

**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**  
**NOVEMBER 28, 2023**

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

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

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

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

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

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

- H. **OLD BUSINESS:**

- I. **NEW BUSINESS:**

1. **Approval of the Minutes** for the regular meeting minutes and executive session meeting minutes for November 13, 2023. (Absent: None)
2. **Hillside Estates Mobile Home Park License Renewal** to approve the renewal of the 2024 Mobile Home Park License for Hillside Estates at Franklin, LLC.
3. **Construction Department Shared Service Agreement** to approve a Construction Department Shared Service Agreement between the Township of Hardyston and the Borough of Franklin beginning January 1, 2024 ending December 31, 2028 and to have the Mayor and Clerk execute the same. (Agreement included in Council packets)

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING NOVEMBER 28, 2023**

4. Construction Software Shared Service Agreement to approve a Construction Software Shared Service agreement between the Township of Hardyston and the Borough of Franklin, Town of Newton, Borough of Hamburg and Township of Wantage for Software System upgrade and annual maintenance and to have the Mayor and Clerk execute the same. (Agreement included in Council packets)
5. Introduction of Ordinance #18-2023 entitled “SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY”.

**Public Hearing will be held December 19, 2023.**

6. Franklin Quilters Request to approve the Franklin Recreation Committee Sponsored, “Franklin Quilters” request to waive the fees and to use the Senior Center for their meetings on the 3rd Saturday of every month for year 2024.

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.

- **Contract Negotiations**

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  
NOVEMBER 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, Mr. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: None

Mayor Sowden led the assembly in the flag salute.

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

**PRESENTATIONS**

There were no presentations for tonight's meeting.

**COMMITTEE REPORTS**

Mrs. Heath had nothing to report.

Mr. Skellenger had nothing to report.

Mr. Formica commented on the electronic sign rendering. The Council had no objections with moving forward with placing the order. Mr. Formica met with JCP&L last week and showed them the overhead wires and poles down by the pond. The cost to upgrade the lines would be split as it would benefit JCP&L. The electric to the concession stand would be run underground. Mr. Formica will contact the engineer for next year.

Mr. Snyder commented on the possibility of reorganizing the Department of Public Works. Met with Jesse Bogart regarding his future interests and we also met with Andrew Burd today regarding his future interests.

Mr. Postas commented that the purpose of these meetings, as Mr. Snyder stated, is so that we are proactive with the employees in the Department of Public Works.

Mr. Limon had nothing to report.

Mrs. Tremont commented that the best practices inventory is on the agenda tonight and with our score we will receive all our state aid. I was notified by AOC that the state was very impressed by Lori Mitchener's project she presented during her certification process and will be using it on a state level through the AOC. Kudos to Lori for all her hard work and dedication. There was a meeting with Hardyston regarding the shared service for court and we interviewed judges and prosecutors and I would like to ask the Mayor to request an executive session to go over the contract with Hardyston for the shared service with the Municipal Court.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

**OPEN PUBLIC SESSION**

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

There being no one 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.

# MAYOR & COUNCIL MEETING MINUTES NOVEMBER 13, 2023

## 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. Letter dated October 20, 2023 from Sandyston Township to the Delaware river National Park & Lenape Preserve Alliance in re: proposal for redesignation of the Delaware Water Gap National Recreation Area to a National Park and Preserve.
2. Township of Montague resolution in support of assembly bill no 5546 prohibiting the state from imposing a mileage-based user fee.
3. Township of Hardyston ordinance amending certain portions of chapter 185, zoning of the revised general ordinances to address miscellaneous corrections and clarifications and to amend the standards for accessory uses in residential zones based upon a comprehensive review of the township's land use chapters.
4. Letter from NJDEP in re: Dam Safety Inspection Report for Franklin Pond Dam
5. Township of Hampton resolution in support of assembly bill no 5548 prohibiting the state from imposing a mileage-based user fee.
6. Franklin Fire Department By-Laws.

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

1. DPW report – September 25 – September 29
2. DPW report – October 2 – October 6
3. DPW report – October 9 – October 13
4. Construction Permit Activity Report – October 2023
5. COH Report – October 2023
6. Permit List – October 2023
7. Municipal Court report – October 2023

## APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Special Event Request from Elaine Tizzano and Mary Burns, for their ninth annual walk in conjunction with the Center for Prevention and Counseling to be held on August 3, 2024, to bring awareness and treatment for substance use disorder.
2. Social Affair Permit from the Franklin Fire Department for an event to be held on December 2, 2023 at the Franklin Fire House.

## RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2023-127 – Budget Transfer Resolution
2. Payment of bills for the meeting of November 13, 2023.

Mr. Postas made a motion to approve the consent agenda of November 13, 2023 with the removal of purchase order #37312 and purchase order # 37381. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mrs. Heath made a motion to approve purchase order #37312 and purchase order #37381. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Snyder

Nays: None Absent: None Abstentions: Formica, Skellenger

## OLD BUSINESS

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

## NEW BUSINESS

### Approval of the Minutes

Mr. Formica made a motion to approve the regular meeting minutes for October 24, 2023. (Absent: None) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**MAYOR & COUNCIL MEETING MINUTES NOVEMBER 13, 2023**

Resolution #2023-128

Mr. Postas made a motion to adopt resolution 2023-128 authorizing a disabled Veteran exemption on 15 Ridgewood Rd., Block 1006, Lot 18 and to refund taxes billed for 3<sup>rd</sup> quarter 2023 in the amount of \$934.20. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-129

Mr. Skellenger made a motion to adopt resolution 2023-129 authorizing the acceptance of property located at 25 Susquehanna Street, Block 803, Lot 4 from Sussex County Habitat for Humanity to the Borough of Franklin. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-130

Mr. Skellenger made a motion to adopt resolution 2023-130 authorizing the demolition and site safety protections after transfer of property located at 25 Susquehanna Street, Block 803, Lot 4. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-131

Mr. Formica made a motion to adopt resolution 2023-131 authorizing the acceptance of change order no.1 from AA Berms. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Heath

Resolution #2023-132

Mr. Formica made a motion to adopt resolution 2023-132 to authorize advertisement and solicitation of bids for electrical services work for a two-year period. Seconded by Mr. Skellenger.

Mr. Formica explained the reason for the need to go to bid for electrical services. Bid threshold is not by calendar year, but begins when services are first rendered.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of DPW Salary Step Increase

Mr. Formica made a motion to approve the salary step increase for Andrew Burd to grade step 9 \$28.30/hr. and Matt Kuperus to grade step 7 \$25.53/hr. as per the DPW contract, effective November 1, 2023, as recommended by Brian VanDenBroek, DPW Director and the Administrator. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Commodity Resale Agreement

Mr. Snyder made a motion to approve a Commodity Resale Agreement between the Township of Hardyston and the Borough of Franklin for a 5-year term, beginning January 1, 2024, ending December 31, 2028. (Agreement included in Council packets) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**MAYOR & COUNCIL MEETING MINUTES NOVEMBER 13, 2023**

**2023 Best Practices Inventory**

Mr. Limon made a motion to accept the 2023 best practices inventory prepared by the CFO and Administrator/Clerk as required by the Division of Local Government Services. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Approval of NJ State Firemen's Association Membership Application**

Mrs. Heath made a motion to approve the application for membership of Lawrence Castor, 38 Fowler Street Apt. 2 Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

**Discussion on Redevelopment Plan for 120 NJSH Route 23**

Mr. Ursin explained the history of the property. The redevelopment of this property was already approved in the redevelopment plan. This would be an amendment to that plan for a housing project. This would be referred to the planning board to hold a public hearing and then it gets transmitted back to the Governing Body.

Mrs. Heath asked how long this will take.

Mr. Ursin commented that it should take approximately a month and half.

**MISCELLANEOUS COMMENTS**

Mrs. Heath congratulated the Mayor, Mr. Postas and Mr. Limon for their re-election.

Mr. Formica commented on changing the date of the reorganization meeting.

Mr. Formica made a motion to change the date of the reorganization meeting from January 1, 2024 to January 2, 2024 at 6pm followed by the regular meeting at 7pm. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Snyder asked if the Zoning Officer could go look at the Rowett building on Route 631.

**EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Postas made a motion to adjourn into closed executive session to discuss contract negotiations. Motion seconded by Mrs. Heath. All were in favor.

Mayor Sowden commented that there will be no official action taken after the executive session.

**ADJOURNMENT**

At 7:37pm, the Mayor and Council adjourned into executive session and did not return into open public session.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk



**BOROUGH OF FRANKLIN**

46 Main Street  
Franklin, NJ 07416  
www.franklinborough.org

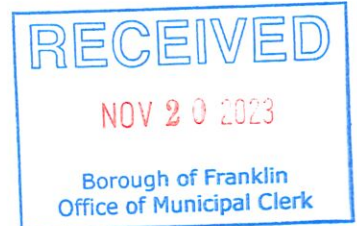
John M. Sowden IV, Mayor  
Darlene J. Tremont, Municipal Clerk  
Phone: 973-827-9280  
Fax: 973-827-9279

APPLICATION FOR USE OF MUNICIPAL BUILDING OR PROPERTY

Complete this form and return to: Borough Clerk, Franklin Borough Municipal Building, 46 Main Street, Franklin, N.J. 07416

This form should be submitted with:

- A. Proof of corporate status;
- B. Information about Franklin residents being part of the group;
- C. Certificate of Insurance as follows;



In order for any group to use, visit or participate in activities on Borough of Franklin Property, a Certificate of Liability Insurance in an amount of One Million Dollars (\$1,000,000.00) in the naming **The Borough of Franklin** as an additional insured must be provided prior to the issuance of any permit to use a facility as follows:

“The Borough of Franklin, its departments, agencies, boards, commissions, officers, officials, agents, servants, administrators, and employees are named as an additional insured, on a primary and non-contributory basis, regarding the use of Municipal Property or Facilities”.

- D. The release and hold harmless agreement attached; and
- E. The information requested below:

1.) Purpose of Request: Meeting(s)  Private Party  Other:

Explain: 3<sup>rd</sup> Study of Everymonth Quilting/craft meetng

2.) Building or Property Requested:  Municipal Building  Senior Center

3.) Date(s)/Time(s) Requested:

Date(s): 1/20, 2/17, 3/16, 4/20, 5/18, 6/15, 7/20, 8/17, 9/21, 10/19, 11/16, 12/21  
Times(s): 8:30 - 4:30

4.) The maximum number of people estimated to attend is: 15

(Please note there is a maximum capability for the Senior Center with tables and chairs is 90.)

**Fees are as follows (per Chapter 119 of the Municipal Code Book)**

Activity room:

Daily Rate:

Per hour \$10

Flat rate for 8 hours \$75

Month Rate:

Per hour \$4

Flat rate per month \$600

*A Rock Solid Foundation with a Bright Future*

RELEASE, HOLD HARMLESS, AND INEMNIFICATION AGREEMENT

Franklin Quilters

Name of Group/Association

3<sup>rd</sup> Set. of covey marsh

Date(s) of Visit(s)

The undersigned Robin Schulman as an authorized representative of Franklin Quilters ("Entity")

Print Name

Name of Group/Association

in consideration for being permitted to utilize the facilities and/or participate in activities on Borough of Franklin Property on the date(s) above, **HEREBY RELEASES AND WAIVES, INDIVIDUALLY AND ON BEHALF OF THE ENTITY, ALL CLAIMS THAT EITHER HAS OR MAY HAVE** against Borough, its agents, officers, employees and volunteers, in the event of **PROPERTY DAMAGE, BODILY INJURY OR DEATH** arising directly or indirectly in connection with the Entity's use of Borough Property of Facilities. The undersigned **FURTHER AGREES, INDIVIDUALLY AND ON BEHALF OF THE ENTITY, TO HOLD THE BOROUGH, ITS AGENTS, OFFICERS, EMPLOYEES AND VOLUNTEERS HARMLESS FOR ANY SUCH INJURY OR ACCIDENT AND TO DEFEND AND INDEMNIFY THE BOROUGH, ITS AGENTS, OFFICERS, EMPLOYEES AND VOLUNTEERS FOR ALL COSTS RELATING TO ANY CLAIMS OR LAWSUITS, INCLUDING REASONABLE ATTORNEY FEES**

**ACKNOWLEDGEMENT OF WAIVER OF IMPORTANT LEGAL RIGHTS:** I have read the foregoing and understand that by signing below, I am waiving important legal rights on behalf of myself and the above-named Entity which I am authorized to represent.

**I CERTIFY THAT I HAVE READ THE FOREGOING AND ANY REPRESENTATION MADE HEREIN IS TRUE, COMPLETE, AND NOT THE RESULT OF COERSION.**

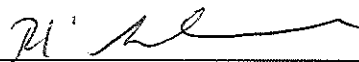
Name of  
Representative

(Print): Robin Schulman

Representative's  
Position/Title:

President

Representative's  
Signature:



Date: 11/19/23



REQUIREMENTS

1. The applicant agrees to assume responsibility for setting up of any seating arrangement other than those that presently exist, and if changes, to restore seating to the original arrangements.
2. The applicant agrees to reasonably clean the premises after usage, leaving rooms or area in the same state of cleanliness that existed prior to usage.
3. The applicant agrees to pay for, or to assume financial responsibility for any damages to the Borough of Franklin premises utilized during the period of usage by the organization the applicant represents (excluding indemnification for damages caused by Borough's negligence.)
4. The applicant agrees that no alcoholic beverages or controlled dangerous substances of any kind will be served or consumed during the period of usage.
5. The applicant agrees that food or non-alcoholic beverages may only be consumed in area designated by the Borough of Franklin Custodian.
6. The applicant agrees that this permission may be canceled by the Borough of Franklin prior to the time of the approved use if the premises are needed for an emergency use by another Municipal Body (Municipal Court, Police, Governing Body, etc.)
7. The premises are not to be used to gain profit nor will fees of admission be charged, nor will unauthorized raffles be held.

Note: Political subdivisions (does not include Political parties) and borough sponsored organizations established by Ordinance or Resolution are exempt from submission of application(s).

Approved: \_\_\_\_\_  
Borough Clerk

Date of Approval: \_\_\_\_\_