

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
DECEMBER 15, 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. **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.

- G. **OLD BUSINESS:**

- H. **NEW BUSINESS:**

1. **Approval of the Minutes**

A motion is in order to approve the regular meeting minutes for November 24, 2020. (Absent: Zydon)

2. **Special Event permit**

A motion is in order to approve an application for a special event permit from Elaine Tizzano and Mary Burns, for their seventh annual walk in conjunction with the Center for Prevention and Counseling to be held on August 7, 2020, to bring awareness and treatment for substance use disorder.

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

A motion is in order to approve the application for membership of Patrick B. Clark, 31 Skyview Dr., Franklin to the Franklin Fire Department upon endorsement by Khyle Conklin, Franklin Fire Department Chief.

4. **Resolution #2020-89**

A motion is in order to adopt resolution 2020-89 of the Governing Body of the Borough of Franklin seeking to accept and ratify a settlement agreement.

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5. Resolution #2020-90
A motion is in order to adopt resolution 2020-90 2020 budget transfer in the amount of \$55,800.
6. Resolution #2020-91
A motion is in order to adopt resolution 2020-91 to authorize the Administrator to hire Frederick Babcock as temporary custodian at the rate of \$15/hour not to exceed 20 hours per week.
7. Resolution #2020-92
A motion is in order to approve Resolution 2020-92 Appointing Wayne Dietz, Skylands Risk Management, Inc. Franklin Borough's Risk Management Consultant and the Franklin Administrator, Deborah Bonanno, as the authorized representative of the public entity is hereby authorized to execute the Risk Management Consultant's Agreement for the year 2021.
8. Risk Management Consultant's Agreement
A motion is in order to approve the 2021 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement.
9. Resolution #2020-93
A motion is in order to adopt resolution 2020-93 appointing Deborah Bonanno, as Fund Commissioner for the Local Unit calendar year 2021 and Darlene Tremont, as Alternate Fund Commissioner for the Local Unit calendar year 2021.

I. 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.

- J. 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.

- 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
SUSSEX COUNTY, NEW JERSEY
RESOLUTION #2020-89**

**RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN
SEEKING TO ACCEPT AND RATIFY A SETTLEMENT AGREEMENT**

WHEREAS, certain matters have arisen pertaining to J.S.'s employment with the Borough of Franklin ("Borough"); and

WHEREAS, J.S. has agreed to a Settlement Agreement and Release and executed same on November 6, 2020; and

WHEREAS, J.S. agreed to a September 1, 2020 retirement and not seek re-employment; and

WHEREAS, the Borough Council has reviewed the Settlement Agreement and Release and seeks to accept and agree to the terms of same; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey as follows:

- 1) The Borough hereby accepts and ratifies the terms and conditions of the Settlement Agreement and Release executed by J.S. on November 6, 2020; and
- 2) The Borough of Franklin hereby accepts the retirement of J.S. effective September 1, 2020; and
- 3) The Borough Council hereby authorizes the Mayor to execute the Settlement Agreement and Release; and
- 4) That this resolution shall take effect immediately.

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 virtually at 7:00 PM on December 15, 2020.

Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
STEPHAN ZYDON JR.				
MAYOR SOWDEN (Tie Only)				

**Borough of Franklin
Resolution 2020-90**

TRANSFER RESOLUTION

WHEREAS, the Borough of Franklin Municipal Budget requires certain modifications to cover potential expenses that occur in excess of the original budget.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin, that the following Transfer of Appropriations (2020 Municipal Budget) in accordance with N.J.S.A. 40A:4-58-59 and hereby approved.

Transfer From:		Transfer To:	
Current Fund		Current Fund	
Municipal Court, SW	\$10,000.	Tax Collector, SW	\$ 2,000.
Police, SW	\$24,800	Finance Admin, OE	\$22,000.
Streets & Roads, SW	\$11,000	Planning Board, OE	\$ 5,800.
Legal Services, OE	\$10,000	Other Insurance, OE	\$26,000
Total	\$55,800.	Total	\$55,800.

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 held on December 15, 2020

Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
STEPHAN ZYDON JR.				
MAYOR SOWDEN (Tie Only)				

RESOLUTION NO 2020-91

**RESOLUTION OF THE GOVERNING BODY
OF THE BOROUGH OF FRANKLIN**

WHEREAS, the Borough of Franklin currently has a vacancy in the position of Custodian for maintaining municipal buildings;

WHEREAS, due to the global COVID-19 pandemic there is a critical need for a custodial employee;

WHEREAS, there has been a shortage of qualified applicants there is a need to hire a temporary employee to maintain sanitary conditions in municipal buildings;

WHEREAS, Frederick Babcock is qualified to serve the Borough in the capacity of temporary custodian;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin that the Administrator is authorized to hire Frederick Babcock on a temporary basis at the rate of \$15 per hour not to exceed an average of 20 hours per week to maintain custodial services in all municipal facilities;

NOW THEREFORE BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Franklin that Frederick Babcock is appointed for any time period in which a custodian is not available.

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 15th day of December, 2020.

Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
STEPHAN ZYDON JR.				
MAYOR SOWDEN (Tie Only)				

RESOLUTION 2020-92 APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Franklin (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Sussex and State of New Jersey, as follows:

1. Borough of Franklin (Local Unit) hereby appoints Skylands Risk Management, Inc. its Risk Management Consultant.
2. The Borough Administrator, Deborah Bonanno and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2021 in the form attached hereto.

Name of Entity: Borough of Franklin

Attest:

Darlene J. Tremont, Municipal Clerk

John M. Sowden IV, Mayor

Certification

I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, County of Sussex, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on December 15, 2020.

Darlene J. Tremont, Municipal Clerk

Witness my hand and seal of the

Borough of Franklin of the County of Sussex

This day of December 15, 2020

STATEWIDE INSURANCE FUND
RESOLUTION 2020-93 APPOINTING FUND COMMISSIONER

WHEREAS, Borough of Franklin, (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin (Local Unit) that Deborah Bonanno (entity's elected official or employee) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that Darlene Tremont (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Name of Entity: Borough of Franklin

ATTEST:

By: _____

Darlene J. Tremont, Municipal Clerk

Print Name: John M. Sowden, IV

Title: Mayor

This Resolution agreed to the 15th day of December, 2020 by a vote of:

_____ Affirmative _____ Abstain _____ Negative _____ Absent