

**BOROUGH OF FRANKLIN  
ORDINANCE NUMBER 02-2023**

**CAPITAL ORDINANCE PROVIDING FOR WATER SYSTEM IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$494,140.25 THEREFOR FROM GRANT PROCEEDS RECEIVED PURSUANT TO THE FEDERAL AMERICAN RESCUE PLAN TO PAY FOR A PORTION OF THE COST THEREOF**

**WHEREAS**, the Borough of Franklin, in the County of Sussex, State of New Jersey (the "Borough"), wishes to undertake Water System Improvements; and

**WHEREAS**, the cost of a portion of said improvements or purposes is estimated to be \$494,140.25; and

**WHEREAS**, the Borough desires to authorize the appropriation and expenditure of \$494,140.25 from grant proceeds received pursuant to the federal American Rescue Plan to undertake a portion of the improvements.

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY** (a majority of the full membership thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The capital improvements or purposes described below are hereby authorized as Water System Improvements to be undertaken by the Borough. For the said improvements or purposes, there is hereby appropriated the amount of \$494,140.25 from grant proceeds received pursuant to the federal American Rescue Plan. The improvements or purposes hereby authorized include, but are not limited to, the drilling and construction of a new well for the Borough's water system, and the expenses associated with determining a suitable location for and engineering costs associated with same, and all related work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

**SECTION 2.** The expenditure of the \$494,140.25, consisting of an appropriation of \$494,140.25 from grant proceeds received pursuant to the federal American Rescue

Plan for the improvements or purposes set forth in Section 1 hereof is hereby authorized and approved. The Mayor, the Clerk, the Administrator, the Chief Financial Officer and any other official/officer of the Borough are each hereby authorized and directed to execute, deliver and perform any agreement to undertake the improvements or purposes set forth herein and to effectuate the transactions contemplated hereby.

**SECTION 3.** The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the Office of the Clerk and is available for public inspection.

**SECTION 4.** The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount appropriated in Section 1 of this ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 1 of this ordinance. This Section 4 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**SECTION 5.** This ordinance shall take effect immediately after final adoption and approval by the Mayor as described in N.J.S.A. 40:49-2.

ADOPTED ON FIRST READING

DATED: February 14, 2023



DARLENE J. TREMONT,  
Clerk of the Borough of Franklin

ADOPTED ON SECOND READING

DATED: February 28, 2023



DARLENE J. TREMONT,  
Clerk of the Borough of Franklin

APPROVAL BY THE MAYOR ON THIS 28<sup>th</sup> DAY OF FEBRUARY, 2023.

  
JOHN M. SOWDEN, IV, Mayor

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

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


**BOROUGH COUNCIL OF THE BOROUGH OF FRANKLIN**  
**PUBLIC NOTICE**  
**NOTICE OF PENDING ORDINANCE 02-2023**

The capital ordinance, the title of which is published herewith, was introduced and adopted upon first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey (the "Borough"), held on February 14, 2023 and will be further considered for final passage, after public hearing thereon, at a meeting of said Borough Council to be held at the Borough Municipal Building, 46 Main Street, Franklin, New Jersey on February 28, 2023 at 7:00 p.m.

The purpose of this capital ordinance is for the Borough to appropriate the amount of \$494,140.25 from grant proceeds received pursuant to the federal American Rescue Plan, to undertake a portion of certain Water System Improvements including, but not limited to, the drilling and construction of a new well for the Borough's water system, and the expenses associated with determining a suitable location for and engineering costs associated with same, and all related work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto. A copy of the full ordinance may be obtained from the Office of the Clerk of the Borough during regular municipal office hours at Borough Municipal Building, 46 Main Street, in the Borough.

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APPROPRIATING \$494,140.25 THEREFOR FROM GRANT  
PROCEEDS RECEIVED PURSUANT TO THE FEDERAL  
AMERICAN RESCUE PLAN TO PAY FOR A PORTION OF THE  
COST THEREOF**

  
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**DARLENE J. TREMONT,**  
Clerk of the Borough of Franklin

**BOROUGH COUNCIL OF THE BOROUGH OF FRANKLIN  
PUBLIC NOTICE  
NOTICE OF THE DATE OF PASSAGE OF CAPITAL ORDINANCE 02-2023**

The capital ordinance, the title of which is published herewith has been finally adopted by the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey on February 28, 2023.

The purpose of this capital ordinance is for the Borough to appropriate the amount of \$494,140.25 from grant proceeds received pursuant to the federal American Rescue Plan, to undertake a portion of certain Water System Improvements including, but not limited to, the drilling and construction of a new well for the Borough's water system, and the expenses associated with determining a suitable location for and engineering costs associated with same, and all related work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto. A copy of the full ordinance may be obtained from the Office of the Clerk of the Borough during regular municipal office hours at Borough Municipal Building, 46 Main Street, in the Borough.

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**DARLENE J. TREMONT,  
Clerk of the Borough of Franklin**