklin Rifle Club. Mrs. McHose asked can we add something, if we do hire a temporary tax collector to utilize their license, she has an agency that as of tomorrow was going to produce a name of a person. She just received the text before the meeting and asked if that could also be discussed in executive session.

Mayor Giordano commented yes, and we may take action on that after executive session.

Mayor Giordano commented Main Street is done, the committee of public utilities has a lot of things coming up, some proposals, we are going to be talking about Nixle later on in this agenda. Mayor Giordano commented we have a request from our zoning officer to authorize the DPW guys to come in on Saturday to start cutting grasses on certain properties that are foreclosed and being neglected. We are trying very hard to make the town presentable do a lot of clean up and housekeeping so when we get to new business he will ask if the Council would be ok with having the Zoning Officer work with conjunction with Alision and Brian to get grasses cut on some foreclosed properties.

Mrs. McHose commented so everyone knows the understanding we have a property maintenance ordinance this is mentioned in the ordinance as a possible solution there will be a lien placed on those properties and we will come up with an hourly rate for the workers so the town will hopefully when those properties are sold will be compensated for that.

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Mayor Giordano asked where the Borough was with Buckwheat Road [paving]. Mrs. McHose explained. There was a discussion on Buckwheat Road.

Mayor Giordano commented on the Mineral Museum robbery. Mayor Giordano welcomed back Mrs. Betty Allen.

**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 Ms. Fantasia. All were in favor.

Joann Tatka, 151 Maple Road, Franklin, stepped forward. Mrs. Tatka commented on the number of Sergeants hired for the Police Department. Mayor Giordano explained. There was a discussion back and forth. Mrs. Tatka questioned how many detectives there were in the police department. Mayor Giordano explained. Mrs. Tatka commented she had asked about the amount of overtime there was in the police department and she was told to review the budget. She reviewed the budget on line and couldn't see it listed and asked for the figure. There was a discussion back and forth on overtime. Mrs. Tatka asked what kind of income is the Borough getting from Franklin House. She hasn't heard anything on that. Mayor Giordano commented they do a payment in lieu of taxes. There was a discussion back and forth on the amount Franklin House pays to the Borough.

Bob Allen, Jenkins Road, Franklin, stepped forward. Mr. Allen spoke about the soap box derby. Mr. Allen also spoke about his conversation with Tony Patire regarding the Zinc Company property.

Mike Raperto, 13 South Street, Franklin, stepped forward. Mr. Raperto asked what is the availability in getting those emails out regarding LOSAP; because we have a [Fire Department] meeting tomorrow night. Ms. Fantasia commented Robin will send it out in the morning. Mr. Raperto spoke about getting Council approval for the DPW to work on a pad (probably a 10 x 20) to leave cars by the Fire Department. There was a discussion back and forth on this. It was suggested to get something in writing from the Fire Department.

Betty Allen, Jenkins Road, Franklin, stepped forward. Mrs. Allen thanked the Council for their concern when she was in the Hospital.

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. Limon. 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. Resolution 2017-89 from the Township of Andover in Support of Assembly Bill No. 4532/Senate Bill No. 3049 Amending the Open Public Records Law.
2. Letter dated May 30, 2017, from Charles A. Richman, Commission NJDCA to Mayor Giordano Re: Borough of Franklin Resolution 2017-39 designating Block 1504, Lots 13 and 44 as an Area in need of Redevelopment.
3. Letter dated June 2, 2017, from Josh Gottheimer, Member of Congress to Mayor and Council members.

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

1. Municipal Court report for May, 2017.
2. Police Department report for May, 2017.

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

1. None filed.

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

1. Payment of bills for the meeting of June 27, 2017.

Mr. Limon made a motion to approve the consent agenda of June 27, 2017.  
Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

Ms. Fantasia asked if the 10-page report from Congressman Gottheimer regarding Federal Grants was shared with our police department and fire department.

Mayor Giordano asked the clerk to email to the police, fire department and OEM that information.

**OLD BUSINESS**

Ms. Fantasia commented she spoke to Mrs. Arrigo, she clarified what she took away from the meeting was we are actually naming the street Dina Way. Ms. Fantasia asked for an update as to where we are with the sign.

Mr. Prol gave the Council an update on his meeting with the County Engineer and explained where we are with this process of renaming the road.

There was a brief discussion on the road name changes.

**NEW BUSINESS**

Mr. Limon under the guides of the personnel committee he is going to make a recommendation [motion] that the Finance Clerk, Pam Crum, assume the duties of Payroll and Pensions for the Borough effective July 1<sup>st</sup>, 2017. Her salary if approved will be adjusted \$3.00 per hour, which is \$17.54 now up to \$20.54. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

Mayor Giordano commented we are going to approve the use of the softball field and pavilion Thursday, July 6<sup>th</sup>, from 1:00 to 5:00.

Earlier in the meeting Mr. Limon has made a motion to approve the use of the softball field and pavilion on Thursday, July 6, 2017 from 1:00PM to 5:00PM. The motion was seconded earlier by Mr. Skellenger.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

**Approval of the Minutes**

Mr. Limon made a motion to approved the regular meeting minutes and executive session meeting minutes for June 13, 2017. (Absent: None) Seconded by Mr. Skellenger.

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Ms. Fantasia commented she has two name corrections on those minutes; on the first page for the presentation one was easy to catch because it was her daughter Maria and the young man that is the Franklin Prince his last name is spelled Hrbek.

Mr. Limon will make the motion with the corrections. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

Adoption of Ordinance 08-2017

Mr. Limon made a motion to adopt Ordinance 08-2017 "AN ORDINANCE AMENDING CHAPTER 176 "MOBILE HOMES" AND CHAPTER 119 "FEES", OF THE CODE OF THE BOROUGH OF FRANKLIN." Seconded by Mr. Dabinett.

**Prior to final roll call, Mayor Giordano opened the meeting to the public for any comments regarding Ordinance 08-2017.**

Mr. Skellenger made a motion to open the meeting to the public for any questions regarding Ordinance 08-2017. Seconded by Ms. Fantasia. All were in favor.

No one from the public stepped forward.

Mr. Dabinett made a motion to close the meeting to the public for any questions regarding Ordinance 08-2017. Seconded by Mr. Skellenger. All were in favor.

Mr. Prol asked Mrs. Miebach, CFO, you spoke to Mr. Bolcato, Esq. regarding a minor change on this. Mrs. Miebach commented the sewer rate was understated \$.07, even Mr. Frizzel noted it in a letter to the Borough and explained. Mrs. Miebach commented this needs to be corrected; it is mentioned in the ordinance that it is \$55.67 a unit that is the way it is billed for water and sewer but somewhere in the translation somebody abbreviated it to \$55.60 somewhere along the line that number got changed which is incorrect.

Mr. Prol commented that is a minor change that can be corrected.

Ms. Fantasia commented so would we be able to amend this here. Mayor Giordano commented this is very minor a Scribner error, it should be \$55.67 instead of \$55.60.

Mr. Limon commented I made the motion and Mr. Dabinett seconded it.

**Mr. Limon made a motion to correct it to \$55.67 not \$55.60. Mr. Prol asked if Mr. Dabinett agreed with that. Seconded by Mr. Dabinett.**

Mayor Giordano commented we should reopen the ordinance to the public because of the minor change.

Mr. Prol commented so the public is aware on page two under section four on the line where it says "Note that the previously included sewer service charges (\$55.60) that will now be changed to (\$55.67).

Mr. Skellenger made a motion to reopen the meeting to the public regarding ordinance 08-2017. Seconded by Ms. Fantasia. All were in favor.

No one from the public stepped forward.

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Mr. Dabinett made a motion to close the meeting to the public regarding ordinance 08-2017. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote on the Amendment:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

Upon roll call vote on ordinance 08-2017:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

Introduction to Ordinance 09-2017

Mr. Limon made a motion to introduce an ordinance 09-2017 entitled, "BOND ORDINANCE APPROPRIATING \$623,846, AND AUTHORIZING THE ISSUANCE OF \$395,300 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

**Public hearing will be held on July 11, 2017.**

Resolution 2017-49

Mr. Skellenger made a motion to adopt resolution 2017-49 authorizing the Borough Clerk to renew the following liquor license for the 2017-2018 licensing term.

**Plenary Retail Consumption:**

1906-33-010-007 Franklin Grill & Tavern LLC.

Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

Resolution 2017-50

Mr. Skellenger made a motion to adopt resolution 2017-50 authorization for submersible pumps per sewer pump station upgrade developer's agreement resolution 2016-100. Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

**ADDENDUM**

Fireworks for Franklin Carnival

Mr. Snyder made a motion to approve the contracts for Fireworks for the Franklin Carnival from Garden State Fireworks Inc.; dates for the fireworks will be September 28, 2017 and October 1, 2017, total cost for both nights \$8,500. (Two contracts provided in Council packets.) Seconded by Mr. Limon.

There was a discussion on the dates. The correct dates for the contract are Thursday, September 28, 2017 and Saturday, September 30, 2017.

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Mayor Giordano commented why don't we conditionally approve this review from the Attorney. There was a discussion on the importance of approving this tonight. Jen Giordano, recreation chair was part of the discussion.

Ms. Fantasia commented the dates of the contracts we have in the packets are incorrect, the last date we see and what is on the agenda is incorrect. We need to see the correct contract and send the correct contract to the Attorney. Ms. Fantasia asked do we make a motion to table this. Mr. Prol commented his preference is to table it, but you also have the option to [approve the contracts] subject to attorney review.

Mr. Snyder made the motion to approve the contracts subject to attorney review.

Mr. Prol commented the motion is to approve this subject to attorney review and approval. Then we can have the Mayor execute the contracts.

Ms. Fantasia commented and to correct the dates to Thursday, September 28 and Saturday, September 30.

Seconded by Mr. Dabinett.

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger, Snyder

Nays: None Absent: Rathbun Abstentions: None

Discussion on Emergency Notification System

Mayor Giordano commented what Nixle is, is a reverse 911 system and explained. Mrs. McHose also explained the emergency notification system and how it works.

There was a discussion on the Franklin School System called Honeywell, this system being similar, how the Borough would notify the residents, residents would opt in, Mrs. McHose would be the administrator of the system, the cost of the system, the CFO has to review to see if funds are available, the cost is for emergency and could come out of a number of line items, getting other quotes and wait until 2018 to budget for this.

**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 Road, Franklin, stepped forward. Mrs. Tatka asked about the second Hospital Road sign still up. Mrs. Tatka commented Main Street looks great. Mrs. Tatka spoke about the Historical commission. Mayor Giordano explained the commission and committee. There was also a discussion on Minors Cove. Mrs. Tatka asked if the community garden was the responsibility of the road department. Mayor Giordano explained. Mrs. Tatka spoke about using a smart car.

Rachel Heath, 7 Hemlock Drive, Franklin, stepped forward. Mrs. Heath commented today the Franklin Seniors went over to Tomahawk Lake for a picnic. The County Senior Services, the money that was collected by the Nutrient Site they gave back to us and we had a wonderful time and explained the day. Mrs. Heath commented on Nixle. There was a discussion back and forth with the Mayor and Mrs. Heath.

Mrs. Heath commented unfortunately we are losing another good employee our tax collector, so in the interim we are looking to have someone come in per diem, what effect is this going to have on the whole department as far as the tax bills having to go out. There is a lot coming up right now, this is unfortunate, we couldn't counter



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offer. We just lost two employees experienced people that we trained for their jobs, it is pretty sad. Mrs. Heath commented her concern now the ripple effect it is going to have. Mrs. Heath commented the seniors will help stuff tax bills.

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. Skellenger. All were in favor.

**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 **Habitat for Humanity, contract negotiations, personnel for police matters and for the tax collector**. Mayor Giordano commented we may take action when we come back, specifically on the tax collector and Habitat for Humanity. Motion seconded by Mr. Snyder. All were in favor.

After meeting in closed session, the Governing Body returned to their seats at 9:54 p.m. and Mayor Giordano declared the meeting to be reconvened into open public session.

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

Mayor Giordano commented we have some action taken from executive session.

Mayor Giordano commented for the record Councilman Snyder is not back from executive session he did not take part in executive session for the police matter.

Mayor Giordano asked for a motion to authorize Mrs. McHose to hire a temporary tax collector. **Mr. Skellenger made that motion. Seconded by Mr. Limon.**

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger

Nays: None Absent: Rathbun, Snyder Abstentions: None

Mayor Giordano commented the last item is to authorize Mrs. McHose to work with the Zoning Officer and DPW [Supervisor] for mowing the grass on foreclosed properties and property maintenance on Saturday's. Mrs. McHose commented [that would be] scheduled. To give her latitude. **Mr. Dabinett made that motion. Seconded by Mr. Skellenger.**

Upon roll call vote:

Ayes: Dabinett, Fantasia, Limon, Skellenger

Nays: None Absent: Rathbun, Snyder Abstentions: None

**MISCELLANEOUS COMMENTS**

There were no miscellaneous comments.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Dabinett made a motion to adjourn the meeting at 9:56p.m., seconded by Mr. Skellenger. All were in favor.

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Nicholas Giordano, Mayor

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Robin Hough, Borough Clerk