

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 27, 2023

- 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:**

1. **Discussion on Main St. & Junction St. multi-way stop**

- I. **NEW BUSINESS:**

1. **Approval of the Minutes** for the regular meeting minutes for June 13, 2023. (Absent: None)
2. **Resolution #2023-88** to approve the Side Bar Agreement between the Borough of Franklin and Policemen's Benevolent Association Local No. 404. (Agreement provided in Council packets)
3. **Resolution #2023-89** to approve modifying the Employee Handbook regarding Part-Time Employee Policy.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING JUNE 27, 2023

4. Introduction of Ordinance #07-2023 – entitled “AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH CODE, ALLOWING FIRST FLOOR RESIDENTIAL ON SOME LOTS IN THE B-2 ZONE”

Public hearing will be held on July 18, 2023

5. Introduction of Ordinance #08-2023 – “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4 OF THE BOROUGH CODE ENTITLED “GENERAL FEES”.

Public hearing will be held on July 18, 2023.

6. Mayoral Appointment
Mayor Sowden will make the following appointment.

Crossing Guard Status Change

Charles Hughes II status change from permanent crossing guard to substitute crossing guard with no salary change, effective immediately, 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,

- **Personnel Matters**

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 MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
JUNE 13, 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 (via ZOOM), 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

Stefanie Williams with the engineering firm of French & Parrello discussed the Main Street Parking Lot. Ms. Williams discussed the different options there are to pave the parking lot and passed out cost estimates for the project.

Mr. Snyder questioned if there is any agreement with the owner of the laundry mat.

Ms. Williams would like to have a geo tech guy come out and do a core sample.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Postas commented that the DPW is out paving and repairing storm drains. The DPW is putting in a berm on Maple Road for drainage purposes. There are 3 sites for drilling for water sources. The water tower relocation agreement is being worked on.

Mr. Snyder commented that personnel met and there are a couple of items on the agenda in regards to hiring. The next personnel meeting will be Thursday night.

Mr. Formica commented that the mulch has be installed at the playground. He would like to schedule a buildings and grounds meeting.

Mr. Skellenger had nothing to report.

Mrs. Heath commented that the fishing contest was held on June 3, 2023 and it was a success. July 1, 2023 is the Franklinite celebration.

Mrs. Tremont asked Stefanie Williams to update the Council on the status of the light for Main and Junction.

Ms. Stefanie Williams commented that a report is being drafted and should be provided to the Council soon for their review.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

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 Mrs. Heath. All were in favor.

Joanne Tatka stepped forward. Ms. Tatka asked if there is anyway to get movement on the vacant Forestry Building. Ms. Tatka questioned the Ascend tax payment that was reported on at the April 25, 2023 meeting. She questioned the use of the 2023 Tahoe by the police department. She questioned the number of units proposed for the theater

MAYOR & COUNCIL MEETING MINUTES JUNE 13, 2023

building and that the investor in the theater property is looking to keep the theater as community center. Mrs. Tatka asked if parking signs can be put at the Senior Center dedicated for the seniors. Lastly, Mrs. Tatka asked if the figures for taxes were received from the schools.

Marianne Dunnican stepped forward. Ms. Dunnican voiced concerns about parking of busses and other commercial vehicles on Hemlock Drive. Ms. Dunnican is requesting that ordinance 02-2019 be rescinded.

Mayor Sowden asked if he police have been contacted.

Mrs. Heath commented that pictures were provided to the traffic officer.

Ward Dunnican stepped forward. Mr. Dunnican commented that the compaction was omitted the last time Hemlock Drive was repaved. Mr. Dunnican voiced concerns about the parking of vehicles at the Walkkill Golf Club.

There being no one else present or on Zoom who wished to address the Governing Body, Mr. Snyder made a motion to close the meeting to the public, seconded by Mr. Postas. 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. County of Sussex Board of Taxation Resolution #05032023-3 establishing the percentage of 100% as the ratio of assessed value to true value of real property within Sussex County.
2. Township of Fredon Resolution supporting Dennis Branch of the Sussex County Library System renovation project.
3. Township of Hampton Resolution supporting Dennis Branch of the Sussex County Library System renovation project.
4. Letter from Kimberly Sigman Chief School Administrator of Hamburg School to Michael Raperto, Chief of Franklin Fire Department to acknowledge the mutual aid assistance of the Franklin Fire Department on June 6, 2023.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Report – April 2023
2. Police Department Report – May 2023
3. Permit Activity Report – May 2023
4. Permit List – May 2023
5. COH Report – May 2023
6. Municipal Court report – May 2023
7. Zoning Officer Report – May 2023

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2023-86 to authorize the Borough Clerk to renew the following liquor licenses for the 2023-2024 licensing term.
1906-32-013-009 Franklin 897 LLC. T/A Shop Rite Wines and Spirits
1906-33-014-006 Six Gee Corp. T/A Irish Cottage Inn
1906-33-010-008 Franklin Grill & Tavern, LLC T/A Brick & Brew
1906-33-008-010 Stone Hill Recreation Corp. T/A Bear Den Grill, Black Bear
1906-33-004-008 Coyote Cocina Mexicana
1906-44-006-006 MINDIP LLC. T/A The Right Bottle
1906-44-007-007 WC Franklin LLC. T/A Wine Country Franklin
1906-31-015-001 Sgt Francis M. Glynn Post
1906-31-017-001 Walkkill Golf Club
2. Resolution 2023-87 memorializing local support for PD Nanotech LLC to obtain licensure from the New Jersey Cannabis Regulatory Commission as an approved cannabis testing laboratory.
3. Payment of bills for the meeting of June 13, 2023.

Mr. Formica made a motion to approve the consent agenda of June 13, 2023 with the removal of purchase order numbers 36592 and 36731. Seconded by Mr. Postas.

MAYOR & COUNCIL MEETING MINUTES JUNE 13, 2023

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Postas made a motion to approve purchase numbers 36592 and 36731. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Skellenger

Nays: None Absent: None Abstentions: Formica, Snyder

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 23, 2023. (Absent: Limon) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Adoption of Ordinance 06-2023

Mr. Snyder made a motion to adopt ordinance 06-2023 entitled "BOND ORDINANCE PROVIDING FOR VARIOUS 2023 ROAD IMPROVEMENTS BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$803,962 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$588,342 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF. Seconded by Mrs. Heath.

Prior to final roll call Mayor Sowden requested a motion to open to the public Ordinance 06-2023. Mr. Postas made a motion to open to the public ordinance 06-2023, seconded by Mr. Skellenger. All were in favor.

There being no one present or on Zoom who wished to address the governing body regarding ordinance 06-2023, Mr. Postas made a motion to close to the public ordinance 06-2023, seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-75

Mr. Postas made a motion to adopt resolution 2023-75 to approve receipt of revenue thru a Stormwater Management Grant to be included in the 2023 municipal budget in the amount of \$25,000. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-76

Mr. Skellenger made a motion to adopt resolution 2023-76 to hire a new Borough of Franklin Police Officer. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-77

Mr. Limon made a motion to adopt resolution 2023-77 to authorize a water/sewer refund due to bill generated from an estimated meter reading for the property located at 267 Route 23 also known as Block 1010 Lot 10 in the amount of \$2,054.98. Seconded by Mr. Postas.

MAYOR & COUNCIL MEETING MINUTES JUNE 13, 2023

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-78

Mrs. Heath made a motion to adopt resolution 2023-78 to approve a property tax refund due to a tax overpayment for the property located at Block 710 Lot 17 in the amount of \$1,480.16. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-79

Mr. Formica made a motion to adopt resolution 2023-79 to approve the purchase and installation Orange Carpet & Wood Gallery flooring at the Franklin Borough Senior Center in the amount of \$6,598.00. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-80

Mr. Postas made a motion to adopt resolution 2023-80 to authorize to award of a required disclosure contract to Advanced Door Sales, Inc., for the DPW in the amount not to exceed \$32,300.00. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-81

Mr. Postas made a motion to adopt to resolution 2023-81 to award of contracts for road resurfacing of Taylor Rd., Kane Rd. and Premock Rd. through the Morris County Co-op in the amount of \$138,534.50. Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-82

Mr. Postas made a motion to adopt resolution 2023-82 award of contracts for the road resurfacing of various roads and Fireman's Park Helipad through the Morris County Co-op in the amount not to exceed \$249,000.00. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-83

Mr. Skellenger made a motion to adopt resolution 2023-83 to authorize a salary increase for part time finance clerk in the amount of \$.62 per hour, effective July 1, 2023. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-84

Mr. Skellenger made a motion to adopt resolution 2023-84 to authorize hiring a part time Senior Center attendant not to exceed an average of 25 hours per week, effective June 16, 2023. Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

MAYOR & COUNCIL MEETING MINUTES JUNE 13, 2023

Resolution #2023-85

Mr. Formica made a motion to adopt resolution 2023-85 to authorize hiring a full time laborer in the Department of Public Works at step 7, \$25.53 per hour and an additional .75 cents per hour for CDL B driver license as per the DPW Contract., effective July 1, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Cub Scout Pack 90 Revised Request

Mrs. Heath made a motion for approval to change their approved Annual Soap Box Derby from Saturday, July 8, 2023 to now be held on Sunday, July 16, 2023 from 1:00 p.m. to 4:00 p.m. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on 25-hour employee policy

At this time there was a discussion on a 25-hour employee policy.

Mrs. Heath commented that we had a 30-hour employee policy and we are requesting that we give the same option to the 25-hour employees.

Mrs. Heath made a motion to institute a 25-hour employee policy which would give the employees the major holidays (Christmas, New Years Day, Thanksgiving, Labor Day, 4th of July and Memorial Day) and paid vacations based on 1 hour for every 25 hours worked effective July 1, 2023.

After some further discussion, it was the consensus of the governing body to discuss this issue at a personnel meeting and bring back a written policy to the next Mayor and Council meeting.

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Formica commented that he would like to look into purchasing veteran flags for Main Street.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:17p.m., seconded by Mr. Postas.

All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2023-88

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN APPROVING SIDE BAR AGREEMENT BETWEEN THE BOROUGH OF FRANKLIN AND POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL NO. 404

WHEREAS, the Police Officers in the Borough of Franklin are represented by the Policemen's Benevolent Association (PBA) Local 404;

WHEREAS, the Borough entered into an (5) five year agreement with the PBA Local 404 beginning January 1, 2021, through 11:59PM on December 31, 2025 on ;

WHEREAS, the Borough entered into a (5) five year agreement with Captain Geddis beginning January 1, 2019, ending December 31, 2023;

WHEREAS, Captain Geddis has requested to have the rank of Captain be added to the PBA Collective Bargaining Agreement for the term of January 1, 2024 through 11:59PM on December 31, 2025 in place of a separate employee contract;

WHEREAS, the Personnel Committee and the Administrator recommends approving the request as presented in the Side Bar Agreement between the Borough of Franklin and PBA Local No. 404;

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that the Side Bar Agreement between the Borough of Franklin and PBA Local 404 is hereby approved and the Mayor is authorized to execute the contract on behalf of the Borough.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Borough of Franklin in the County of Sussex and State of New Jersey on this 27th day of June, 2023.

Darlene J. Tremont, Municipal Clerk

Dated: June 27, 2023

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 #2023-89

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN MODIFYING THE EMPLOYEE HANDBOOK REGARDING PART TIME EMPLOYEE POLICY

WHEREAS, the Borough of Franklin maintains an Employee Handbook;

WHEREAS, the most recent Employee Handbook was revised and adopted on July 16, 2019;

WHEREAS, the Personnel Committee does recommend to amend the part-time employee policy effective July 1, 2023;

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that the Employee Part-time Employee Policy set forth on page 41 of the Employee Handbook revised July 16, 2019 is hereby replaced as follows:

Part Time Employee Policy

The Borough's Benefit Time policies set forth elsewhere in this Policy only apply to full-time employees that are required to work a minimum of 35 hours per week for the Borough.

This section shall apply only to Non-Union Borough employees working part-time on a 12 month permanent basis ("Permanent Part Time Employees"). This section does not apply to part-time employees that are temporary, provisional, seasonal or 10 month employees.

Permanent Part-Time Employees are entitled to the Benefits as outlined below:

- A. Non-union permanent part-time employees shall accrue one (1) hour of earned vacation time for every twenty five (25) hours worked, up to a maximum of twenty five (25) total hours per year. This benefit time may be carried forward into the following year. Any carried forward vacation time must be used no later than May 31 of the following year in which it is earned or it will be forfeited without compensation.
- B. Permanent part-time employees are not eligible for a payout of accumulated unused vacation time at retirement or otherwise.
- C. Non-union permanent part-time employees who are hired to work an average of 25 hours per week shall be entitled to the holidays listed below. A "day", under this section, for part-time employees is equal to five hours.
 - New Year's Day
 - Martin Luther King's Day
 - Lincoln's Birthday
 - President's Day
 - Good Friday

Borough of Franklin, County of Sussex

Resolution #2023-89

- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

NOW THEREFORE IT BE FURTHER RESOLVED that this Resolution will be inserted in the Employee Handbook as page 41 for future use effective July 1, 2023.

CERTIFICATION: I, Darlene Tremont, Borough 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 27, 2023.

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
ORDINANCE # 07-2023**

**AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH
CODE, ALLOWING FIRST FLOOR RESIDENTIAL ON SOME LOTS IN
THE B-2 ZONE**

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Franklin as follows:

Section 1. Schedule A to the Land Use Ordinance is amended to indicate that the phrase “upper floors only” for apartments in the B-2 Zone shall not apply to Block 602 Lot 25; Block 607 Lots 18, 19 and 20; and Block 608 Lot 12 which shall permit residential uses on all floors in the B-2 Zone.

The amended Schedule A attached to this Ordinance.

Section 3. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Date. This ordinance shall take effect after publication and passage according to law.

Section 5. The Borough Clerk is hereby directed to give notice by certified mail at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

ATTEST:

BOROUGH OF FRANKLIN

Darlene J. Tremont, CLERK

John M. Sowden IV, MAYOR

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Franklin on June 27, 2023, 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 July 18, 2023, at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.

Darlene J. Tremont, Municipal Clerk

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

LAND DEVELOPMENT
161 Attachment 2
Schedule A

Permitted, Conditional and Accessory Uses & Structures
Borough of Franklin, Sussex County, New Jersey

Legend:

P = Permitted principal use

A = Permitted accessory use

C = Conditional use

Uses	R-1	R-2	R-3	R-4	MF	ZM	B-1	B-2	HC	I	MHP	OS/GU	GC	Q	HMF
Detached single family	P	P	P	P										P	P
Apartments					P	Upper floors of upper section only	Upper floors only	*Upper floors only **all floors in certain block/lot							P
Attached single/family townhomes					P		P								P
Governmental buildings and uses	P	P	P	P	P	P (upper section only)		P	P	P	P	P	P	P	
Mixed use dwellings						P (upper section only)	P	P							
Agricultural uses	P	P	P	P				P	P	P	P				
Mobile home parks											P				
Retail sales and trade						P (upper section)	P	P	P						

						only)									
Financial institutions, non-drive through						P	P	P	P	P					
Offices						P	P	P	P	P	P		P	P	

* Amended by ordinance #6-2007, adopted 03-13-07.

**Amended by ordinance #07-2023, adopted _____.

NOT YET APPROVED BY COUNCIL

**BOROUGH OF FRANKLIN
ORDINANCE NO. 08- 2023**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
AMENDING SECTION 119-4 OF THE BOROUGH CODE
ENTITLED “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 119-4 of the Code of the Borough of Franklin entitled “General Fees” referencing §161-42 regarding Escrow Account Deposits is hereby replaced as follows:

§ 161-42 Informal reviews: \$600

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 M. Sowden IV, MAYOR

DATED:

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 the 27th day of June, 2023, 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 the 18th day of July, 2023, 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, 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 18th day of July, 2023.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden IV, Mayor

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