

REGULAR AGENDA
FOR THE MAYOR AND COUNCIL MEETING
BOROUGH OF FRANKLIN,
HELD AT THE MUNICIPAL BUILDING, 46 MAIN STREET
FRANKLIN, NEW JERSEY AT 7:00 P.M. ON
APRIL 26, 2022

- 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, 2022, 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 for April 12, 2022. (Absent: Postas)
2. **Resolution #2022-56** to authorize submission of a Governor's Council on Alcoholism and Drug Abuse, NJ Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) Youth Leadership Grant application for the Wallkill Valley Municipal Alliance Grant Term 7/1/22 - 3/14/23 in the amount of \$2,547.00.
(motion needed)

REGULAR AGENDA – MAYOR AND COUNCIL MEETING APRIL 26, 2022

3. Introduction of Ordinance #05-2022 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADDING NEW SECTION 259-13 TO THE BOROUGH CODE ENTITLED “ENGINE BRAKING”. *(motion needed)*

Public hearing to be held on May 10, 2022.

4. Introduction of Ordinance #06-2022 entitled “A CAPITAL ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AUTHORIZE THE APPROPRIATION OF CAPITAL FUNDS FOR THE MOTOR & GEAR ASSEMBLY REPLACEMENT AT THE RT. 23 SOUTH AND MAPLE ROAD SEWER PUMPING STATIONS”. *(motion needed)*

Public hearing to be held on May 10, 2022.

5. Mayoral Appointment

Mayor Sowden will make the following appointments.

- a) To change the status to permanent crossing guard at the current rate of \$14.73/hr. effective immediately for the following substitute crossing guards:

Kathleen Clohessey
Marie Predmore

- b) To hire Michelle Grieco as substitute crossing guard at the rate of \$14.73/hr. contingent upon successful background check.
(motion needed to confirm appointments)

6. Discussion on Property Auction
7. Discussion on School Board Elections
8. Discussion on Franklin Pond Opening

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 #2022-56

Governor's Council on Alcoholism and Drug Abuse
FORM 1B – **DMHAS Youth Leadership Grant**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, The Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Franklin, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for DMHAS Grant funding for the Wallkill Valley Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:
DMHAS Grant Funding \$2,547.00
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____

John M. Sowden IV, Mayor

CERTIFICATION

I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 26th day of April, 2022.

Darlene J. Tremont, Municipal Clerk

BOROUGH OF FRANKLIN

ORDINANCE NO. 05-2022

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
ADDING NEW SECTION 259-13 TO THE BOROUGH CODE
ENTITLED “ENGINE BRAKING”**

WHEREAS, the Borough of Franklin (“Borough”) has determined it to be in the best interests of the safety, health, and welfare of its residents to regulate engine braking within the Borough; and

WHEREAS, “engine braking” is the use or operation of any mechanical exhaust device designed to aid in the braking, decompression, or deceleration of a motor vehicle which results in excessive, loud, unusual, or explosive noise from such vehicle.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that Chapter 259 of the Borough Code entitled “Vehicles and Traffic” is hereby amended as follows:

SECTION I.

New Section 259-13 entitled “Engine Braking” is hereby adopted as follows:

§ 259-13 Engine Braking Prohibited.

- A.** Definition. “Engine braking” shall mean the use or operation of any mechanical exhaust device designed to aid in the braking, decompression, or deceleration of a motor vehicle which results in excessive, loud, unusual, or explosive noise from such vehicle.
- B.** Prohibited. It shall be unlawful for the driver of any motor vehicle to use or operate or cause to be used or operated, at any time and on any roadway within the Borough of Franklin, any mechanical exhaust or decompression device which results in a practice known as “engine braking.”
- C.** Exceptions. The provisions of this section shall not apply to engine braking where necessary for the protection of persons and/or property which cannot be avoided by application of an alternative braking system. Noise caused by the application of engine compression brakes, otherwise known as engine-braking, which is effectively muffled or if the application is necessary for the health, safety, and welfare of the community is exempt from the provisions of this section. Sounds created by emergency equipment for emergency purposes are also exempt.

- D.** Posting of Signs. The Borough is hereby authorized to post signs at reasonable locations within the Borough indicating the prohibition of the practice of engine braking.
- E.** Violations and Penalties. Unless another penalty is expressly provided by New Jersey Statute, any person convicted of a violation of this section shall be punished for a first conviction thereof by a fine of not more than one hundred and fifty (\$150.00) dollars or by imprisonment for a period not to exceed ten (10) days, or by both such fine and imprisonment; for a second such conviction, such person shall be punished by a fine of not more than two hundred and fifty (\$250.00) dollars or by imprisonment for a period of not to exceed twenty (20) days, or by both such fine and imprisonment; and upon the third or any subsequent conviction, such person shall be punished by a fine of not more than five hundred (\$500.00) dollars or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment.

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:

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 April 26, 2022, 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 May 10,

2022, 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 _____ day of _____, 2022.

Darlene J. Tremont, Clerk
Borough of Franklin

John Sowden, Mayor

Introduced:

Adopted:

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

**BOROUGH OF FRANKLIN
COUNTY OF SUSSEX
ORDINANCE #06-2022**

**A CAPITAL ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF
SUSSEX, STATE OF NEW JERSEY TO AUTHORIZE THE APPROPRIATION OF
CAPITAL FUNDS FOR THE MOTOR & GEAR ASSEMBLY REPLACEMENT AT THE
RT. 23 SOUTH AND MAPLE ROAD SEWER PUMPING STATIONS**

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

Section 1. The motor & gear assembly at the Rt. 23 south and Maple Road sewer pumping stations needs to be replaced; and,

Section 2. The Franklin Borough Director of Public Works has received an estimate of the cost from GP Jager, the sole source provider of parts for the currently installed pump, and the installation of these parts will be handled by borough employees. The Chief Financial Officer certifies the availability of funds in Account #08-229-55-000-000 Reserve for Capital Improvements – Sewer Stations for the completion of the project with a cost not to exceed \$12,500.00; and,

Section 3. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

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 April 26, 2022, 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 May 10, 2022, 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 ___ day of May, 2022.

 Darlene J. Tremont, Clerk
 Borough of Franklin

 John M. Sowden IV, Mayor

Introduced: April 26, 2022

Adopted: May __, 2022

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