

**REGULAR AGENDA**  
**FOR THE MAYOR AND COUNCIL MEETING**  
**BOROUGH OF FRANKLIN,**  
**HELD AT THE MUNICIPAL BUILDING, 46 MAIN STREET**  
**FRANKLIN, NEW JERSEY AT 7:00 P.M. ON**  
**APRIL 11, 2023**

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- A. **Mayor Sowden** will call the meeting to order; Clerk will call the roll.
- B. **Mayor Sowden** will invite all present to salute the flag.
- C. **Mayor Sowden** will state that "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall, and printed in the New Jersey Herald/Sunday New Jersey Herald on January 6, 2023, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**  
There are no presentations this evening.
- E. **COMMITTEE REPORTS:** **Mayor Sowden** will allow each member of the Council, Borough Administrator, Borough Clerk, and Borough Attorney to present their respective committee report.

**Mayor Sowden** will offer the Mayor's Report.

- F. **OPEN PUBLIC SESSION:** **Mayor Sowden** will request a motion to open the meeting to the public, for any questions or comments concerning the good and welfare of the Borough. **All comments should be directed to the Mayor and kept to a 3-minute maximum per person.**

After giving all persons present an opportunity to address the Governing Body, **Mayor Sowden** will request a motion to close the meeting to the public and return to the regular order of business.

- G. **CONSENT AGENDA:** **Mayor Sowden** will request that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made, at this time.

After all persons have had an opportunity to review the consent agenda and offer requests for changes, Mayor Sowden will request a motion to approve the consent agenda.

- H. **OLD BUSINESS:**

- I. **NEW BUSINESS:**

1. **Approval of the Minutes** for the budget workshop meeting minutes for March 15, 2023. (Absent: None)
2. **Approval of the Minutes** for the regular meeting minutes for March 28, 2023 (Absent: None)
3. **Resolution #2023-52** - authorizing a shared services agreement with the County of Sussex for certified fire marshal services for the period of July 1, 2023 to June 30, 2028. (Agreement provided in Council packets)
4. **Resolution #2023-53** - to authorize TSS Facility Services, Inc. to provide for street sweeping in an amount not to exceed \$7,250.00.

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING APRIL 11, 2023**

5. Resolution #2023-54 – to approve the coin toss fundraiser for the American Legion Auxiliary on May 21, 2023 from 8am to 12pm at the intersection of Route 23 and Mabie Street.
6. Resolution #2023-55 – authorizing the increase to the bid threshold.
7. Resolution #2023-56 – providing service weapon to retired officer Jeffrey Korgor in recognition of his dedicated service to the Borough.
8. Adoption of Ordinance 04-2023 - entitled “Bond Ordinance providing supplemental funding for improvements to the Elevated Water Storage Tank, originally funded by bond ordinance 10-2022, by and in the Borough of Franklin, in the County of Sussex, State of New Jersey (The “Borough”); appropriating \$239,235 therefor and authorizing the issuance of \$239,235 bonds or notes of the Borough to finance part of the costs of thereof.”

**Prior to final call Mayor Sowden will request a motion to open the meeting to the public.**

9. (Campy’s) Blue Star Amusements Agreement - for the amusement rides and related services at the Franklin Carnival on May 24, 2023 thru May 28, 2023.
10. Approve Garden State Fireworks Agreement for Fireworks Display for Franklin Day, to be held on July 1, 2023, in the amount of \$12,000.00.
11. Mayoral Appointment  
Mayor Sowden will make the following appointment.

**Crossing Guard Hire**

Diane Witherby as substitute crossing guards at the rate of \$15.36/hr. effective April 16, 2023, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

J. EXECUTIVE SESSION – IF REQUESTED

**Mayor Sowden** will request a motion to adopt a resolution to adjourn into Executive Session to discuss certain items excluded from the public.

THE OPEN PUBLIC MEETINGS ACT ALLOWS THE MAYOR AND COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES,

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FRANKLIN, THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE BOROUGH CLERK’S OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW.

Be further advised this Resolution shall take effect immediately.

- K. MISCELLANEOUS COMMENTS: **Mayor Sowden** will allow each member of the Governing Body to offer any miscellaneous comments which they may have at this time.

- L. ADJOURNMENT: **Mayor Sowden** will request a motion to adjourn the meeting.

**MINUTES OF THE WORKSHOP MEETING OF THE  
MAYOR AND COUNCIL  
OF THE BOROUGH OF FRANKLIN  
HELD AT THE FRANKLIN MUNICIPAL BUILDING  
46 MAIN STREET, FRANKLIN, NJ  
MARCH 15, 2023**

Mayor Sowden 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. Formica, Mrs. Heath, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: None

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall and printed in the New Jersey Herald/Sunday New Jersey Herald and posted on the Borough website, which adequate notice has been certified by the Clerk."

**OPEN PUBLIC SESSION**

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

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

**DISCUSSION**

CY2023 Municipal Budget

Michelle LaStarza, CFO, discussed the budget with the Council. The finance committee met with Andrew once to discuss the budget and I met with the finance committee the other day, the only thing that was not discussed was the water/sewer budget. Ms. LaStarza commented that the total budget is \$8,207,499.63 compared to \$7,507,602, which is 9.32 percent increase in the total budget.

Mr. Postas asked where did the bulk of increases come from.

Ms. LaStarza commented that the bulk of the increases came from insurance and garbage. Most of the professional contracts went up by two-percent.

Discussions were held regarding various line items in the budget and whether to lower or raise those line items.

Discussions were held regarding salary increases.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 8:43 p.m., seconded by Mr. Skellenger. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk

**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  
MARCH 28, 2023**

This meeting is being held in person adhering to the CDC guidelines and through a virtual meeting platform called ZOOM. The public who attended through ZOOM has been notified and instructed on how to join the meeting and participate during the public session.

Mayor Sowden 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. Formica, Mrs. Heath, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: None

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall and printed in the New Jersey Herald/Sunday New Jersey Herald on January 6, 2023, and posted on the Borough website, which adequate notice has been certified by the Clerk."

**PRESENTATIONS**

There were no presentations for tonight's meeting.

**COMMITTEE REPORTS**

Mr. Limon had nothing to report.

Mr. Postas commented that he met with Brian VanDenBroek regarding the road paving and that it is moving forward. Mr. Postas spoke about different projects that are scheduled for this year. Mr. Postas commented that Hemlock Drive is set to be paved this year but the sidewalks need to be replaced also. The sidewalks will be replaced this year and the paving will be done next year. We will have to ask Mr. Ursin to prepare an ordinance for sidewalks and trees on Hemlock Drive.

Mr. Snyder commented that several weeks back the personnel committee met with Brian VanDenBroek and discussed some of the personnel issues within DPW. Mr. Snyder commented that Brian would like to know if the council would move forward with hiring another DPW employee.

Mr. Snyder made a motion to approve placing an ad for hiring a full-time DPW laborer. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Mr. Formica commented that Brian VanDenBroek is waiting for a QPA so he can move forward with projects. The salt shed is almost completed. Brian is obtaining prices to replace the pavilion roof. We are looking to get new lights for the basketball court and looking to do underground wires from the concession stand to the pavilion. We are also looking to get a new panel box with a lock and light switch. The kayak dock is being installed May 4, 2023.

Mr. Skellenger had nothing to report.

Mrs. Heath commented that the Franklin Carnival is scheduled for May 24<sup>th</sup> through May 28<sup>th</sup> and recreation is waiting for an additional rider for the contract and will be placed on the next meeting agenda for approval. The Easter Egg hunt is scheduled for April 8<sup>th</sup> at 10am at the pond. Recreation has chosen the 2023 Senior of Year and that person will be honored at the Spring Fling on April 22<sup>nd</sup>.

**MAYOR & COUNCIL MEETING MINUTES MARCH 28, 2023**

Mrs. Tremont commented that she received a revised contract from Planet Networks.

Ms. Clinton had nothing to report.

Mayor Sowden commented that he would like to get a feel from the council as to what direction we want to go with the Edison School House/Hungarian Church.

**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 Mrs. Heath. All were in favor.

Joe and Jeremy from Planet Networks addressed the Governing Body regarding the progress of Planet Networks in Franklin Borough. Jeremy commented that the liability and arbitration has been removed from the contract.

JoAnne Tatka questioned resolution 2023-49. Are there any plans in regards to the historic preservation or repairs of the church. Are you still thinking about having the building extend from Parker to Junction. If the cost is going to be over \$50,000, Ms. Tatka feels that it should be put on the ballot for the voters of Franklin to have a choice.

Mr. Skellenger commented that he would like to have both questions on the ballot [Pateri property and Church].

Ms. Tatka asked if there will be enough water if and when the JCM project goes through.

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

**CONSENT AGENDA**

Mayor Sowden 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. Preliminary Equalization table for the County of Sussex for the year 2023.
2. SCMUA proposed solid waste rate increases for FY2024.
3. County of Sussex resolution re: final adoption of the site specific amendment to the Sussex County Wastewater Management Plan for JCM Investors 1012, LLC, also known as "Milly's Court," Block 2701, Lot 2 in the Borough of Franklin, County of Sussex and State of New Jersey.

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

1. County Board of Health Report – February 2023
2. Police Department Report – February 2023
3. DPW Report – February 27 – March 3

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

1. None filed.

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

1. Payment of bills for the meeting of March 28, 2023.

Mr. Postas made a motion to approve the consent agenda of March 28, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

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

MAYOR & COUNCIL MEETING MINUTES MARCH 28, 2023

**NEW BUSINESS**

Approval of the Minutes

Mrs. Heath made a motion to approve the regular meeting minutes for March 14, 2023. (Absent: None) Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution 2023-47 - to authorize Prism Sweeping Services, Inc. to provide for street sweeping in an amount not to exceed \$7,480.00. **This resolution was removed from the agenda.**

Resolution #2023-48

Mr. Snyder made a motion to adopt resolution 2023-48 to introduce the CY2023 Municipal Budget for the Borough of Franklin. Seconded by Mr. Postas.

Mayor Sowden announced that the Public Hearing will be held on April 25, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-49

Mr. Limon made a motion to adopt resolution 2023-49 to authorize the appointment of Robert M. Dolan of RMD Associates, LLC for QPA consulting services for the period of March 28, 2023 to December 31, 2023 in the amount of \$4,500.00. (Proposal provided in Council packets) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-50

Mr. Formica made a motion to adopt resolution 2023-50 to authorize the award of a non-fair & open contract for appointing hiring CGP&H to provide Affordable Housing Administrative Agent Services beginning April 1, 2023 not to exceed \$10,300.00. (Proposal provided in Council packets) Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Resolution #2023-51

Mr. Limon made a motion to adopt resolution 2023-51 to approve establishing salaries for certain full time and part time employees of Franklin Borough for the Year 2023. Seconded by Mr. Postas

Upon roll call vote:

Ayes: Heath, Limon, Postas, Snyder

Nays: Formica, Skellenger Absent: None Abstentions: None

Introduction Ordinance 04-2023

Mr. Skellenger made a motion to introduce ordinance 04-2023 entitled "Bond Ordinance providing supplemental funding for improvements to the Elevated Water Storage Tank, originally funded by bond ordinance 10-2022, by and in the Borough of Franklin, in the County of Sussex, State of New Jersey (The "Borough"); appropriating \$239,235 therefor and authorizing the issuance of \$239,235 bonds or notes of the Borough to finance part of the costs of thereof." Seconded by Mr. Postas

Mayor Sowden announced that the public hearing will be held on April 11, 2023.

**MAYOR & COUNCIL MEETING MINUTES MARCH 28, 2023**

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

**Congregate Nutrition Program Shared Services Agreement**

Mrs. Heath made a motion to approve the Shared Service Agreement between the County of Sussex and the Borough of Franklin for the Franklin Congregate Nutrition Programs from January 1, 2023 to December 31, 2023 in the amount of \$27,700.00. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

**Redevelopment Plan Review**

Mr. Formica made a motion to authorize review of the redevelopment plan for the property located at 116 Route 23, Block 1601, Lot 5. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

**Redevelopment Designation Study**

Mr. Formica made a motion to authorize a redevelopment designation study for the property located at 390 Rutherford Ave., Block 605, Lot 5. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

**Discussion of Ascend sewer allocation issue**

Mayor Sowden commented that Ascend originally calculated that they would need 100 edu's for their sewer discharge and then the engineers for Ascend did a reevaluation of the sewer allocation and came up with 48 or 50 edu's. Our engineer is reviewing that information with other facilities that do the same type of work.

**EXECUTIVE SESSION**

There was no executive session.

**MISCELLANEOUS COMMENTS**

There were no 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 7:54p.m., seconded by Mrs. Heath. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk

# Borough of Franklin, County of Sussex

## Resolution #2023-52

### RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY OF SUSSEX FOR CERTIFIED FIRE MARSHAL SERVICES

**WHEREAS**, the Borough is currently under contract with the County of Sussex to provide certified Fire Marshal services;

**WHEREAS**, this agreement expires June 30, 2023;

**WHEREAS**, the Governing Body believes that the arrangement is working well and wishes to extend the agreement effective July 1, 2023 through June 30, 2028;

**WHEREAS**, all of the other relevant terms will remain the same;

**NOW THEREFORE IT BE RESOLVED** by the Governing Body of the Borough of Franklin that the Mayor and Clerk are authorized to execute a Shared Services Agreement with the County of Sussex for Fire Marshal services effective July 1, 2023 through June 30, 2028.

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting held on April 11, 2023.

\_\_\_\_\_  
Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				



# Borough of Franklin, County of Sussex

## Resolution #2023-53

### AUTHORIZATION TO PROVIDE FOR STREET SWEEPING

**WHEREAS**, the Mayor and Council of the Borough of Franklin has heretofore established certain current budget expenditures for 2023 so that the roads can be maintained; and

**WHEREAS**, the following vendor is an authorized supplier, and has rendered the most favorable price quote:

TSS Facility Services, Inc.                      \$7,250.00

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin does hereby authorize the execution of the necessary purchase order to secure the service provided by TSS Facility Services, Inc.: and

**BE IT FURTHER RESOLVED** that upon receipt, inspection and approval of voucher therefore by the using agency, payment, pursuant to said purchase order, are hereby authorized with the same to be charged against funds established in the 2023 Current Fund Budget account for said purpose: and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to TSS Facility Services, Inc., 999 Rahway Avenue, Union, NJ 07083.

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting held on April 11, 2023

\_\_\_\_\_  
Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				

# Borough of Franklin, County of Sussex

## Resolution #2023-54

### AMERICAN LEGION AUXILIARY COIN TOSS FUNDRAISER

**WHEREAS,** the American Legion Auxiliary has requested approval of a coin toss fundraiser for the year 2023, on May 21<sup>st</sup>;

**WHEREAS,** the coin toss fundraisers will occur at the location of the corner of Route 23 and Mabie Street;

**NOW THEREFORE IT BE RESOLVED** by the Mayor and Council of the Borough of Franklin that the American Legion Auxiliary coin toss fundraiser for the year 2023, on May 21<sup>st</sup>, is hereby approved contingent upon receiving any necessary County or NJDOT approval and further contingent upon complying with any requests, recommendation or directions of the Franklin Borough Police Department.

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting of said Governing Body held on April 11, 2023.

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Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				

# Borough of Franklin, County of Sussex

## Resolution #2023-55

### RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE INCREASE TO THE BID THRESHOLD

**WHEREAS**, effective July 1, 2020 the Governor of the State of New Jersey has adjusted the bid threshold for awarding contracts under the Local Public Contracts Law. The change in the bid threshold allows municipalities with a Qualified Purchasing Agent to increase their bid threshold up to \$44,000; and

**WHEREAS**, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS**, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS**, Robert M. Dolan of RMD Associates LLC was appointed the Borough of Franklin Qualified Purchasing Agent by the adoption of Resolution 2023-49 and possesses the qualifications and designation of a Qualified Purchasing Agent License #Q-1742 as issued by the Director of Local Government Services in accordance with N.J.A. C. 5:34-5 et seq.; and

**WHEREAS**, the Brough of Franklin desires to increase the bid threshold to \$44,000.00 in accordance with N.J.S.A.40A:11-3a.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey, as follows:

1. That the bid threshold is hereby increased to \$44,000.00 effective July 1, 2020 consistent with the New Jersey Local Publics Contract Law.
2. That the Chief Financial Officer is authorized to adjust bid and quote levels to reflect the new thresholds in applicable purchasing policy
3. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
  - A. Chief Financial Officer;
  - B. Purchasing Agent
  - C. Department Heads

**CERTIFICATION:** I, Darlene J. Tremont, Borough Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a meeting held on April 11, 2023.

\_\_\_\_\_  
Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				

# Borough of Franklin, County of Sussex

## Resolution #2023-56

### RESOLUTION PROVIDING SERVICE WEAPON TO RETIRED OFFICER JEFFREY KORGER IN RECOGNITION OF HIS DEDICATED SERVICE TO THE BOROUGH

**WHEREAS**, the Borough of Franklin is authorized under N.J.A.C. 17:27-1.3(c)(2) to turnover and gift the service weapon of a retired officer to said officer upon his retirement, subject to certain restrictions and conditions including state permits; and,

**WHEREAS**, the Borough of Franklin, in appreciation for dedicated and honorable service provided to the Borough by retired Borough Police Officer Jeffrey Korgor during his tenure wishes to turnover and gift to Officer Korgor (ret.) the service weapon he used during his tour of service protecting and serving the Borough with distinction; and,

**WHEREAS**, this subject to execution of a written statement from Officer Korgor (ret.) that he has completed and received approval from the State of New Jersey for the Application For A Retired Law Enforcement Officer Permit To Carry A Handgun, and that is fully authorized by law to hold and possess the said weapon, a .40 caliber Glock 22 Serial Number UFB742, and accept all liability and responsibility for same;

**NOW THEREFORE BE IT RESOLVED**, that the Franklin Borough Mayor and Council turnover and gift to Borough Police Officer Jeffrey Korgor the service weapon he used during his tour of service protecting and serving the Borough of Franklin; and,

**BE IT FURTHER RESOLVED**, the Borough of Franklin, appreciates the dedicated and honorable service provided to the Borough by retired Police Officer Korgor.

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting of said Governing Body held on April 11, 2023.

\_\_\_\_\_  
Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				

**BOROUGH OF FRANKLIN  
ORDINANCE NUMBER 04-2023**

**BOND ORDINANCE PROVIDING SUPPLEMENTAL FUNDING FOR IMPROVEMENTS TO THE ELEVATED WATER STORAGE TANK, ORIGINALLY FUNDED BY BOND ORDINANCE 10-2022, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$239,235 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$239,235 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Franklin, in the County of Sussex, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$239,235. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is allocated for the improvements authorized herein, as the Water/Sewer Utility of the Borough of self-liquidating.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the said \$239,235 appropriation not provided for, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$239,235 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$239,235 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are Improvements To An Existing Elevated Water Storage Tank Located At 19 Highpoint Circle (Block 709, Lot 53) In The Borough, Such Improvements To Include, But Not Be Limited To, As Applicable, Interior And Exterior Tank Coating, And Improvements To And/Or Replacement Of Grouting And Sealants, Batten Access Tubes, Screens And Splash Pads, Condensate With Overflow, Manhole, Roof Vents, Gaskets, Studs, Handrails, Ladders, Inlet And Distribution Pipe Expansion Joints, Insulation, Lighting, Light Covers, Nameplate And Site Restoration.

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$239,235.

(c) The aggregate estimated cost of said improvements or purposes is \$1,078,920, \$839,685 of which was provided for in Bond Ordinance 10-2022, and \$239,235 of which is being authorized herein.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

**SECTION 4.** In the event the United States of America, the State of New Jersey, the County of Sussex or a private entity make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Sussex or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Sussex or a private entity, shall be received by the Borough after the issuance of the bonds

or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Borough and is available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$239,235 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.



**SECTION 9.** The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**SECTION 10.** The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING**  
**DATED: March 28, 2023**

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**DARLENE J. TREMONT,**  
**Clerk of the Borough of Franklin**

**ADOPTED ON SECOND READING**  
**DATED: April 11, 2023**

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**DARLENE J. TREMONT,**  
**Clerk of the Borough of Franklin**

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

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**JOHN M. SOWDEN, IV,**  
**Mayor of the Borough of Franklin**

NOT YET APPROVED BY COUNCIL