

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
JANUARY 23, 2024

- 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, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**
1. **Oath of Office – David Schneider**
Mayor Sowden will recognize Police Chief Gregory Cugliari who will introduce Franklin Police Department Sergeant David Schneider.

Mrs. Tremont will administer the Oath of Office to David Schneider, Franklin Police Department Sergeant.
 2. **Oath of Office – Alex Lospinuso**
Mayor Sowden will recognize Police Chief Gregory Cugliari who will introduce new hire Franklin Police Department Patrolman Alex Lospinuso.

Mrs. Tremont will administer the Oath of Office to Alex Lospinuso, Franklin Police Department Patrolman.
 3. **Oath of Office – Jake Rotunda**
Mayor Sowden will recognize Police Chief Gregory Cugliari who will introduce new hire Franklin Police Department Patrolman Jake Rotunda.

Mrs. Tremont will administer the Oath of Office to Jake Rotunda, Franklin Police Department Patrolman.
 4. **Franklin Borough Police Department Parking Meter System**
- 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

REGULAR AGENDA – MAYOR AND COUNCIL MEETING JANUARY 23, 2024

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 reorganization meeting minutes and regular meeting minutes for January 2, 2024. (Absent: None)
2. Sewer Connection Application to approve the sewer connection application submitted by Ascend New Jersey LLC for a 51 EDU's commercial dwelling at 24 Munsonhurst Road contingent upon all directives followed as per Utility Engineer, Michael Vreeland's memo dated January 17, 2024 and his final review.
3. Agreement for Certified Recycling Professional to approve the agreement between the Borough of Franklin and SCMUA to retain the services of SCMUA for a Certified Recycling Professional that will be responsible for executing the mandatory annual 2023 municipal recycling tonnage report in the amount of \$300.00 annually.
4. Resolution #2024-18 to authorize the execution of the New Jersey Department of Environmental Protection Treatment Works approval permit application (TWA-1); Statement of Consent for Block 2401 Lot 21 as requested by AWH Cultivation Facility.
5. Resolution #2024-19 to approve authorizing the Borough's Certified Recycling Professional to submit the 2023 recycling tonnage grant application to NJ Department of Environmental Protection.
6. Resolution #2024-20 to approve authorizing a disabled Veteran tax exemption for the premises located at 40 Woodland Rd, Block 2201, Lot 62 and cancel taxes in the amount of \$1,009.62.
7. Resolution #2024-21 to approve awarding phone stipend to DPW Foremen and On-call Staff.
8. Resolution #2024-22 to authorize the hiring of a Laborer for snow removal on an as needed basis in the Department of Public Works at the rate of \$25.00 per hour.
9. Adoption of Ordinance 01-2024 entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY".

Mayor Sowden will request a motion to open to the public Ordinance 01-2024.

10. Adoption of Ordinance 02-2024 entitled "BOROUGH OF FRANKLIN SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Sowden will request a motion to open to the public Ordinance 02-2024.

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11. Congregate Nutrition Program Shared Services Agreement - to approve the Shared Service Agreement between the County of Sussex and the Borough of Franklin for the Franklin Congregate Nutrition Programs from January 1, 2024 to December 31, 2024 in the amount of \$27,700.00.
12. Discharge of Mortgage to confirm the Discharge of Mortgage dated September 12, 1999, for Linda Massey, 40 Sterling St., Franklin, in the amount of \$10,000.00
13. Discussion on Recreation Field Use Fees
14. Discussion on Borough and Water/Sewer Engineer RFP's

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.

**MINUTES OF THE ORGANIZATION MEETING
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ AT 6:00PM ON
JANUARY 2, 2024**

Mayor Sowden called the meeting to order.

Mayor Sowden stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, P.L. 1975, Ch. 231. It has been properly advertised by the Clerk."

Mayor Sowden led the assembly in the flag salute.

Roll Call of 2023 Borough Council Members

Mayor Sowden requested a roll call of the 2023 Governing Body:

Present: Mr. Formica, Mrs. Heath, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder, and Mayor Sowden.

Oaths of Office

- a. **Ms. Tremont** read the "Statement of Determination" of the Board of County Canvassers.
- b. **Ms. Tremont** administered the Oath of Office to Mayor-elect John M. Sowden, IV for a four-year term as Mayor of the Borough of Franklin.
- c. **Ms. Tremont** administered the Oath of Office to Councilman-elect Joe Limon for a three-year term as Councilman of the Borough of Franklin.
- d. **Ms. Tremont** administered the Oath of Office to Councilman-elect John Postas for a three-year term as Councilman of the Borough of Franklin.

Roll Call of 2024 Borough Council Members

Mayor Sowden requested a roll call of the 2024 Governing Body.

Present: Mr. Formica, Mrs. Heath, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Council Appointment: Council President

Mayor Sowden opened the floor for Council nominations to the position of **Council President** for 2024.

Mr. Postas nominated Mrs. Heath as the Council President for the year 2024. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Fire Department Chief and Line Officers

- a. **Mayor Sowden** recognized the Chief of the Franklin Fire Department for 2024, Michael Raperto.
- b. **Ms. Tremont** administered the Oath of Office to the Chief of the Franklin Fire Department for 2024, Chief Raperto.
- c. **Ms. Tremont** recognized Fire Chief Raperto who will introduce the 2024 Line Officers and Administrative Officers of the Franklin Fire Department.
- d. **Ms. Tremont** administered the Oath of Office to the **Line Officers and Administrative Officers** of the Franklin Fire Department for 2024.

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

Mayor's Appointments

At this time, **Mayor Sowden** presented his nominations for appointment to the various positions of Borough Government for the year 2024.

Municipal Judge (3 yr.) expires 12/31/26	Glenn T. Gavan
Municipal Prosecutor (1 yr.)	Timothy Profeta, Esq.
Municipal Public Defender (1 yr.)	John Grey, Esq.
Historian (1 yr.)	Phillip Crabb
Municipal Housing Liaison (1 yr.)	Darlene Tremont
Right to Know Coordinator	Brian VanDenBroek
Assessment Search Officer (1 yr.)	Darlene Tremont
Tax Search Officer (1 yr.)	Township of Wantage
Borough Physician (1 yr.)	Dr. Bollard, Premier Health
Animal Control Officer (3 yr.) expires 12/31/2026	Vernon Township
School Crossing Guard Captain (1 yr.)	Rebecca Babcock
School Crossing Guards (1yr.)	Jaymie Babcock, Kathleen Clohessey, Lisa Conte, Michelle Griece, Susan Hardcastle, Cara, Ross, Robin Saraceni, Becky Fidler, John Panso, Jacquelyn Kimmel, Diane Witherby

Mrs. Heath made a motion to confirm the Mayor's Appointments. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Appointments: Planning Board

Mayor Sowden commented the **Council** shall, by motion, select a representative to serve on the Planning Board as a Full Member Class III (1 yr.)

Mr. Skellenger made a motion to nominate Councilman Formica to serve as the Class III member for a 1-year term to the Planning Board. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Mayor Sowden made the following appointments to the Planning Board:

Mayor (Class I)	Mayor Sowden
Fire Safety (Class II) 1 yr. term (term expires 12/31/2024)	Jim Williams
Member (Class IV) 4 yr. unexpired term (expires 12/31/2027)	Floy Estes
Alternate #3 2 yr. term (term expires 12/31/2025)	Vacant
Alternate #4 2 yr. term (term expires 12/31/2025)	Vacant

Mr. Formica made a motion to confirm the Mayor's Appointments. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Appointments: Boards and Commissions

FRANKLIN/HARDYSTON JOINT RECREATION COMMITTEE

All current Board of Recreation Committee Members 1-year term

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

RECREATION COMMITTEE

Council Liaison	Rachel Heath	
Member	3-year term (term expires 12/31/2026)	James Affinito
Member	3-year term (term expires 12/31/2026)	Patti Carnes
Member	3-year term (term expires 12/31/2026)	vacant

Mr. Formica made a motion to confirm the Mayor's Appointments. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

BOARD OF HEALTH

Secretary	1-year term (term expires 12/31/2024)	Colleen Little
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Mrs. Heath made a motion to confirm the Mayor's Appointments. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

LOCAL EMERGENCY MANAGEMENT COUNCIL

Mayor	1-year term	John M. Sowden
Deputy	1-year term	Gregory Cugliari
Member/OEM	1-year term	Jim Williams
Member/FFD	1-year term	Michael Raperto
Member/WVFAS	1-year term	John Friend
Member	1-year term	Hector Acevedo
Member	1-year term	Darlene Tremont
Member	1-year term	James Nidelko
Member	1-year term	Steve Sluka
Member	1-year term	Brian VanDenBroek

Mr. Skellenger made a motion to confirm the Mayor's Appointments. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

ECONOMIC DEVELOPMENT COMMITTEE

Member/Secretary	1-year term	Judy Williams
Member	1-year term	Keith Yodice
Member	1-year term	Dawne Rowe
Member	1-year term	Vacant
Member	1-year term	Vacant
Member	1-year term	Vacant
Member	1-year term	Vacant
Member/Council	1-year term	John Postas
Alternate #1	1-year term	Vacant
Alternate #2	1-year term	Vacant

Mr. Formica made a motion to confirm the Mayor's Appointments. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

HISTORICAL PRESERVATION COMMISSION

Member	4-year term (term expires 12/31/2027)	Connie Cholminski
Member	4-year term (term expires 12/31/2027)	Jeffrey Garrity
Ex-Officio	1-year term (term expires 12/31/2024)	Mayor Sowden
Council Liaison	1-year term (term expires 12/31/2024)	John Postas

Mr. Limon made a motion to confirm the Mayor's Appointments. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

RENT LEVELING BOARD

Member	5-year term (term expires 12/31/2026)	Vacant
Member/Council	1-year term (term expires 12/31/2024)	Vacant
Member/Council	1-year term (term expires 12/31/2024)	Vacant
Alt# 1	1-year term (term expires 12/31/2024)	Vacant
Alt#2	1-year term (term expires 12/31/2024)	Vacant
Attorney	1-year term (term expires 12/31/2024)	Angelo Bolcato Laddey, Clark & Ryan

Mrs. Heath made a motion to confirm the Mayor's Appointments. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

COMMUNITY RELATIONS:

Council Representative: Rachel Heath

Mrs. Heath made a motion to confirm the Mayor's Appointment. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Recreation Committee, Economic Development, also serves as the "Awards Committee."

Member:	Judy Williams	Economic Development
Member:	Patti Carnes	Recreation Committee
Liaison:	Rachel Heath	Joint Recreation Commission

Mr. Formica made a motion to confirm the Mayor's Appointment. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

COUNCIL COMMITTEE DUTIES

12. Council Committee Duties:

Ordinance:

Chairman: Mr. Postas
Member: Mr. Skellenger
Member: Mr. Limon

Finance, Budget & Insurance:

Chairman: Mr. Postas
Member: Mr. Skellenger
Member: Mrs. Heath

Buildings & Grounds and Public Utilities:

Chairman: Mr. Limon
Member: Mr. Formica
Member: Mr. Snyder

Personnel & Negotiations:

Chairman: Mrs. Heath
Member: Mr. Snyder
Member: Mr. Limon

Public Safety - Police & Fire:

Chairman: Mr. Formica
Member: Mrs. Heath
Member: Mr. Skellenger
Alternate: Mr. Postas

Mrs. Heath made a motion to confirm the Mayor's Appointments. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Approval of Consent Agenda

Mayor Sowden requested that all 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 be made at this time.

RESOLUTION #2024-01 – PROFESSIONAL SERVICES

To adopt a Professional Services Resolution #2024-01 for various professional services (Borough Attorney, Borough Auditor, and etc.).

RESOLUTION #2024-02 - TEMPORARY BUDGET – CURRENT FUND

To adopt resolution #2024-02, 2024 Temporary Municipal Budget Current Fund and sewer and water temporary operating with attached exhibit A entitled Borough of Franklin 2024 Temporary Budget Exhibit A.

RESOLUTION #2024-03 – RATES OF INTEREST/DELINQUENT TAX PENALTY

To establish the rate of interest to be charged for non-payment of taxes and water/sewer bills, on or before the date when they would become delinquent and to authorize the Tax Collector to charge a six percent penalty to a taxpayer with a delinquency in excess of ten thousand dollars, who fails to pay the delinquency prior to the end of the calendar year, as per the attached resolution #2024-03.

RESOLUTION #2024-04 - OVERPAYMENT/UNDERPAYMENT OF TAXES

To authorize the tax collector to cancel any record of overpayment or underpayment of taxes in the amount of \$10.00 or less for the calendar year 2023, in accordance with the provisions of N.J.S.A. 54:4-99, as per the attached resolution #2024-04.

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

RESOLUTION #2024-05 – MEETING DATES

To establish the regular meeting nights of the Mayor and Council for the calendar year 2024, as per the attached resolution #2024-05.

RESOLUTION #2024-06 – OFFICIAL NEWSPAPERS

To designate the New Jersey Herald and the New Jersey Sunday Herald of Newton, N.J. to be the official newspapers of the Borough of Franklin for the year 2024, as per the attached resolution #2024-06.

RESOLUTION #2024-07 – DEFENSE AGAINST TAX APPEALS

To adopt resolution #2024-07 to authorize the Borough Attorney and the Borough Tax Assessor to defend the Borough of Franklin against all tax appeals filed during the calendar year 2024.

RESOLUTION #2024-08 – PAYMENT OF RECURRING BILLS RESOLUTION

To adopt resolution #2024-08 for payment of recurring bills.

RESOLUTION #2024-09 – TO ADOPT A CASH MANAGEMENT PLAN

To adopt resolution #2024-09 for the year 2024, to serve as the cash management plan of Franklin Borough.

RESOLUTION #2024-10 – REAUTHORIZING PETTY CASH FUNDS FOR CALENDAR YEAR 2024.

To adopt resolution #2024-10 reauthorizing petty cash funds for the Calendar year 2024.

RESOLUTION #2024-11 – DESIGNATING DEPUTY CUSTODIANS OF PUBLIC RECORDS.

To adopt resolution #2024-11 designating deputy custodians of public records.

RESOLUTION #2024-12 - DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.)

To adopt resolution #2024-12 designating public agency compliance officer (P.A.C.O.).

MINUTES OF MEETINGS

A motion is in order to direct that copies of the minutes of meetings be made and delivered to each meeting of the Governing Body at least 24 hours prior to the next regular council meeting, in order that the reading of the minutes may be dispensed with at the meeting.

RULES OF THE MAYOR AND COUNCIL

A motion is in order to adopt the Rules and Regulations of the Mayor and Council of the Borough of Franklin for the calendar year 2024.

FIRE DEPARTMENT LINE OFFICERS

A motion is in order to approve the ratification of 2024 Line Officers for the Franklin Fire Department, as per the recommendations submitted by Chief Michael Raperto.

FIRE PREVENTION BUREAU ATTORNEY

A motion is in order to approve the Borough Attorney as the official Fire Prevention Bureau Attorney for the calendar year 2024, in accordance with the requirements of the Uniform Fire Code.

After all persons present have had an opportunity to review the consent agenda and offer requests for changes, **Mayor Sowden** requested a motion to approve the consent agenda.

Mr. Formica made a motion to approve the consent for January 2, 2024, with the removal of the rules of the Mayor & Council until the January 23, 2024 meeting. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

Mayor's Statement

Mayor Sowden addressed the Council and the public with remarks concerning the priorities and goals for the Borough of Franklin in 2024.

Mayor Sowden thanked everyone for attending tonight's meeting and wished everyone a happy and healthy new year. There are many projects that will need to be addressed. We need to remember the past families and departments of Franklin Borough and what they have done for the town. There will need to be discussions to bring these projects to fruition and move forward. We are finally redeveloping the Zinc Mine site. We've done a lot last year and much more is needed to be done this year.

Council Comments

Mayor Sowden invited each member of the Council to offer remarks concerning the 2024 Council's goals and priorities.

Mrs. Heath thanked everyone for coming and wished everyone good health.

Mr. Skellenger thanked everyone for coming and wished everyone a happy and healthy new year. He looks forward to working with everyone for a successful 2024 and congratulated Councilwoman Heath for becoming council president.

Mr. Formica thanked everyone for coming. We started making some improvements in town over the past few years and would like to see it continue. He thanked all the departments for all that they do.

Mr. Snyder thanked everyone for coming and wants to see us continue to move forward. We have done a lot, but more is needed.

Mr. Postas thanked everyone for coming. He thanked the council for their support in his position as council president. Congratulations to all.

Mr. Limon congratulated the Mayor and Mr. Postas. He was glad to see the Franklin Fire Department in attendance. He looks forward to working with Brian and Councilman Snyder and Formica on the Department of Public of Works.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 6:41p.m., seconded by Mr. Postas. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
JANUARY 2, 2024**

Mayor Sowden called the meeting to order and requested the Borough Clerk to call the roll. Upon roll call, the following members of the Governing Body were present: Mr. Formica, Mrs. Heath, Mr. Limon, Mr. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: None

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden stated "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 posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

Jessica Caldwell Dykstra, J. Caldwell & Associates –

- a. Adaptive reuse of Zincmine Historic Buildings.
- b. Redevelopment Plan for 120 NJSH Route 23, Block 1601, Lot 5

Ms. Caldwell provided the Governing Body with a handout showing examples of adaptive reuse of buildings in various other areas that could potentially be used at the Zincmine site. Ms. Caldwell asked if the Council would be acceptable to retaining the buildings on the Zincmine site for adaptive reuse.

Mr. Ursin commented that there is potential to preserve the change house as part of the redevelopment plan, you could put in the redevelopment plan an encouragement to preserve the change house. If the Council does not want the change house preserved as part of the redevelopment project than now is the time to tell the planner. The planner needs that information to move forward with the redevelopment plan.

Mr. Postas asked if the developer would be willing to put money up to reuse the change house.

Ms. Caldwell explained the developer's interests.

Mr. Ursin explained the process of the council for this property and stated that the council should decide how they want the property to be developed.

Mayor Sowden expressed his vision for the property.

The consensus of the majority of the Council is to direct the Planner to amend the Redevelopment Plan without preserving the three buildings.

Ms. Caldwell commented that there is a draft redevelopment plan for 120 NJSH 23 (old super Wal-Mart site). There is a redeveloper who is working in conjunction with Ryan Homes and their goal is to build town house development on this site (up to 160 units).

The next step would be to introduce an ordinance and that should be ready to go shortly.

COMMITTEE REPORTS

Mrs. Heath commented that the Recreation Committee will be holding a bus trip to Wind Creek in February.

Mr. Skellenger commented that the public safety committee met in December and the Police Department will be doing a presentation and the swearing in of the new officers at the next meeting.

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

Mr. Formica commented that the digital trailer will be placed at the intersection of Main and Junction streets advising of the 4 way stop.

Mr. Limon had nothing to report.

Mr. Postas had nothing to report.

Mr. Snyder commented that the personnel committee will be meeting this Thursday (January 4).

Mrs. Tremont commented that the CFO would like to schedule a meeting with the Finance Committee to start the budget process.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

OPEN PUBLIC SESSION

Mr. Postas made a motion to open the meeting to the public for anyone wishing to address the Governing Body. Seconded by Mr. Formica. All were in favor.

Mr. Brian VanDenBroek stepped forward. Mr. VanDenBroek commented that he agrees with the Council sentiments and looks forward to meeting with the committee.

Ms. Judy Willimas stepped forward. Ms. Williams commented that she is not representing any committee of Franklin Borough to which she is member she is strictly representing herself. Ms. Willimas commented that she is disappointed in the council's decision to not preserve the Zinc Mine site. This is the greatest, biggest, largest and most important site that occurred in the 1900's. It represented numerous people who came here to work, and people came here from other countries to work because there was no work anywhere else. Most of the people who worked here worked in the mine itself, not in the offices. This was a model mining town and it set the standards for safety for the entire world. The zinc company did a lot of good for this town. Erin Kidd wrote a thesis about the zinc mine property and her vision for the property.

There being no one else present who wished to address the Governing Body, Mr. Snyder made a motion to close the meeting to the public, seconded by Mr. Postas. All were in favor.

CONSENT AGENDA

Mayor Sowden requested that all persons present review the consent agenda and offer any comments they may have at this time regarding the consent agenda.

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Memo from Brian VanDenBroek in regards to 2024 year projects outline/DPW Director Notes and concerns.
2. Letter from SCMUA in re: Actual Annual Charge FY2023 and Quarterly Estimated charge FY2024.
3. Borough of Ogdensburg Ordinance 15-2023 amending Chapter 30 "Land Development".

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. None filed.

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bill for the meeting of January 2, 2024.

Mrs. Heath made a motion to approve the consent agenda of January 2, 2024 with the removal of item #1 under correspondence. Seconded by Mr. Limon.

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

OLD BUSINESS

There was no old business for tonight's portion of the meeting.

NEW BUSINESS

ADDENDUM

Resolution #2024-14

Mr. Skellenger made a motion to adopt resolution 2024-14 to approve a Grant Application to the New Jersey Department Of Community Affairs for the ARP Firefighter Grant Project. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for December 19, 2023. (Absent: Limon and Sowden) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Resolution 2024-13

Mr. Limon made a motion to approve resolution 2024-13 to approve extending engineering services temporarily for current Borough Engineer and current Water and Sewer Engineer. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Introduction of Ordinance 01-2024

Mrs. Heath made a motion to introduce ordinance 01-2024 entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY". Seconded by Mr. Postas.

Mayor Sowden commented that the public hearing will be held on January 23, 2024.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Introduction of Ordinance 02-2024

Mr. Postas made a motion to introduce ordinance 02-2024 entitled "BOROUGH OF FRANKLIN SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14). Seconded by Mr. Formica.

Mayor Sowden announced that the public hearing will be held on January 23, 2024.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

MAYOR & COUNCIL MEETING MINUTES JANUARY 2, 2024

Memorandum of Understanding

Mr. Formica made a motion to authorize the Police Chief to sign the memorandum of understanding which establishes joint participation in the Arrive Together Program to enhance and support response to certain behavioral health crisis calls (Memorandum of Understanding provided in Council Packet). Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointment.

Crossing Guard Status Change

Robin Saraceni and Susan Hardcastle status change from substitute crossing guard to permanent crossing guard with no salary change, effective immediately, as recommended by Rebecca Babcock, Crossing Guard Captain.

Mr. Skellenger made a motion to confirm the mayor's appointment. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mrs. Heath wished everyone a Happy New Year.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 8:12 p.m., seconded by Mr. Limon. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2024-18

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TREATMENT WORKS APPROVAL PERMIT APPLICATION (TWA-1); STATEMENT OF CONSENT FOR BLOCK 2401 LOT 21 AS REQUESTED BY AWH CULTIVATION FACILITY

WHEREAS, an increased allocation with respect to the sanitary sewer system will be required as stated by the Borough Engineer for Block 2401, Lot 21, as set forth in his January 17, 2024 Memorandum. The project will have no impact on the Franklin Borough Sanitary Collection System, and it is necessary for AWH Cultivation Facility to seek consent on behalf of the Borough of Franklin for an approval from the New Jersey Department of Environmental Protection (NJDEP) for a Treatment Works Approval (TWA-1) Permit; and

WHEREAS, it is necessary for the Borough of Franklin to consent to the TWA-1 Permit application to be filed by the applicant with the NJDEP; and

WHEREAS, the TWA-1 application has been reviewed and approved by Mike Vreeland, the Borough Sewer Engineer; and

WHEREAS, the Governing Body for the Borough of Franklin hereby authorizes the Mayor and Borough Clerk to execute the Statement of Consent as part of the TWA-1 Permit application for Block 2401, Lot 21 as requested by AWH Cultivation Facility.

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin, that the Mayor and Borough Clerk are hereby authorized to execute the Statement of Consent form which is part of the NJDEP TWA-1 Permit application concerning the project for Block 2401, Lot 21.

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 at 7:00 p.m. on January 23, 2024.

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 #2024-19

2023 TONNAGE GRANT APPLICATION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2023 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of FRANKLIN BOROUGH MAYOR AND COUNCIL to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin that the Borough of Franklin hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates SCMUA for the services of Certified Recycling Professional, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

CERTIFICATION: I, Darlene J. Tremont, hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Mayor and Council of the Borough of Franklin, County of Sussex, at a meeting held at 7:00PM on the date of January 23, 2024.

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 #2024-20

RESOLUTION AUTHORIZING A DISABLED VETERAN EXEMPTION ON BLOCK 2201 LOT 62

WHEREAS, The Department of Veteran Affairs determined that Roger Then at 40 Woodland Road, Block 2201 Lot 62 had a service connected disability that was totally disabling effective December 13th, 2019.

WHEREAS, the Tax Assessor has received a Claim for property tax exemption on dwelling house of Disabled Veteran, which was approved by the Tax Assessor on January 3rd, 2024.

WHEREAS, as per N.J.S.A.54: 4-3.30et seq, Mr. Then is entitled to a tax exemption on his property located at 40 Woodland Road from December 5th, 2023, the date of application.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Tax Collector is authorized to cancel taxes billed from December 5th, 2023 to December 31, 2023 in the amount of \$1,009.62.
2. This property will be marked as exempt in the 2024 tax list.

This Resolution shall take effect immediately.

XX

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 January 23, 2024.

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 #2024-21

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AWARDING PHONE STIPEND TO DPW FOREMEN AND ON-CALL STAFF

WHEREAS, there is established in the Borough of Franklin (“Borough”) a Public Works Department (“DPW”) which has the responsibility to care for and maintain streets, roads, avenues, public buildings and places, water and wastewater, motor vehicles and other similar items related to infrastructure under the jurisdiction of the Borough; and

WHEREAS, it is the recommendation of the Personnel Committee to provide phone stipends for responsibilities associated with the following positions:

DPW Foreman (Roads, Buildings & Grounds)	\$20.00 per pay
DPW Foreman (Water/Sewer)	\$20.00 per pay
Water/Sewer On-Call	\$10.00 per pay
DPW Mechanic, Water/Sewer On-Call	\$10.00 per pay

WHEREAS, the Chief Financial Officer of the Borough has reviewed the amount of the stipend and has certified that funds are available for such an award.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin, County of Sussex and State of New Jersey that both DPW Foremen positions receive a phone stipend in the amount of \$20.00 per pay and both Water/Sewer On-Call positions receive a phone stipend in the amount of \$10.00 per pay for the responsibilities associated with the positions.

CERTIFICATION: I, **Darlene J. Tremont**, Borough 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 meeting of said Governing Body held on January 23, 2024.

Darlene J. Tremont, Borough 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 #2024-22

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING THE HIRING OF A LABORER FOR SNOW REMOVAL IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there has arisen a need to hire laborer for snow removal as needed in the Department of Public Works;

WHEREAS, Dylan Odee was previously employed as a full time laborer in the Department of Public Works is the preferred candidate;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin that the Borough Administrator is authorized to hire Dylan Odee as a Laborer for snow removal as needed in the Department of Public Works at the rate of \$25.00 per hour conditioned upon a successful drug test;

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 January 23, 2024 at 7:00 PM.

Darlene J. Tremont, Borough 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**

ORDINANCE NO. 01-2024

**SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS
AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX
AND STATE OF NEW JERSEY**

BE IT ORDAINED, by the Mayor and Council of the Borough of Franklin, in the County of Sussex, New Jersey, that the following shall constitute the annual salary range for the various Borough Officers and Employees named.

SECTION 1.

Based on contractual obligations and negotiated agreements, the Borough of Franklin shall pay its employees for services rendered at a level within the range shown below:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Mayor (P/T)	\$5,000	\$7,000
Councilman (P/T)	\$1,500	\$7,000
Borough Administrator	\$50,000	\$90,000
Municipal Clerk	\$50,000	\$115,000
Deputy Municipal Clerk	\$40,000	\$95,000
Certified Municipal Court Administrator	\$70,000	\$110,000
Deputy Court Administrator	\$40,000	\$80,000
Shared Service	\$65,000	\$90,000
CFO (P/T)	\$50,000	\$90,000
Treasurer	\$70,000	\$110,000
Municipal Court Magistrate (P/T)	\$21,000	\$60,000
Alternate Municipal Court Magistrate (P/T)	\$350.00/ct. session	\$500.00/ct. session
Certified Public Works Manager (Contract)	\$120,000	\$160,000
Public Works Foreman	\$60,000	\$90,000
Public Works Mechanic	\$60,000	\$90,000
Public Works Laborer	\$40,000	\$80,000
Zoning Officer (P/T)	\$35.00/hr	\$45.00/hr
Tax Collector	\$23,000	\$60,000
Water & Sewer/Tax Collector	\$23,000	\$60,000
Planning/Zoning Secretary	\$40,000	\$60,000
Tax Assessor (P/T)	\$30,000	\$60,000
Chief of Police (Contract)	\$120,000	\$190,000
Police Captain (Contract)	\$110,000	\$180,000
Police Lieutenant	\$100,000	\$170,000
Police Sergeant	\$90,000	\$160,000
Patrol Officer	\$46,000	\$150,000
Police Recruit	\$ -	\$45,000
Detective Stipend	5% of Annual Salary	5% of Annual Salary
Police Matron (P/T)	\$22.00/hr	\$30.00/hr
Emergency Management Coordinator (P/T)	\$1,500	\$3,500
Board of Health Secretary (P/T)	\$1,300	\$3,000
Registrar	\$1,500	\$5,000
Deputy Registrar	\$1,000	\$4,000
Recreation Secretary (P/T)	\$1,300	\$3,000

Police Secretary/Records Clerk	\$35,000	\$55,000
Crossing Guards (P/T)	\$15.13/hr	\$20.00/hr
Head Crossing Guard (P/T)	\$16.00/hr	\$25.00/hr
Court Attendants (P/T)	\$100.00/ct. session	\$150.00/ct. session
Violations Clerk (P/T)	\$15.13/hr	\$25.00/hr
Deputy Court Administrator (P/T)	\$15.13/hr	\$45.00/hr
Accounting Assistant	\$20.00/hr	\$35.00/hr
Administrative Assistant	\$20.00/hr	\$30.00/hr
Finance Clerk	\$15.13/hr	\$25.00/hr
Clerk (P/T)	\$15.13/hr	\$25.00/hr
Senior Center Attendant (P/T)	\$15.13/hr	\$20.00/hr
Senior Center – Safe Serv (P/T)	\$15.13/hr	\$20.00/hr
Custodian	\$16.00/hr	\$20.00/hr

SECTION 2.

The salaries and wages fixed by this Ordinance shall be effective January 1, 2024. Said salaries and wages shall remain in effect until this Ordinance is amended or repealed.

SECTION 3.

All Borough benefits shall be provided in accordance with contractual obligations and in accordance with existing Borough Ordinances and the Personnel Manual governing municipal employee benefits.

SECTION 4.

Nothing in this Ordinance shall be construed as making mandatory the payment of annual salary increments to any officer or employee of the Borough of Franklin. Salary or wage increases shall be contingent upon the availability of funds.

SECTION 5.

The adoption of this Ordinance shall not operate to either increase or decrease the present pay of any officer or employee of the Borough of Franklin, and the salaries or compensation under the existing Ordinance shall remain in effect until any additional increments are approved by the Borough Council under this Ordinance. Specific salaries or wages established by the Borough Council may be made retroactive to January 1st of the year in which the resolution is adopted, at the Council's discretion.

SECTION 6.

All conflicting or inconsistent Ordinances are repealed.

ATTEST:

BOROUGH OF FRANKLIN

Darlene J. Tremont, CLERK

BY: John M. Sowden IV, MAYOR

Dated:

{00363056-2}

NOTICE

TAKE NOTICE that the above entitled Ordinance 01-2024 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on January 2, 2024 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on January 23, 2024 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.

Darlene J. Tremont, Municipal Clerk

CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the ____ day of _____, 2024.

Darlene J. Tremont, Municipal Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced: January 2, 2024

Adopted:

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

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

ORDINANCE NO. 02-2024

**BOROUGH OF FRANKLIN
SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2024
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Franklin in the County of Sussex finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council of the Borough of Franklin hereby determines that a 3.5% increase in the budget for said year, amounting to \$64,753 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council of the Borough of Franklin hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Franklin, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Franklin shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$64,753, and that the CY 2024 municipal budget for the Franklin Borough be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

BE IT FURTHER ORDAINED that this ordinance shall be applied retroactively to be applicable to the introduction and adoption of the 2024 Municipal Budget.

Attest:

Darlene J. Tremont, Municipal Clerk

John M. Sowden, IV, Mayor

NOTICE

TAKE NOTICE that the above entitled Ordinance 02-2024 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on January 2, 2024 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on January 23, 2024 at 7:00 p.m.

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 _____, 2024.

Darlene J. Tremont, Municipal Clerk

John M. Sowden IV, Mayor

Introduced: January 2, 2024

Adopted:

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

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