

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
OCTOBER 22, 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. **Approval of the Minutes** for the regular meeting minutes and executive session minutes for October 8, 2024. (Absent: Heath)
2. **Resolution 2024-107** authorizing the Municipal Court to escheat interest balances in the bail account.
3. **Resolution 2024-108** authorizing the Municipal Court to escheat interest balances in the general account.
4. **Resolution 2024-109** authorizing the appointment of a business administrator.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING OCTOBER 22, 2024

5. Resolution 2024-110 authorizing the hiring of Sandi Cowan as deputy municipal clerk and deputy registrar effective November 1, 2024 at an annual salary of \$43,000.
6. 2024 Best Practices Inventory to accept the 2024 best practices inventory prepared by the CFO and Administrator/Clerk as required by the Division of Local Government Services.
7. Approval of NJ State Firemen's Association Membership Application
To approve the application for membership of Kenneth Hayes, 49 Edison Ave, Ogdensburg, as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief.
8. Discussion on Main Street Parking Lot
9. Discussion on MS4 Stormwater Mapping program

J. EXECUTIVE SESSION – IF REQUESTED

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

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

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

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

Be further advised this Resolution shall take effect immediately.

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

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
OCTOBER 8, 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: Mrs. Carnes, Mr. Formica, Mr. Limon, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mrs. Heath

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.

Mayor Sowden commented that there was an executive session held prior to the meeting to discuss employee contract negotiations and agreements and that meeting adjourned at 7:02pm.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mrs. Carnes commented that the Pond Side Market was held and there is an EDC meeting next week to discuss next year. There is a Halloween parade (12pm) and party (6pm) on October 26, 2024 and discussed holiday tree lighting.

Mr. Snyder had nothing to report.

Mr. Skellenger commented that he was looking over some of the properties for public auction and one problem that always arises is that we may or may not need to use the property for a possible new well location.

Mr. Ursin commented that Ryan Homes has offered to drill a test well for the borough.

Mr. Formica updated the council on the basketball court progress, they will temporarily paint the lines and come back in the spring to do the permanent lines. The extra asphalt was used to patch the parking area. On October 16th we are meeting with Amanda Hassler from USDA Wildlife Services at the pond regarding the geese. November 4th is a walk out celebration for Rafael Burgos. There is approximately \$6,000.00 left from the Recreation Grant money after the basketball court was completed that can be used to install a 6 foot high fence between the basketball court and parking lot.

Mayor Sowden commented that the DPW supply yard has been cleaned up and looks really good. Mayor Sowden asked if the Council would agree to adding fill in some divots that are in the back side of the pond behind the baseball field where cars park. The Council had no objections. Mayor Sowden commented that the new sidewalks on Junction Street look great and hopes we can expand them from Junction to High Street.

Mr. Formica commented that he was speaking with the County about the crossing by the pond and needing sidewalks there. They recommended that even though we didn't use the grant funds last time it shouldn't interfere with us getting it again so we should apply again.

MAYOR & COUNCIL MEETING MINUTES OCTOBER 8, 2024

OPEN PUBLIC SESSION

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

Ms. Dawne Rowe stepped forward. Ms. Rowe asked what the catch is for the test wells that Ryan Homes will be drilling.

Mr. Ursin commented that Ryan Homes would design a water system for their own water supply but since the town needs additional capacity, we have asked them to do a test well on their property. If the test well yields well then, our engineer will figure out if it can be incorporated into our water system too.

Ms. Rowe wished Officer Burgos good luck in his retirement. Pondsides market went well despite the inclement weather. Ms. Rowe asked for a 2nd public session.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close the meeting to the public, seconded by Mr. Snyder. 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. Township of Hardyston Ordinance 2024-14 amending and modifying chapter 185 "Zoning", Article XXV "Stormwater Management", of the Township of Hardyston General Code.
2. 2024 Table of Equalized Valuations.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report – September 9 – September 13
2. DPW Report – September 16 – September 20

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of October 8, 2024.

Mr. Limon made a motion to approve the consent agenda of October 8, 2024 with the removal of PO #37977. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger, Snyder

Nays: None Absent: Heath Abstentions: None

Mr. Formica made a motion to approve PO #37977. Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Snyder

Nays: None Absent: Heath Abstentions: Skellenger

OLD BUSINESS

Discussion on Rutherford Culvert Headwall Proposal

Mr. Formica commented that he saw the price which is all permitting fees and other things; it discusses a design, site plans, construction plans for a total of \$42,750. Mr. Formica asked if we can get the design made and pay \$2000 so we can know what the final cost is going to be. Mr. Formica asked for a total cost of the whole project.

Mrs. Tremont commented that Stefanie from French and Parrello reached out to Brian in regard to camera the line.

The general consensus of the council was to obtain a general cost estimate for the whole project and camera the pipes.

MAYOR & COUNCIL MEETING MINUTES OCTOBER 8, 2024

NEW BUSINESS

Approval of the Minutes

Mr. Formica made a motion to approve the regular meeting minutes and executive session meeting minutes for September 24, 2024. (Absent: Snyder) Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger

Nays: None Absent: Heath Abstentions: Snyder

Resolution 2024-105

Mr. Formica made a motion to adopt resolution 2024-105 authorizing the award of a required disclosure contract with Garden State Laboratories for the Department of Public Works. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger, Snyder

Nays: None Absent: Heath Abstentions: None

Resolution 2024-106

Mrs. Carnes made a motion to adopt resolution 2024-106 extending grace period for payment of 4th quarter water and sewer bills. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger, Snyder

Nays: None Absent: Heath Abstentions: None

Adoption of Ordinance 18-2024

Mr. Snyder made a motion to adopt ordinance 18-2024 entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY." Seconded by Mr. Formica.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for Ordinance 18-2024. Mr. Formica made a motion to open the meeting to the public for Ordinance 18-2024. Seconded by Mr. Skellenger. All were in favor.

There being no one present who wished to address the governing body, Mr. Snyder made a motion to close the meeting to the public for ordinance 18-2024. Seconded by Mrs. Carnes. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger, Snyder

Nays: None Absent: Heath Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mr. Skellenger made a motion to approve the application for membership of Jacob Vanderwiele, 30 Woodland Road, Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Skellenger, Snyder

Nays: None Absent: Heath Abstentions: Limon

Mayoral Appointment

Mayor Sowden made the following appointment.

Planning Board

George Drossel, Alternate Member (2-yr. unexpired term) Expires 12/31/2025

Keri Marino, Alternate Member (2-yr. unexpired term) Expires 12/31/2025

MAYOR & COUNCIL MEETING MINUTES OCTOBER 8, 2024

Mr. Skellenger made a motion to confirm the Mayor's appointment. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger, Snyder

Nays: None Absent: Heath Abstentions: None

Discussion on field use form application

Mr. Formica asked if in the application form it can be added that on September 11th the fields are not available.

Mr. Ursin asked why the Recreation Committee can't regulate that. Mr. Ursin will update the form and get it back.

MISCELLANEOUS COMMENTS

Mr. Formica had a resident reach out to him regarding the appraisals and that their property has been appraised for 3 years in a row.

Mr. Ursin commented to direct the person to contact the tax assessor.

Mr. Snyder asked about the striping of the roadway.

Mrs. Tremont commented that she spoke to Brian and the Borough does not have the equipment to do that. If there are areas that need striping, we would have to use a third party.

Mayor Sowden congratulated Maddison Hooker, of the attorneys office, for passing the bar exam.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 7:59p.m., seconded by Mr. Formica. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2024-107

RESOLUTION AUTHORIZING THE MUNICIPAL COURT TO ESCHEAT INTEREST BALANCES IN THE BAIL ACCOUNT

WHEREAS, certain accounts within the Borough Franklin Municipal Court, with interest balances from our checking account; and

WHEREAS, it is necessary to formally escheat said balances so that the unexpended balances may be returned to each respective account balance or credited to surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin, that the following interest balance within the following checking account be escheated:

<u>Date:</u>	<u>Fund Name</u>	<u>Amount</u>	<u>Total</u>
10/9/2023	Bail Acct	\$35.85	\$35.85

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 in the Franklin Municipal Building at 46 Main Street at 7:00 PM on October 22, 2024.

Darlene J. Tremont, Municipal Clerk

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

Borough of Franklin, County of Sussex

Resolution #2024-108

RESOLUTION AUTHORIZING THE MUNICIPAL COURT TO ESHEAT INTEREST CHARGES IN THE GENERAL ACCOUNT

WHEREAS, certain accounts within the Borough Franklin Municipal Court, with interest balances from our checking account; and

WHEREAS, it is necessary to formally escheat said balances so that the unexpended balances may be returned to each respective account balance or credited to surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin, that the following interest balance within the following checking account be escheated:

<u>Date:</u>	<u>Fund Name</u>	<u>Amount</u>	<u>Total</u>
10/9/2023	General Acct	\$115.67	115.67

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 in the Franklin Municipal Building at 46 Main Street at 7:00 PM on October 22, 2024.

Darlene J. Tremont, Municipal Clerk

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

Borough of Franklin, County of Sussex

Resolution #2024-109

AUTHORIZING THE APPOINTMENT OF A BUSINESS ADMINISTRATOR

WHEREAS, Chapter 5, Article IV of the Borough of Franklin Code provides for the position of Borough Administrator and the employment of the Borough Administrator is hereby authorized under the authority of N.J.S.A. 40A:9-136 et seq.

WHEREAS, at the meeting of the Governing Body held on September 24, 2024, authorization was given to have the Mayor and Municipal Clerk execute a contract between Franklin Borough and Neil Spidaletto who wishes to serve as Business Administrator; and

WHEREAS, the contract has now been fully executed; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey that the Mayor, with the advice and consent of the Borough Council, does hereby hire and appoint Neil Spidaletto as Business Administrator effective November 1, 2024 according to the terms of the employment contract.

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 in the Franklin Municipal Building at 46 Main Street at 7:00 PM on October 22, 2024.

Darlene J. Tremont, Municipal Clerk

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

Borough of Franklin, County of Sussex

Resolution #2024-110

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN HIRING SANDI COWAN AS DEPUTY MUNICIPAL CLERK AND DEPUTY REGISTRAR FOR THE BOROUGH OF FRANKLIN

WHEREAS, the Town Council and Mayor anticipate a vacancy in the position of Deputy Municipal Clerk and Deputy Registrar; and

WHEREAS, Sandi Cowan has been serving as part time Finance Clerk for the Borough of Franklin as of February 1, 2023; and

WHEREAS, Sandi Cowan is scheduled to take the Municipal Registrar examination on October 25, 2024; and

WHEREAS, upon Sandi Cowan successfully passing the Municipal Registrar examination, the Municipal Registrar wishes to appoint her as Deputy Registrar.

WHEREAS, the Personnel Committee recommends hiring Sandi Cowan as Deputy Municipal Clerk, Deputy Registrar in addition to her payroll duties at the rate of \$43,000 per year effective November 1, 2024 with a six month performance and salary review on or about May 1, 2025; and

WHEREAS, the combination of positions and duties will increase Sandi Cowan's hours to 35 hours per week as a full-time employee eligible with benefits as described in the Employee Handbook and other non-wage compensation; and

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin authorizes Sandi Cowan to be hired as Deputy Municipal Clerk, Deputy Registrar in addition to her payroll duties for the Borough of Franklin at the annual salary of \$43,000, effective November 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 October 22, 2024.

Darlene J. Tremont, Municipal Clerk

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