

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
SEPTEMBER 22, 2020

- 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 5, 2020, 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**

A motion is in order to approve the regular meeting minutes for September 8, 2020. (Absent: Postas)

2. **Congregate Nutrition Program Shared Services Agreement Modification**

A motion is in order to approve the Modification of a Shared Service Agreement for \$2,473.00, Attachment "A" between the County of Sussex and the Borough of Franklin for the Franklin Congregate Nutrition Program from January 1, 2020 to December 31, 2020 for a total amount of \$30,173.00 and authorize the clerk to execute same.

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3. Special Event permit

A motion is in order to approve an application for a special event permit from Fink's BBQ Restaurant, for an Oktoberfest to help benefit the Franklin Fire Department to be held at the Franklin Fire Department Pavilion on October 3, 2020 (rain date October 4, 2020).

4. Discussion on Dog Ordinance/Pond Area

At this time there will be a discussion on the dog ordinance/pond area. (Memo from Recreation Committee included in Council packets)

5. Resolution #2020-72

A motion is in order to adopt resolution 2020-72 refund of tax overpayment to Y&J Properties, LLC in the total amount of \$1,657.35.

6. Resolution #2020-73

A motion is in order to adopt resolution 2020-73 to accept the bids for properties on attached exhibit A and the Mayor and Council authorize execution of the real estate contracts.

7. Resolution #2020-74

A motion is in order to adopt resolution 2020-74 awarding contract for resurfacing of Mitchell Avenue to Mike Fitzpatrick Contractors, Inc. in the amount of \$163,236.30. (Thomas Knutelsky letter of recommendation dated September 17, 2020, included in the Council packets.)

8. Adoption of Ordinance #10-2020

A motion is in order to adopt ordinance 10-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN AUTHORIZING THE CONVEYANCE OF MUNICIPAL PROPERTY LOCATED AT 25 SUSQUEHANNA STREET, BLOCK 803, LOT 4 TO SUSSEX COUNTY HABITAT FOR HUMANITY FOR THE PURPOSE OF CONSTRUCTING AFFORDABLE HOUSING PURSUANT TO N.J.S.A. 40A: 12-21(L)".

Prior to final roll call Mayor Sowden will open the meeting to the public for any comments regarding Ordinance 10-2020.

9. Adoption of Ordinance #11-2020

A motion is in order to adopt ordinance 11-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 161-32 REGARDING RECREATIONAL EQUIPMENT STORAGE".

Prior to final roll call Mayor Sowden will open the meeting to the public for any comments regarding Ordinance 11-2020.

10. Introduction of Ordinance #12-2020

A motion is in order to adopt ordinance 12-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 161-24 REGARDING FENCES".

Public Hearing will be held on October 13, 2020.

11. Introduction of Ordinance #13-2020

A motion is in order to adopt ordinance 13-2020 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTIONS 270-2, 270-4, 270-12 REGARDING WATER".

Public Hearing will be held on October 13, 2020.

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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. **OPEN PUBLIC SESSION II: 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.

L. **MISCELLANEOUS COMMENTS: Mayor Sowden** will allow each member of the Governing Body to offer any miscellaneous comments which they may have at this time.

M. **ADJOURNMENT: Mayor Sowden** will request a motion to adjourn the meeting.