

**CONSENT AGENDA  
FOR THE MEETING OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF FRANKLIN  
AT 46 MAIN STREET, FRANKLIN, NJ HELD ON  
MARCH 22, 2022**

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*ALL MATTERS LISTED BELOW ARE CONSIDERED ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.*

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**CORRESPONDENCE** (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Borough of Ogdensburg Ordinance 02-2022 amending Chapter 30 "Land Development".
2. Thank you note to Franklin Borough Employees and Mayor and Council from Lori Spirito, Re: retirement plaque.

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

1. Construction Permit Activity Report – February 2022
2. Construction Permit List – February 2022
3. COH Report – February 2022
4. Municipal Court Report – February 2022
5. Board of Health Report – February 2022
6. DPW Report – February 28 – March 4, 2022

**APPLICATIONS** (APPROVAL OF THE FOLLOWING):

1. None filed.

**RESOLUTIONS** (APPROVAL OF THE FOLLOWING):

1. Resolution #2022-40 - to adopt resolution 2022-40 authorizing participation in self-examination program of the Municipal Budget for the 2022 budget year.
2. Resolution #2022-41 – authorizing the retainer of an auctioneer for the sale of certain land and property no longer needed for public use.
3. Resolution #2022-42 – authorizing fireworks display in the Borough of Franklin on June 18, 2022 at the Franklin Pond Recreation area.
4. Resolution #2022-43 regarding the temporary closure of Franklin Avenue, County Road 631.
5. Payment of bills for the meeting of March 22, 2022.

# Borough of Franklin, County of Sussex

## Resolution #2022-40

### AUTHORIZING PARTICIPATION IN SELF-EXAMINATION PROGRAM OF THE MUNICIPAL BUDGET FOR THE 2022 BUDGET YEAR

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Franklin has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Franklin that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

# Borough of Franklin, County of Sussex

## Resolution #2022-40

6. That all other applicable statutory requirements have been fulfilled.

BE IT FUTHER RESOLVED that this resolution shall be applied retroactively to be applicable to the introduction and adoption of the 2022 Municipal Budget.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

**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 regular meeting of said Governing Body held on March 22, 2022.

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Darlene J. Tremont, Municipal Clerk

Approved:

Vote recorded as follows:

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 #2022-41

### RESOLUTION AUTHORIZING THE RETAINER OF AN AUCTIONEER FOR THE SALE OF CERTAIN LAND AND PROPERTY NO LONGER NEEDED FOR PUBLIC USE

**WHEREAS**, the Borough of Franklin is the owner of certain lands and capital improvements within the municipality ; and

**WHEREAS**, the Governing Body of the Borough of Franklin does hereby determine that the lands and properties set forth in Schedule A are not needed for public use; and

**WHEREAS**, the Borough desires to retain a Professional Auctioneer to market and auction for public sale said lands in accordance with N.J.S.A. 40A:12-13(a).

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, that the Borough Administrator is authorized to retain Max Spann Real Estate & Auction Co. (hereinafter "Auctioneer"), as Auctioneer for sale to the highest bidder by open public sale at auction, as referenced in the applicable ordinance.

**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 March 22, 2022

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Darlene J. Tremont, Municipal 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, County of Sussex

## Resolution #2022-42

**AUTHORIZING FIREWORKS DISPLAY IN THE  
BOROUGH OF FRANKLIN  
ON JUNE 18, 2022  
AT THE FRANKLIN POND RECREATION AREA**

**WHEREAS**, N.J.S.A. 21:3-3 requires that a Municipal Governing Body authorize the display of fireworks within its boundaries as a precondition to such display in accordance with the above statute; and

**WHEREAS**, it is the Borough of Franklin's desire to conduct such a display scheduled for June 18, 2022, with a rain date of June 19, 2022, at the shore of the Franklin Pond Recreation Area; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Franklin, County of Sussex, and State of New Jersey, that the display of such fireworks is hereby authorized upon satisfaction of all statutory requirements with regard to same by the approved contractor.

**BE IT FURTHER RESOLVED**, that a certified original of this Resolution be forwarded to the Sussex County Fire Marshal/Coordinator.

**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 22<sup>nd</sup> day of March 2022.

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Darlene J. Tremont, Municipal 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, County of Sussex

## Resolution #2022-43

### RESOLUTION REGARDING TEMPORARY CLOSURE OF FRANKLIN AVENUE, COUNTY ROAD 631

**WHEREAS**, Franklin Day events are planned for June 18, 2022, rain date June 19, 2022;

**WHEREAS**, the Franklin Day events include a fireworks display scheduled for June 18, 2022, rain date June 19, 2022;

**WHEREAS**, it has been recommended that Franklin Avenue, County Rd 631 be temporarily closed during the fireworks displays;

**WHEREAS**, this road closure needs the approval of the County of Sussex;

**NOW THEREFORE IT BE FURTHER RESOLVED** that a copy of this Resolution shall be sent to the Sussex County Administrator for appropriate action.

**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 on March 22, 2022.

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Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
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MAYOR SOWDEN (Tie Only)				