

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
JUNE 11, 2024

- 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 7, 2024, 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. **Appointment of Council Vacancy**
A motion is in order to fill a vacant council seat in the Borough of Franklin.
2. **Resolution #2024-71** to approve certifying the Franklin Borough Governing Body has reviewed the 2023 Audit comments and recommendations as required by N.J.A.C. 5:30-6.5.
3. **Resolution #2024-72** to accept and approve for filing the corrective action plan for the Audit Report year 2023 prepared and filed by the Borough's Chief Financial Officer. (Corrective Action Plan attached)

REGULAR AGENDA – MAYOR AND COUNCIL MEETING JUNE 11, 2024

4. Approval of the Minutes for the regular meeting minutes for May 28, 2024. (Absent: None)
5. Resolution #2024-62 authorizing through NJ State Contract a purchase for two 2024 Chevrolet Tahoe PPV from Gentilini Motors.
6. Resolution #2024-63 authorizing through NJ State Contract for two Police Vehicle Technology, Cameras and Mobile data terminal upfits.
7. Resolution #2024-64 authorizing a refund for a disabled veteran in the amount of \$2,238.33 for Block 608 Lot 40.
8. Resolution #2024-65 authorizing a refund for a disabled veteran in the amount of \$1,379.00 for Block 1403 Lot 1.
9. Resolution #2024-66 authorizing the hiring of a part time Senior Center attendant at the rate of \$15.50 per hour not to exceed an average of 25 hours per week.
10. Resolution #2024-67 authorizing the hiring of a seasonal laborer for maintenance in the Department of Public Works at the rate of \$16.50 per hour up to 25 hours per week.
11. Resolution #2024-68 supporting RevolutionNJ.
12. Resolution #2024-69 authorizing a purchase through the ESCNJ Cooperative Contract for a Kubota M5 4WD Ultra Grand Cab Tractor in the amount not to exceed \$145,100.00.
13. Resolution #2024-70 regarding police department promotion (Letter of recommendation from Chief Cugliari included in council packet)
14. Resolution #2024-73 authorizing a purchase through the ESCNJ Cooperative Contract for a Bandit Intimidator 15XP Woodchipper in the amount not to exceed \$81,500.00.
15. Resolution #2024-74 to hire a new Borough of Franklin Police Officer.
16. Adoption of Ordinance 10-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4, GENERAL FEES.”

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

17. Adoption of Ordinance 11-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE “120 NJSH ROUTE 23” REDEVELOPMENT PLAN PREPARED BY J. CALDWELL ASSOCIATES DATED NOVEMBER 25, 2023.

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

18. Discussion on the Historic Preservation Plan
19. Adoption of Ordinance 12-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE “ZINC MINE” REDEVELOPMENT PLAN PREPARED BY J. CALDWELL & ASSOCIATES DATED MARCH 11, 2024.”

REGULAR AGENDA – MAYOR AND COUNCIL MEETING JUNE 11, 2024

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

20. Approval of NJ State Firemen's Association Membership Application
To approve the application for membership of Cole Weekley, 27 Cummins Street, Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief.

21. Mayoral Appointment

Mayor Sowden will make the following appointment.

Sarah Kieselmann-McGreeby – Recreation Committee Member to a 3-yr. term ending 12/31/2024. As recommended by the Recreation Committee.

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.

Borough of Franklin, County of Sussex
Resolution #2024-71

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Franklin pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Franklin, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Darlene J. Tremont, hereby certify that this is a true copy of the resolution passed at a meeting of the Borough of Franklin Governing Body held on June 11, 2024.

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) | | | | |

**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF SUSSEX

We, members of the governing body of the Borough of Franklin, in the County of Sussex, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Franklin Borough Council of the Borough of Franklin in the County of Sussex;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2023;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

| | |
|---|---|
| (L.S.) | (L.S.) |
| _____ John M. Sowden IV, Mayor (L.S.) | _____ Concetto Formica, Councilman (L.S.) |
| _____ Rachel Heath, Councilwoman (L.S.) | _____ Joe Limon, Councilman (L.S.) |
| _____ John Postas, Councilman (L.S.) | _____ Stephen Skellenger, Councilman (L.S.) |
| _____ Gilbert Snyder, Councilman (L.S.) | _____ (L.S.) |

Sworn to and subscribed before me this
11th day of June, 2024
Notary Public of New Jersey

Darlene J. Tremont, Municipal Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

Borough of Franklin, County of Sussex

Resolution #2024-72

WHEREAS, a Corrective Action Plan for the Audit Report Year of 2023 has been prepared and filed by Chief Financial Officer, Michelle LaStarza; and

WHEREAS, said Plan has been reviewed by the Mayor and Council of the Borough of Franklin.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Franklin that the Corrective Action Plan for the Audit Report Year of 2023 is accepted and approved for filing in the Borough Clerk's Office.

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 at a regular meeting held on June 11, 2024.

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) | | | | |

Attachment to Resolution 2024-72

**BOROUGH OF FRANKLIN
COUNTY OF SUSSEX
CORRECTIVE ACTION PLAN
2023 AUDIT REPORT**

As required by Local Finance Notice #92-15

Finding #1 Finance

1. Description: That adequate segregation of duties within the Tax Collector and Water/Sewer Utility Collector Departments be maintained.
2. Analysis: Due to the limited number of employees within the Tax Collection and Water/Sewer Utility Collection departments there is not always a segregation of duties.
3. Corrective Action: The Borough has segregated the functions between finance personnel to strengthening internal controls.
4. Implementation Date: January 1, 2024

Finding # 2 Finance

1. Description: Analysis: Bank accounts and general ledger, and interfund balances were not in agreement at December 31, 2023.
2. Items from 2022 were not completely resolved at 12/31/2023.
3. Analysis: All items will be in agreement.
4. Implementation Date: January 1, 2024

Finding # 3 Finance

1. Description: Water Sewer receivable and general ledger was not reconciled on a monthly basis.
2. Analysis: The vendor credit card payments were not allocated to the correct deposits so a reconciliation was not possible.
3. Corrective Action: The Water Collector is providing a monthly allocation of all vendor credit card payments.
4. Implementation Date: January 1, 2024

NOT YET APPROVED BY COUNCIL

**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
MAY 28, 2024**

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. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Postas

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 7, 2024, 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

Mrs. Heath had nothing to report.

Mr. Skellenger had nothing to report.

Mr. Formica commented that the Boy Scouts have a new charter holder and they would like to continue to use the storage building and hold meetings at the Senior Center.

Mr. Limon commented that there was no public works meeting.

Mr. Snyder had nothing to report.

Mr. Sedefian had nothing to report.

Mrs. Tremont commented that the wells on Scott Road are being tested. Everyone has the layout and comments from the engineer. The engineer wants to make sure that there are no questions before she puts together a bid packet for the cement work. There is a new regulation that was brought to our attention last year regarding lead paint inspections on rental units. Mrs. Tremont spoke to a company that is licensed and certified. This company will handle all the requirements that need to be done at no cost to the borough; the cost is only to the property owners. We need to be compliant by July 22, 2024 for this regulation.

Mr. Skellenger made a motion to accept the contract for Lead Base Paint Inspection services at no cost to the Borough. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mayor Sowden announced the resignation of Councilman John Postas as of today (May 28, 2024). Mayor Sowden announced that he would like to accept his resignation with regret.

Mr. Snyder commented that John was a good councilman and is sorry to hear that he has resigned.

OPEN PUBLIC SESSION

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

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Mr. John Christiano stepped forward. Mr. Christiano, Chairman of the Franklin Borough Planning Board. Mr. Christiano read some sections from the two resolutions from the planning board. The first resolution regarding the property at 120 Route 23, the Board recommends that the Borough Council adopt the Redevelopment Plan for 120 NJSH Route 23 dated March 22, 2024 with the condition that the construction path be improved so that it can be used for a walking path and emergency access after the construction process. The second resolution is regarding the Zinc Mine Redevelopment on Main Street. Mr. Christiano commented to be consistence with the Historic Preservation section of the Franklin Borough Master Plan (and by reference, The State Master Plan), The Historic Main Street Redevelopment Plan (2018) and the Franklin Borough Vision Statement, the Planning Board recommends the saving and adaptive re-use of the Change House, Superintendent's Change House, Time Office Building (presently the Franklin Historical Society), and the two remaining chimneys. Since neither the Franklin Borough or neighboring fire departments have ladder equipment to reach upper floors of the lower property buildings, the Planning Board recommends elevated "bridge" walkways from one upper floor of each lower building to the upper property grade for occupant emergency evacuation. This access to the upper property also fulfills the Master Plan and the Historic Main Street Redevelopment Plan (2018) recommendations for a "walkable community" for pedestrian access from the lower property to Main Street at the upper level. Provisions should be made for a traffic study and implementation of measures to mitigate negative impacts upon the Borough.

Ms. Eve Soares stepped forward. Ms. Soares commented that no one is aware of the project at the Zinc Mine. Ms. Soares supports the traffic study that was recommended by the Planning Board. Ms. Soares commented that the wooded area is a beautiful site and prefers that over a 5-story apartment building. Ms. Soares is concerned that the schools will be overcrowded. How does this fit in the vision.

Mr. John Christiano stepped forward. Mr. Christiano commented that at the Planning Board level, we noticed and commented on the potential conflict of interest between the Board Planner and engineer architect.

Mr. Liam DeRenzo stepped forward. Mr. DeRenzo commented that he is working on his communications merit badge.

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 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. Langan Engineering and environmental Services, LLC letter in re: 20 Park Drive.
2. Borough of Ogdensburg Ordinance 06-2024 amending Chapter 30 "Land Development."
3. Sandyston Township resolution opposing the proposal by the Delaware river National Park and Lenape Preserve alliance to change the designation of Delaware Water Gap National Recreation Area to a National Park and Preserve.
4. Sandyston Township resolution supporting Assembly resolution AR133 and Senate resolution SR93 opposing all proposal to change the designation of Delaware Water Gap National Recreation Area to a National Park and Preserve, including proposal by the Delaware river National Park and Lenape Preserve Alliance.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Board of Health Report – April 2024
2. Police Department Report – April 2024

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for a Catering Permit

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Approval of the application for a catering permit submitted by Franklin Grill & Tavern LLC. (Brick & Brew) premises for the catering permit is the Franklin Pond Area, 6 Corkhill Road, Franklin, on June 29, 2024, and authorize the clerk to endorse the application.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of May 28, 2024.

Mr. Limon made a motion to approve the consent agenda of May 28, 2024 with the removal of PO #2646 (37977). Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mrs. Heath made a motion to approve PO#2646 (37977). Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Snyder

Nays: None Absent: Postas Abstentions: Skellenger

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mrs. Heath made a motion to approve the regular meeting minutes for May 14, 2024. (Absent: Postas) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution 2024-60

Mr. Snyder made a motion to adopt resolution 2024-60 authorizing a disabled veteran exemption on Block 1101 Lot 14 Qual C0104. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution 2024-61

Mr. Limon made a motion to adopt resolution 2024-61 awarding a contract for the resurfacing of Edmonds Lane, Hemlock Drive and Fireman's Park Helipad through the Morris County Co-op. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: Heath, Limon

Adoption of Ordinance 08-2024

Mr. Skellenger made a motion to adopt ordinance 08-2024 entitled "CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE POLICE DEPARTMENT, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$20,000 THEREFOR FROM THE CAPITAL RESERVE FOR IMPROVEMENTS TO MUNICIPAL PROPERTY FOR THE COST THEREOF." Seconded by Mrs. Heath.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 08-2024. Mr. Formica made a motion to open the meeting to the public for Ordinance 08-2024. Seconded by Mr. Skellenger. All were in favor.

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

There being no one present who wished to address the governing body, Mr. Skellenger made a motion to close the meeting to the public. Seconded by Mr. Snyder. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Adoption of Ordinance 09-2024

Mrs. Heath made a motion to adopt Ordinance 09-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY CREATING CHAPTER 245, TREES." Seconded by Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 09-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 09-2024. Seconded by Mrs. Heath. All were in favor.

There being no one present who wished to address the governing body, Mr. Formica made a motion to close the meeting to the public. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Introduction of Ordinance 10-2024

Mr. Skellenger made a motion to introduce Ordinance 10-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4, GENERAL FEES." Seconded by Mr. Limon.

Mayor Sowden announced that the public hearing will be held on June 11, 2024.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Introduction of Ordinance 11-2024

Mr. Formica made a motion to introduce Ordinance 11-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE "120 NJSH ROUTE 23" REDEVELOPMENT PLAN PREPARED BY J. CALDWELL ASSOCIATES DATED NOVEMBER 25, 2023. Seconded by Mr. Limon.

Mr. Formica made a motion to amend Ordinance #11-2024 to include the recommendation for the construction access road to become a walking path and emergency access road. Seconded by Mr. Skellenger.

Upon roll call vote to amend:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mr. Skellenger made a motion to vote on the Ordinance as amended. Seconded by Mr. Formica.

Mayor Sowden announced that the public hearing will be held on June 11, 2024.

Upon roll call vote as amended:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Introduction of Ordinance 12-2024

Mr. Limon made a motion to introduce ordinance 12-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE "ZINC MINE" REDEVELOPMENT PLAN PREPARED BY J. CALDWELL & ASSOCIATES DATED MARCH 11, 2024." Seconded by Mrs. Heath.

Mr. Formica asked if the traffic study is mandatory on a project this size. Mr. Formica commented as far as the bridge with the walkways; I guess that would be dependent on the slope and the distance from the slope. Could we recommend alternate emergency exits.

Mr. Formica made a motion to amend Ordinance #12-2024 to add that a bridge/walkway be considered as a second exit/safety evacuation depending on the slopes and feasibility and location of the buildings. Seconded by Mrs. Heath.

Upon roll call vote to amend:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: Postas Abstentions: None

Mr. Limon made a motion to amend Ordinance #12-2024 to save the buildings (Change House, Superintendent's Change House, Time Office Building and two remaining chimneys).

MOTION FAILED.

Mr. Formica made a motion to introduce Ordinance #12-2024 as amended. Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on June 11, 2024.

Upon roll call vote as amended:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: Postas Abstentions: None

Approve Special Event Permit Application

Mr. Snyder made a motion to approve the special event permit for Franklin Mineral Museum to conduct a Rock Swap and Sell on July 27, 2024 at the park next to the pond on George LaBance Lane, Franklin and to authorize the use of the Franklin Pond area for parking as needed. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointment.

Crystal Talmadge – Recreation Committee Member to a 3-yr. term ending 12/31/2025. As recommended by the Recreation Committee.

Mrs. Heath made a motion to confirm the mayor's appointment. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

ADDENDUM

Cub Scout Pack 90 Request

Mrs. Heath made a motion to approve the request from Cub Scout Pack 90 to hold their Annual Soap Box Derby on Sunday, July 14, 2024, with a rain date of Sunday, July 21, 2024, from 1:00 p.m. to 4:00 p.m. Seconded by Mr. Skellenger.

MAYOR & COUNCIL MEETING MINUTES MAY 28, 2024

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

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, Mrs. Heath made a motion to adjourn the meeting at 7:38p.m., seconded by Mr. Skellenger.

All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2024-62

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THROUGH NJ STATE CONTRACT A PURCHASE FOR TWO 2024 CHEVROLET TAHOE PPV FROM GENTILINI MOTORS

WHEREAS the Borough of Franklin may, by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services as per N.J.S.A. 40A:11-11, under the New Jersey State Contract #21-FLEET-01485 and

WHEREAS the Police Department needs on a timely basis to purchase goods and services utilizing the New Jersey State Contract, #21-FLEET-01485, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

WHEREAS the Borough intends to enter into a contract for procurement of Two 2024 Chevrolet Tahoe 4WD 4dr PPV from Gentilini Motors, an authorized vendor under NJ State Contract #21-FLEET-01485, and

WHEREAS, the Chief Financial Officer has certified that funds in the amount not to exceed \$148,960.00 are available in the Municipal Budget and

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 Police Department hereby is authorized to procure Two 2024 Chevrolet Tahoe 4WD 4dr PPV from Gentilini Motors, an approved vendor under NJ State Contract #21-FLEET-01485.
2. That the Chief Financial Officer has certified the amount not to exceed \$148,960.00
3. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Chief Financial Officer
 - B. Purchasing Agent
 - C. Chief of Police
 - D. Gentilini Motors
2703 Fire Road
Egg Harbor Township, NJ 08234

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the preceding to be a true and correct copy of a Resolution adopted by the Borough Council of Franklin at a meeting held on the 11th day of June 2024.

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 #2024-63

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THROUGH NJ STATE CONTRACT FOR TWO POLICE VEHICLE TECHNOLOGY, CAMERAS, and MOBILE DATA TERMINAL UPFITS

WHEREAS the Borough of Franklin may, by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services as per N.J.S.A. 40A:11-11, under the New Jersey State Contract #17-FLEET-00716 and

WHEREAS the Police Department needs on a timely basis to purchase goods and services utilizing the New Jersey State Contract, #17-FLEET-00716, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

WHEREAS the Borough intends to enter into a contract for the procurement of two police vehicle technology, cameras, mobile data terminal installations from GTBM, an authorized vendor under NJ State Contract #17-FLEET-00716, and

WHEREAS, the Chief Financial Officer has certified that funds in the amount not to exceed \$45,250.00 are available in the Municipal Budget and

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

1. The Police Department hereby is authorized to purchase two police vehicle technology, cameras, and mobile data terminal installations from GTBM, an approved vendor under NJ State Contract #17-FLEET-00716.
2. That the Chief Financial Officer has certified the amount not to exceed \$45,250.00
3. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Chief Financial Officer
 - B. Purchasing Agent
 - C. Chief of Police
 - D. GTBM
351 Paterson Avenue
East Rutherford, NJ 07073

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the preceding to be a true and correct copy of a Resolution adopted by the Borough Council of Franklin at a meeting held on the 11th day of June 2024.

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 #2024-64

WHEREAS, a Disabled Veteran Exemption has been allowed on Block 608 Lot 1, 40 Sterling St effective February 15, 2024.

WHEREAS, taxes for 1st & 2nd Qtr 2024 were paid prior to the Exemption being allowed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin, that the Tax Collector is hereby authorized to refund, Jake & Samantha Zelencich, \$2,238.33 for 1st & 2nd Qtr 2024 prorated overpayment.

CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted by the Mayor and Council of the Borough of Franklin in a meeting held in the Franklin Municipal Building at 46 Main Street at 7:00 PM on June 11, 2024.

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 #2024-65

**WHEREAS, a Disabled Veteran Exemption has been allowed on Block 1403
Lot 1, 19 Ginter St effective February 10, 2024.**

**WHEREAS, taxes for 1st Qtr 2024 were paid prior to the Exemption being
allowed.**

**NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the
Borough of Franklin, that the Tax Collector is hereby authorized to refund,
Steven T. Simm, \$1,379.00 for 1st Qtr 2024 prorated overpayment.**

**CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk hereby certify
the foregoing to be a true and correct copy of a Resolution duly adopted by
the Mayor and Council of the Borough of Franklin in a meeting held in the
Franklin Municipal Building at 46 Main Street at 7:00 PM on June 11, 2024.**

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 #2024-66

Part Time Senior Center Attendant

WHEREAS, the Borough of Franklin currently has a need for an additional part-time senior center attendant due to an increase in the nutrition lunch program attendance;

WHEREAS, this position is to assist the nutrition site manager on a daily basis;

WHEREAS, Borough Administration and Personnel Committee recommends Jacqueline Olson to fill the position of part-time senior center attendant at the rate of \$15.50 per hour not to exceed an average of 25 hours per week, effective June 17, 2024;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin that the Administrator is authorized to have Jacqueline Olson fill the position as part time senior center attendant at the rate of \$15.50 per hour, not to exceed an average of 25 hours, effective June 17, 2024.

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 June 11, 2024.

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 #2024-67

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING THE HIRING OF A SEASONAL LABORER FOR MAINTENANCE IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there has arisen an opportunity to hire a seasonal laborer for maintenance in the Department of Public Works;

WHEREAS, Brian VanDenBroek, Public Works Director and the Personnel Committee recommends hiring Michael Luterzo, Jr. up to 25 hours per week at the rate of \$16.50 per hour utilizing Clean Communities funds, effective June 17, 2024.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin that the Borough Administrator is authorized to hire Michael Luterzo, Jr. as a Laborer for maintenance in the Department of Public Works up to 25 hours per week at the rate of \$16.50 per hour, effective June 17, 2024, conditioned upon all required pre-employment testing.

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 at a regular meeting held on June 11, 2024 at 7:00 PM.

Darlene J. Tremont, Borough 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 #2024-68

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY SUPPORTING REVOLUTIONNJ

WHEREAS, Governor Philip Murphy and the New Jersey state Legislature created RevolutionNJ in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States. New Jersey's pivotal role in the American Revolution, and the contributions of its diverse peoples to the nation's past, present and future; and

WHEREAS, the New Jersey Historical Commission, under the leadership of Secretary of State Tahesha Way, with its non-profit partner Crossroads of the American Revolution established RevolutionNJ to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and

WHEREAS, RevolutionNJ will engage New Jerseyans in all 21 counties and 564 municipalities through its officially recognized programs, initiative, and events over the next ten years; and

WHEREAS, it is fitting and desirable that we commemorate the beginning of the Nation and the role New Jersey played over the past 250 years as well as its present and future role as part of the United States, with particular focus on the individuals, ideas and events that shaped our Country, State and Sussex County, Borough of Franklin; and

WHEREAS, RevolutionNJ will consider the role New Jersey played during the American Revolution when it saw more battles and skirmishes than any other state and was truly the Crossroads of the American Revolution; and

WHEREAS, RevolutionNJ will highlight the role New Jersey played beyond the battlefield during the American Revolution and when people of diverse backgrounds contributed to the development of the State and the Nation in various ways and fought for the right to life, liberty, and the pursuit of happiness; and

WHEREAS, preserving, studying, and enjoying state history strengthens communities and builds bonds between New Jersey residents as we work together toward the goals of justice and equality embedded in the United States Constitution;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Franklin here by endorses RevolutionNJ and its mission to advance the role that history plays in public discourse, community engagement, education, tourism and scholarship in New Jersey.

IT IS FURTHER RESOLVED that:

1. The Borough of Franklin Town Council commemorates the 250th anniversary of the establishment of the United States as an independent Nation.

Borough of Franklin, County of Sussex

Resolution #2024-68

2. The Borough of Franklin Town Council authorizes the appointment of a committee to develop a plan for the commemoration that will promote the maximum involvement of our residents, neighborhoods, businesses, schools, civic organizations and institutions in the commemorations.

3. The Borough of Franklin Town Council further urges all its residents to reflect upon the significance of this event and the role that our State and its diverse people have played in the history and development of our Nation and to participate in the important commemoration, endeavoring to include the stories of all those whose lives are part of the history of what we now know as New Jersey, and understanding that the revolution continues today as we uphold the revolutionary ideals articulated in our founding documents.

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 June 11, 2024.

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 #2024-69

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING A PURCHASE THROUGH THE ESCNJ COOPERATIVE CONTRACT FOR A KUBOTA M5 4WD ULTRA GRAND CAB TRACTOR

WHEREAS the Borough of Franklin may, by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services as per N.J.S.A. 40A:11-11, under the ESCNJ 22/23-12 Contract

WHEREAS the Department of Public Works needs, on a timely basis, to purchase goods and services utilizing the ESCNJ 22/23-12 Contract, duly authorized under law, to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

WHEREAS the Borough intends to enter into a contract for the procurement of a Kubota M5 4WD Ultra Grand Cab Tractor from Cherry Valley Tractor Sales, an authorized vendor under the ESCNJ 22/23-12 Contract, and

WHEREAS, the Chief Financial Officer has certified that funds in the amount not to exceed \$145,100.00 are available in the Municipal Budget and

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

1. The Department of Public Works hereby is authorized to purchase a Kubota M5 4WD Ultra Grand Cab Tractor from Cherry Valley Tractor Sales, an authorized vendor under the ESCNJ 22/23-12 Contract,
2. That the Chief Financial Officer has certified the amount not to exceed \$145,100.00
3. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Chief Financial Officer
 - B. Purchasing Agent
 - C. Chief of Police
 - D. Cherry Valley Tractor Sales
35 Route 70 West
Marlton, NJ

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the preceding to be a true and correct copy of a Resolution adopted by the Borough Council of Franklin at a meeting held on the 11th day of June 2024.

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 #2024-70

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN REGARDING POLICE DEPARTMENT PROMOTION

WHEREAS, there is a need to fill a sergeant position within the Franklin Borough Police Department;

WHEREAS, Officer Jesse Babcock is at the top of the promotional list for the position of Sergeant 1;

WHEREAS, Police Chief Cugliari recommends promoting Officer Jesse Babcock to the rank of Sergeant 1;

WHEREAS, the Public Safety Committee endorses the recommendation from Chief Cugliari to promote Officer Jesse Babcock to the rank of Sergeant 1 at the annual salary of \$113,638, as per the collective bargaining agreement, effective July 1, 2024;

NOW THEREFORE IT BE RESOLVED that the Borough Council of the Borough of Franklin hereby approves the promotion of Officer Jesse Babcock to the rank of sergeant at the annual salary of \$113,638, effective July 1, 2024.

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 meeting of said Governing Body held on June 11, 2024.

Darlene J. Tremont, Municipal Clerk

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

Borough of Franklin, County of Sussex

Resolution #2024-73

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING A PURCHASE THROUGH THE ESCNJ COOPERATIVE CONTRACT FOR A BANDIT INTIMIDATOR 15XP WOODCHIPPER

WHEREAS the Borough of Franklin may, by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services as per N.J.S.A. 40A:11-11, under the ESCNJ 22/23-12 Contract

WHEREAS the Department of Public Works needs, on a timely basis, to purchase goods and services utilizing the ESCNJ 22/23-12 Contract, duly authorized under law, to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

WHEREAS the Borough intends to enter into a contract for the procurement of a Bandit Intimidator 15XP Woodchipper from Modern Group LTD, an authorized vendor under the ESCNJ 22/23-12 Contract, and

WHEREAS, the Chief Financial Officer has certified that funds in the amount not to exceed \$81,500.00 are available in the Municipal Budget and

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

1. The Department of Public Works is authorized to purchase a Bandit Intimidator 15XP Woodchipper from Modern Group LTD, an authorized vendor under the ESCNJ 22/23-12 Contract
2. That the Chief Financial Officer has certified the amount not to exceed \$81,500.00
3. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Chief Financial Officer
 - B. Purchasing Agent
 - C. Chief of Police
 - D. Modern Group Ltd
650 Freedom Center Drive
3rd Floor
King of Prussia, PA 19406

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the preceding to be a true and correct copy of a Resolution adopted by the Borough Council of Franklin at a meeting held on the 11th day of June 2024.

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 #2024-74

RESOLUTION OF THE GOVERNING BODY AUTHORIZING TO HIRE A NEW BOROUGH OF FRANKLIN POLICE OFFICER

WHEREAS, the Borough Council has recently authorized a conditional offer of employment to hire a new Police Officer in the Franklin Borough Police Department on April 24, 2024; and

WHEREAS, Police Chief Cugliari informed the Borough Council the conditional offer of employment was accepted by Dylan Testa and he has successfully passed all required testing and completed all phases of the selection process; and

WHEREAS, Police Chief Cugliari recommends Dylan Testa be appointed a Police Recruit as of July 1, 2024 at which time he will attend the Morris County Public Safety Training Academy; and

WHEREAS, Dylan Testa will be paid an annual salary of \$30,000 per the current collective bargaining agreement.

WHEREAS, after completing the Basic Course for Police Officers and graduating from the police academy, Dylan Testa will be appointed a full-time sworn law enforcement officer and placed at step Patrolman 1; and

WHEREAS, Dylan Testa will be formally sworn-in at a future Mayor and Council meeting to be determined.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey that Dylan Testa is hereby appointed a Police Recruit as of July 1, 2024, at the annual salary of \$30,000.

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 June 11, 2024.

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 NO. 10-2024**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
AMENDING SECTION 119-4, GENERAL FEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Code of the Borough of Franklin is hereby amended as follows:

SECTION I.

Chapter 176, Mobile Homes, is amended to update the following fees:

| | | |
|--------------|--|---------|
| § 176-13(D)2 | Mobile home municipal service fee, per month The municipal service fee is comprised of the following: Solid waste disposal, \$18.09, and other municipal services, \$48.19. [NOTE: The previously included sewer service charges (\$55.67) have been removed from the municipal service fee and are billed to and are directly payable by the park owner and constitute a lien pursuant to N.J.S.A. 40A:26A-12.] | \$66.28 |
|--------------|--|---------|

SECTION II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN

Darlene J. Tremont, CLERK

BY: John Sowden, MAYOR

DATED: June 11, 2024

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on May 28, 2024, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on June 11, 2024, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

Darlene J. Tremont
Municipal Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 11th day of June, 2024.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced: May 28, 2024
Adopted: June 11, 2024

| RECORD OF COUNCIL VOTES-FIRST READING | | | | | Move | 2nd |
|---------------------------------------|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | | | | | | |
| RACHEL HEATH COUNCIL PRESIDENT | | | | | | |
| JOSEPH LIMON | | | | | | |
| JOHN POSTAS | | | | | | |
| STEPHEN SKELLENGER | | | | | | |
| GILBERT SNYDER | | | | | | |
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |

| RECORD OF COUNCIL VOTES-SECOND READING | | | | | Move | 2nd |
|--|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | | | | | | |
| RACHEL HEATH COUNCIL PRESIDENT | | | | | | |
| JOSEPH LIMON | | | | | | |
| JOHN POSTAS | | | | | | |
| STEPHEN SKELLENGER | | | | | | |
| GILBERT SNYDER | | | | | | |

| | | | | | | |
|--------------------------------|--|--|--|--|--|--|
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |
|--------------------------------|--|--|--|--|--|--|

NOT YET APPROVED BY COUNCIL

ORDINANCE NO. 11-2024

**ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
ADOPTING THE “120 NJSH ROUTE 23”
REDEVELOPMENT PLAN PREPARED BY J. CALDWELL
ASSOCIATES DATED MARCH 22, 2024
(REVISED MAY 29, 2024)**

WHEREAS, the Governing Body of the Borough of Franklin (“Governing Body”) by Resolution 2016-19 authorized the Borough Land Use Board (“Board”) to undertake a preliminary investigation to determine whether the area commonly known as the “120 NJSH Route 23” is an “area in need of redevelopment” as defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (“LRHL”); and

WHEREAS, at the conclusion of its investigation and following notice and a public hearing, the Board recommended that the area be designated by the Governing Body as an area in need of redevelopment (“120 NJSH Route 23 Redevelopment Area”); and

WHEREAS, the 120 NJSH Route 23 Redevelopment Area is defined as those properties known as Block 1601, Lot 5; and

WHEREAS, pursuant to the recommendations of the Board and, in accordance with the provisions of the LRHL, the Governing Body adopted Resolution 2024-35 designating the 120 NJSH Route 23 Redevelopment Area as an area in need of redevelopment; and

WHEREAS, in furtherance of redeveloping the 120 NJSH Route 23 Redevelopment Area, the Governing Body authorized and directed J. Caldwell & Associates to prepare a redevelopment plan for the 120 NJSH Route 23 Redevelopment Area; and

WHEREAS, in March of 2024, J. Caldwell & Associates completed its redevelopment plan entitled “120 NJSH Route 23 Redevelopment Plan” (“Redevelopment Plan”) and submitted it to the Governing Body for review and consideration; and

WHEREAS, if approved, the Redevelopment Plan will supersede the existing zoning and land development regulations for the “120 NJSH Route 23 Area”; and

WHEREAS, on in the March of 2024, the Governing Body submitted the Redevelopment Plan to the Board for review and recommendation concerning same in accordance with the provisions of N.J.S.A. 40A:12A-7; and

WHEREAS, on May 22, 2024 the Land Use Board transmitted to the Governing Body its report recommending that the Governing Body adopt the Redevelopment Plan, as submitted; and

WHEREAS, the Governing Body has reviewed the report of the Board and hereby determines that the Redevelopment Plan is necessary and appropriate; is in compliance with the

dictates of the LRHL; and will result in the successful redevelopment of the “120 NJSH Route 23 Site”, which has been declared to be an area in need of redevelopment.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey, as follows:

Section 1. Pursuant to N.J.S.A. 40A:12A-7, the Borough hereby adopts and approves the 120 NJSH Route 23 Redevelopment Plan dated March 22, 2024 (revised May 29, 2024) prepared by the J. Caldwell & Associates, a copy of which is attached hereto and hereby made a part of this Ordinance; and

Section 2. The Borough hereby directs that the 120 NJSH Route 23 Redevelopment Plan be filed with the Borough Clerk; and

Section 3. Pursuant to N.J.S.A. 40A:12A-4(c), the Borough is, and hereby shall be, designated the redevelopment entity with all of the authority, rights, duties, and powers accorded to a redevelopment entity as set forth in N.J.S.A. 40A:12A-8; and

Section 4. The 120 NJSH Route 23 Redevelopment Plan shall supersede the existing zoning and land development regulations for Block 1601 Lot 5; and

Section 5. Pursuant to N.J.S.A. 40A:12A-7(c), the Borough’s Zoning Map is hereby amended to identify the 120 NJSH Route 23 Area and the properties described in Section 4 above, in the manner depicted in the 120 NJSH Route 23 Redevelopment Plan; and

Section 6. If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof; and

Section 7. This Ordinance shall take effect upon the final passage and publication pursuant to Law.

John M. Sowden IV, Mayor

ATTEST:

Darlene J. Tremont, Borough Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Franklin on May 28, 2024 and will be considered for final

passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on June 11, 2024 at 7:00 p.m. in the Municipal Building, located at 46 Main Street, Franklin, New Jersey.

 Darlene J. Tremont, Borough Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 11th day of June, 2024.

 Darlene J. Tremont, Clerk
 Borough of Franklin

 John M. Sowden IV, Mayor

Introduced: May 28, 2024

Adopted: June 11, 2024

| RECORD OF COUNCIL VOTES-FIRST READING | | | | | Move | 2nd |
|---------------------------------------|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | X | | | | | X |
| RACHEL HEATH COUNCIL PRESIDENT | X | | | | | |
| JOSEPH LIMON | X | | | | | |
| JOHN POSTAS | | | | X | | |
| STEPHEN SKELLENGER | X | | | | X | |
| GILBERT SNYDER | X | | | | | |
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |

| RECORD OF COUNCIL VOTES-SECOND READING | | | | | Move | 2nd |
|--|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | | | | | | |
| RACHEL HEATH COUNCIL PRESIDENT | | | | | | |
| JOSEPH LIMON | | | | | | |
| JOHN POSTAS | | | | | | |
| STEPHEN SKELLENGER | | | | | | |
| GILBERT SNYDER | | | | | | |
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |

ORDINANCE NO. 12-2024

**ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
ADOPTING THE “ZINC MINE” REDEVELOPMENT PLAN
PREPARED BY J. CALDWELL & ASSOCIATES DATED
MARCH 11, 2024 (REVISED MAY 29, 2024)**

WHEREAS, the Governing Body of the Borough of Franklin (“Governing Body”) by Resolution-- authorized the Borough Land Use Board (“Board”) to undertake a preliminary investigation to determine whether the area commonly known as the “Zinc Mine” is an “area in need of redevelopment” as defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (“LRHL”); and

WHEREAS, at the conclusion of its investigation and following notice and a public hearing, the Board recommended that the area be designated by the Governing Body as an area in need of redevelopment (“Zinc Mine Redevelopment Area”); and

WHEREAS, the Zinc Mine Redevelopment Area is defined as those properties known as Block 904, Lots 1.01, 1.02, and 1.03; and

WHEREAS, pursuant to the recommendations of the Board and, in accordance with the provisions of the LRHL, the Governing Body adopted Resolution 2024-36 designating the Zinc Mine Redevelopment Area as an area in need of redevelopment; and

WHEREAS, in furtherance of redeveloping the Zinc Mine Redevelopment Area, the Governing Body authorized and directed J. Caldwell & Associates to prepare a redevelopment plan for the Zinc Mine Redevelopment Area; and

WHEREAS, in March of 2024, J. Caldwell & Associates completed its redevelopment plan entitled “Zinc Mine Redevelopment Plan” (“Redevelopment Plan”) and submitted it to the Governing Body for review and consideration; and

WHEREAS, if approved, the Redevelopment Plan will supersede the existing zoning and land development regulations for the “Zinc Mine Area”; and

WHEREAS, on in the March of 2024, the Governing Body submitted the Redevelopment Plan to the Board for review and recommendation concerning same in accordance with the provisions of N.J.S.A. 40A:12A-7; and

WHEREAS, on May 22, 2024 the Land Use Board transmitted to the Governing Body its report recommending that the Governing Body adopt the Redevelopment Plan, as submitted; and

WHEREAS, the Governing Body has reviewed the report of the Board and hereby determines that the Redevelopment Plan is necessary and appropriate; is in compliance with the dictates of the LRHL; and will result in the successful redevelopment of the “Zinc Mine Area”, which has been declared to be an area in need of redevelopment.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey, as follows:

Section 1. Pursuant to N.J.S.A. 40A:12A-7, the Borough hereby adopts and approves the Zinc Mine Redevelopment Plan dated March 11, 2024 (revised May 29, 2024) prepared by the J. Campbell & Associates, a copy of which is attached hereto and hereby made a part of this Ordinance; and

Section 2. The Borough hereby directs that the Zinc Mine Redevelopment Plan be filed with the Borough Clerk; and

Section 3. Pursuant to N.J.S.A. 40A:12A-4(c), the Borough is, and hereby shall be, designated the redevelopment entity with all of the authority, rights, duties, and powers accorded to a redevelopment entity as set forth in N.J.S.A. 40A:12A-8; and

Section 4. The Zinc Mine Redevelopment Plan shall supersede the existing zoning and land development regulations for Block 904 Lots 1.01, 1.02, and 1.03; and

Section 5. Pursuant to N.J.S.A. 40A:12A-7(c), the Borough's Zoning Map is hereby amended to identify the Zinc Mine and the properties described in Section 4 above, in the manner depicted in the Zinc Mine Redevelopment Plan; and

Section 6. If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof; and

Section 7. This Ordinance shall take effect upon the final passage and publication pursuant to Law.

John M. Sowden IV, Mayor

ATTEST:

Darlene J. Tremont, Borough Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Franklin on May 28, 2024 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on June 11, 2024 at 7:00 p.m. in the Municipal Building, located at 46 Main Street, Franklin, New Jersey.

Darlene J. Tremont, Borough Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 11th day of June, 2024.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced: May 28, 2024

Adopted: June 11, 2024

| RECORD OF COUNCIL VOTES-FIRST READING | | | | | Move | 2nd |
|---------------------------------------|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | X | | | | X | |
| RACHEL HEATH COUNCIL PRESIDENT | X | | | | | |
| JOSEPH LIMON | | X | | | | |
| JOHN POSTAS | | | | X | | |
| STEPHEN SKELLENGER | X | | | | | X |
| GILBERT SNYDER | X | | | | | |
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |

| RECORD OF COUNCIL VOTES-SECOND READING | | | | | Move | 2nd |
|--|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | | | | | | |
| RACHEL HEATH COUNCIL PRESIDENT | | | | | | |
| JOSEPH LIMON | | | | | | |
| JOHN POSTAS | | | | | | |
| STEPHEN SKELLENGER | | | | | | |
| GILBERT SNYDER | | | | | | |
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |