

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
FEBRUARY 14, 2023

- 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 6, 2023, 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** for the regular meeting minutes for January 24, 2023. (Absent: None)
2. **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 2022 municipal recycling tonnage report in the amount of \$300.00 annually.
3. **Resolution #2023-25** to approve a Property tax refund due to a tax overpayment for the property located at Block 1004 Lot 30 in the amount of \$1,231.57.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING FEBRUARY 14, 2023

4. Resolution #2023-26 to approve amending the responsibilities and compensation for the Borough Clerk in the amount of \$25,000.00 effective February 1, 2023.
5. Resolution #2023-27 to approve amending the responsibilities and compensation for the Deputy Clerk/Deputy Registrar in the amount of \$12,500.00 effective February 1, 2023.
6. Resolution #2023-28 to approve amending the responsibilities and compensation for Corry Chrobak in the amount of \$17,268.27 effective February 1, 2023.
7. Resolution #2023-29 to approve supporting designating “Franklinite” as the Official Mineral of the State of New Jersey.
8. Resolution #2023-30 to approve the Franklin Fire Department 2023 Coin Toss Fundraisers on February 25th and 26th, April 15th and 16th, July 15th and 16th and November 18th and 19th.
9. Resolution #2023-31 to approve accepting project complete for the proposed resurfacing of Maple Road as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023.
10. Resolution #2023-32 to approve accepting project complete for the proposed line painting of Maple Road as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023.
11. Resolution #2023-33 to approve accepting project complete for the proposed resurfacing of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton) as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023.
12. Resolution #2023-34 to approve accepting project complete for the proposed line painting of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton) as recommended by Denis Keenan, Borough Engineer letter dated February 3, 2023.
13. Resolution #2023-35 to approve authorizing the Borough's Certified Recycling Professional to submit the 2022 recycling tonnage grant application to NJ Department of Environmental Protection.
14. Resolution #2023-36 to approve authorizing a disabled Veteran tax exemption for the premises located at 147 Maple Rd, Block 2101, Lot 16 and cancel taxes in the amount of \$4,448.25.
15. Adoption of Ordinance 01-2023 entitled “BOROUGH OF FRANKLIN SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Prior to final roll call Mayor Sowden will request a motion to open the meeting to the public for any comments regarding Ordinance 01-2023.

16. Introduction of Ordinance 02-2023 entitled “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”.

Public hearing to be held on February 28, 2023.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING FEBRUARY 14, 2023

17. Approval of DPW Salary Step Increase for Andrew Burd to grade step 8 \$26.87/hr., as per the DPW contract, effective February 16, 2023 as recommended by Brian VanDenBroek, DPW Director and the Personnel Committee.

18. Mayoral Appointments

Mayor Sowden will make the following appointments:

Crossing Guard Status Changes

Permanent Crossing Guard to Substitute Crossing Guard:

Lisa Conte

Substitute Crossing Guard to Permanent Crossing Guard:

Heather Fasolo

Jaymie Babcock

Charles Hughes

All to remain at the current rate of \$15.02 effective February 16, 2023 as recommended by Rebecca Babcock, Crossing Guard Captain.

19. EZ Dock Quote to approve EZ Dock quote #11272 in the amount of \$14,804.00.

20. Application for a Social Affair Permit to approve the application for a social affair permit submitted by the Franklin Fire Department, premises for the social affair permit is Franklin Fire House, 137 Buckwheat Road, Franklin on March 4, 2023.

21. Recreation Committee Request to approve a request from the Franklin Borough Recreation Committee to organize a 5km road race through the Borough of Franklin (date TBT) and authorize the Recreation Chair to endorse the Sussex County Parade and Gathering application.

22. Discussion on Water Tank Bids

23. Discussion on 35 Fowler Street Auction

24. Uhl & Associates, Inc. Proposal to approve Uhl & Associates, Inc. proposal for Professional Hydrogeologic Consulting Services for a study to evaluate groundwater development feasibility and potential production well sites on a "Borough-Wide Basis" not to exceed \$18,000.00

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 MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
JANUARY 24, 2023**

This meeting is being held in person adhering to the CDC guidelines and through a virtual meeting platform called ZOOM. The public who attended through ZOOM has been notified and instructed on how to join the meeting and participate during the public session.

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 printed in the New Jersey Herald/Sunday New Jersey Herald on January 6, 2023, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

There were no presentations for tonight's meeting.

COMMITTEE REPORTS

Mr. Limon commented that a finance committee was held. Mr. Limon commented that the solid waste contract increased 23%. There was a public works meeting held yesterday and bids were received on the water tank and we discussed replacing the sidewalks on Hemlock Drive.

Mr. Postas commented that four bids were received for the water tank project and they are being reviewed. Paving will be moving forward for this year.

Mr. Snyder commented that there was a finance meeting and we went over some line items and spoke about street cleaning. There was a personnel meeting and the items that were discussed are on the agenda this evening. Mr. Snyder commented that he is not in favor of sitting with individuals separately to discuss salary increases.

Mr. Formica commented that there was an ordinance meeting and discussed different avenues for this year. Buildings and grounds met and he discussed a possible kayak dock and launch. There are some boy scouts that are looking for eagle scout projects and they could build a kayak storage unit. The information for the kayak dock will be put on the next agenda.

Mr. Skellenger commented that the deadline for the new police officer position is February 3, 2023.

Mrs. Heath commented that she distributed the senior of the year nomination applications.

Mrs. Tremont commented that the CFO and Administrator ads have been placed.

Mr. Bernath commented that we received five bids and one bid was withdrawn by the bidder due to errors in the bid. There was meeting with the Fire Department to discuss a grant they are working on. The auditors are here and they are working on the AFS and Annual Debt Statement; they will be done before the end of the month. Street sweeping was caused by the NJDEP Reassignment of tiers to municipalities and is required by the State.

MAYOR & COUNCIL MEETING MINUTES JANUARY 24, 2023

Mr. Postas commented that we should look into purchasing a street sweeper and investigate other towns as a shared service.

Mr. Ursin offered no report.

Mayor Sowden commented that he has had discussions with Ogdensburg in regards to shared services.

OPEN PUBLIC SESSION

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

Mr. Bill VanTassell, 28 Nestor Street, Franklin stepped forward. Mr. VanTassell voiced his concerns regarding the tax reassessment.

Mr. Ursin explained the tax reassessment process.

Mr. VanTassell commented that the council must tighten belts on things the council has control over.

Ms. Dawne Rowe, 140 Munsonhurst Road, Franklin stepped forward. Ms. Rowe commented that she is sorry to hear that the CFO is leaving and asked if the public session can be moved to the end of the meeting or add a second open public session.

There being no one else present who wished to address the Governing Body, Mr. Postas made a motion to close the meeting to the public, seconded by Mr. Skellenger. 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. Letter dated December 16, 2022, from Timothy Day, Comptroller, Sussex County Municipal Utilities Authority to Mayor Sowden Re: Actual Annual charge FY2022, quarterly estimated charge FY2023 and SCMUA Sewage Treatment Services.
2. Letter dated January 11, 2023 from Darlene J. Tremont to Legalized Games of Chance re: 2022 annual raffle report.
3. Township of Sparta Ordinance 22-21 amending Chapter XVIII entitled comprehensive land management code.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report – December 19, 2022 – December 23, 2022
2. DPW Report – December 26, 2022 – December 30, 2022

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2023-21 to approve a budget transfer in the amount of \$20,000.00.
2. Resolution #2023-22 to approve a coin toss fundraiser for the Wallkill Valley First Aid Squad for the year 2023, on May 7th, June 18th, July 30th, August 27th, September 10th and October 22nd. (Request provided in Council packets)

MAYOR & COUNCIL MEETING MINUTES JANUARY 24, 2023

3. Resolution #2023-23 to approve a Fundraiser for St. John Vianney Church sponsored by the Knights of Columbus chapter #12649 on Saturday, May 13, 2023. (Request provided in Council packets)
4. Payment of bills for the meeting of January 24, 2023.

Mr. Skellenger requested the removal of PO #34709 and vote on it separately.

Mr. Formica requested the removal of PO #35988 and vote on it separately.

Mr. Limon made a motion to approve the consent agenda of January 24, 2023 with the removal of PO #34709 and PO #35988. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Postas made a motion to approve PO #34709. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Snyder

Nays: None Absent: None Abstentions: Formica, Skellenger

Mr. Postas made a motion to approve PO #35988. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Formica

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mrs. Heath made a motion to approve the regular meeting minutes for January 12, 2023. (Absent: None) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mrs. Heath made a motion to approve the executive session meeting minutes for January 12, 2023. (Absent: Skellenger) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Postas, Snyder

Nays: None Absent: None Abstentions: Skellenger

Resolution #2023-16

Mr. Skellenger made a motion to adopt resolution 2023-16 authorizing 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

Resolution #2023-17

Mr. Postas made a motion to adopt resolution 2023-17 approving the hiring of a full time laborer for the Department of Public Works at the Step 1-Probationary rate of \$19.18 per hour effective February 1, 2023. Seconded by Mr. Formica.

Upon roll call vote:

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

MAYOR & COUNCIL MEETING MINUTES JANUARY 24, 2023

Nays: None Absent: None Abstentions: None

Resolution #2023-18

Mr. Formica made a motion to adopt resolution 2023-18 to authorize amending the compensation for the Municipal Court Administrator in the amount of an additional \$3,000 per year to be prorated to January 1, 2023. Seconded by Mr. Limon.

Mr. Snyder commented that we spoke as a committee in regards to the employee requesting additional money for the amount of work the employee was doing. The committee came to an amount and it was brought back to the employee. Mr. Snyder commented that he does not endorse sitting down with the individuals directly to discuss salary increases.

Mr. Formica commented that it is good to speak with employees and encourages communication between personnel and employees.

Mr. Snyder commented that he does not understand the reasons for the work load.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger

Nays: Limon, Postas Absent: None Abstentions: Snyder

Resolution #2023-19

Mr. Snyder made a motion to adopt resolution 2023-19 authorizing a salary adjustment for the Water/Sewer and Tax Collection Clerk in the amount of an additional \$5,000 per year to be prorated to January 1, 2023. Seconded by Mr. Skellenger.

Mr. Snyder explained the reasons for the \$5,000 increase.

Mr. Postas made a motion to table resolution 2023-19 until we get counsel from Mr. Ursin. Seconded by Mr. Limon.

Upon roll call vote to table:

Ayes: Limon, Postas

Nays: Formica, Heath, Skellenger, Snyder Absent: None Abstentions: None

Mr. Formica made a motion to amend resolution 2023-19 to give the \$5,000 increase and to delete any references to the contingencies in the resolution. Seconded by Mr. Skellenger.

Upon roll call vote to amend:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: Limon, Postas Absent: None Abstentions: None

Mr. Formica made a motion to adopt resolution 2023-19 as amended. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: Postas Absent: None Abstentions: None

Resolution #2023-20

Mrs. Heath made a motion to adopt resolution 2023-20 to approve cancelling unexpended debt authorizations in the total amount of \$164,733.55. 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.

MAYOR & COUNCIL MEETING MINUTES JANUARY 24, 2023

Eric Maynard – Recreation Committee Member to a 3-yr. term ending 12/31/2025.
As recommended by the Recreation Committee.

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

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Foodshed Alliance Request

Mr. Formica made a motion to approve the request to use the Senior Center and to waive the associated fees for a free produce pop-up on the first Monday of each month from 4:00PM-6:00PM during the winter months. (exact start date tbd)
Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on CFO Position

Mr. Snyder made a motion to hire the CFO candidate that has been discussed on a temporary basis up to 29 hours per week at the rate of \$50.00 per hour until further action of the Council. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on 24 Munsonhurst Road TWA Application

Mr. Ursin explained the TWA Application.

Resolution #2023-24

Mrs. Heath made a motion to adopt resolution 2023-24 approving the TWA Application for 24 Munsonhurst Road. 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

Mr. Snyder commented that some of the street signs need to be replaced.

Mrs. Heath thanked Andrew and wished him the best.

The other council members also wished Andrew the best.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 7:57p.m., seconded by Mr. Skellenger.
All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

**AGREEMENT BETWEEN BOROUGH OF FRANKLIN
AND SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY
FOR CERTIFIED RECYCLING PROFESSIONAL (CRP)
TO CERTIFY THE 2022 ANNUAL RECYCLING TONNAGE REPORT**

Beginning 2013, each New Jersey municipality is required by the Recycling Enhancement Act (REA) to have mandatory Annual Recycling Tonnage Reports approved and “executed” by a Certified Recycling Professional (hereinafter “CRP”). Recycling Tonnage Reports will be submitted by the SCMUA via email to the New Jersey Department of Environmental Protection (NJDEP) utilizing a spreadsheet compatible with the Microsoft Excel structure provided by the Department.

THIS AGREEMENT by and between the Borough of Franklin, a municipal body politic having its offices at 46 Main Street, Franklin, New Jersey, 07416, and the Sussex County Municipal Utilities Authority (SCMUA), Sussex County, New Jersey, a body corporate and body politic organized and operating pursuant to NJSA 40:14B-1 et seq. having its offices located at 34 South Route 94, New Jersey, 07848 (hereinafter SCMUA), is dated this 14th day of February, 2023.

WHEREAS, the Borough of Franklin, by ordinance, has duly enacted a recycling plan for all recyclable materials as designated by the Sussex County District Solid Waste Management Plan and amendments thereto and:

WHEREAS, the Borough of Franklin is desirous of retaining CRP services of the SCMUA for certification of said Annual Recycling Tonnage Report; and:

WHEREAS, the award of this contract between the SCMUA and the Borough of Franklin pursuant to N.J.S.A. Section 13:1E-99.14 and pursuant to

N.J.S.A. Section 40A:11-5(2). is an exception to the bidding requirements as set forth in the "Local Public Contracts Law";

NOW, THEREFORE, in consideration of the terms, conditions, mutual benefits and covenants hereinafter set forth, the Borough of Franklin and the SCMUA make this agreement.

1. The Borough of Franklin shall retain the services of the SCMUA for a CRP that will be responsible for executing the mandatory annual municipal recycling tonnage report, as provided in the Sussex County District Solid Waste Management Plan, and with the State NJDEP.
2. It is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the municipal representative as the designated preparer of the Recycling Tonnage Report. The Borough of Franklin designates: Colleen Little as the preparer of the report. The Municipal report preparer is responsible for report verification should the NJDEP audit the report submittal.
3. The Borough of Franklin shall be responsible to retain the appropriate documentation for five years in the event of a NJDEP field review/audit.
4. The Borough of Franklin reserves the right to reasonably amend the terms of this Agreement by giving thirty (30) day written

notification to the SCMUA of any changes thereto. The SCMUA reserves the right to terminate this Agreement if the amendment is unacceptable to the SCMUA.

5. The Borough of Franklin shall pay an annual fee of \$300.00 to the SCMUA for the CRP's services. The Borough of Franklin agrees to pay all invoices within thirty (30) days upon finalization of the report and submittal of voucher. Notwithstanding any other provision herein. The SCMUA's liability arising out of this agreement for any reason whatsoever, whether known or unknown shall never be greater than the annual fee.
6. This agreement is effective for calendar year 2023 (2022 Recycling Tonnage Report), and may be extended for future years, in yearly increments, upon the mutual consent of both parties.
7. This agreement is the entire agreement between the Borough of Franklin and the SCMUA and supersedes all previous agreements and discussions. Any amendments hereto must be in writing and must be duly executed by both the Borough of Franklin and the SCMUA to become effective.
8. This Agreement will be entirely performed within the State of New Jersey and it shall be construed in accordance with the laws thereof.
9. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, void, ultravires, or

unconstitutional, the remainder of this Agreement shall continue in full force and effect.

IN WITNESS HERETO the parties hereto have set their hands of the proper public official as of the date and year first above written.

Borough of Franklin
MUNICIPALITY

John M. Sowden IV, Mayor
(Name & Title)

By: _____
(Name & Title)

SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

(Name & Title)

By: _____
(Name & Title)

Borough of Franklin, County of Sussex

Resolution #2023-25

Refund Resolution

**WHEREAS, First National Title Company & Corelogic both paid
4th Qtr 2022 taxes on Block 1004 Lot 30 creating an overpayment.**

**NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the
Borough of Franklin, that the Tax Collector is hereby authorized to refund
Frederick J & Michelle Babcock, the property owners,
\$1,231.57 for the 4th qtr 2022 overpayment.**

**CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk 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 in a meeting held in the
Franklin Municipal Building at 46 Main Street at 7:00 PM on
February 14, 2023.**

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 #2023-26

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AMENDING THE RESPONSIBILITIES AND COMPENSATION FOR THE BOROUGH CLERK

WHEREAS, Darlene Tremont is currently serving as the Borough Clerk;

WHEREAS, Darlene Tremont has agreed to assume additional responsibilities previously performed by the Borough Administrator;

WHEREAS, until further action of the Borough Council, the Clerk will be the administrative head of the government;

WHEREAS, the Borough Council believes it is justified to increase the Clerk's compensation commensurate with the additional responsibilities;

NOW THEREFORE IT BE RESOLVED that effective February 1, 2023 Darlene Tremont's salary as Borough Clerk will be increased \$25,000 per year bringing her annual salary to \$113,437.18 to compensate her for the additional responsibilities she will be assigned and has agreed to perform.

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 meeting of said Governing Body held on February 14, 2023.

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 #2023-27

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AMENDING THE RESPONSIBILITIES AND COMPENSATION FOR THE DEPUTY CLERK/DEPUTY REGISTRAR

WHEREAS, Colleen Little is currently serving as the Borough's Deputy Clerk and Deputy Registrar;

WHEREAS, Colleen Little has agreed to assume additional responsibilities previously performed by the Borough Clerk;

WHEREAS, the Borough Council believes it is justified to increase the Deputy Clerk's compensation commiserate with the additional responsibilities;

NOW THEREFORE IT BE RESOLVED that effective February 1, 2023 Colleen Little's salary as Deputy Borough Clerk and Deputy Registrar will be increased \$12,500 per year bringing her annual salary to \$63,915.59 to compensate her for the additional responsibilities she will be assigned and has agreed to perform.

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 meeting of said Governing Body held on February 14, 2023.

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 #2023-28

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AMENDING THE RESPONSIBILITIES AND COMPENSATION OF CORRY CHROBAK

WHEREAS, Corry Chrobak is currently employed as the Borough's Treasurer;

WHEREAS, the Borough Council has decided to appoint a temporary Chief Financial Officer;

WHEREAS, Corry Chrobak will have additional responsibilities that will include authorization to certify funds on purchases due to the CFO transition;

WHEREAS, the Borough Council believes it is justified to increase Corry Chrobak's salary by \$17,268.27 for the increased responsibilities effective February 1, 2023;

NOW THEREFORE IT BE RESOLVED that Corry Chrobak's salary shall be increased by \$17,268.27 bringing her annual salary to \$70,000.00 effective February 1, 2023 and that the Borough Clerk is directed to include this salary increase in the Borough's 2023 Salary 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, County of Sussex, State of New Jersey at a meeting of said Governing Body held on February 14, 2023.

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 #2023-29

SUPPORTING DESIGNATING “FRANKLINITE” AS THE OFFICIAL MINERAL OF THE STATE OF NEW JERSEY

WHEREAS, New Jersey has a long history of mineral mining, including two world-famous zinc mines in Sussex County, at Franklin and at Ogdensburg.

WHEREAS, in 1968, New Jersey passed a resolution declaring the Borough of Franklin the “Fluorescent Mineral Capital of the World.”

WHEREAS, in order to pay recognition to the scientific, economic, and historic importance of Franklinite, it is fitting and appropriate to designate Franklinite as the official mineral of the State of New Jersey.

WHEREAS, “We strongly support “Franklinite for New Jersey State Mineral.” This bill, S1727, unanimously passed the NJ Senate on October 17, 2022 and the identical bill is in the Assembly, bill A3393. This bill designates Franklinite as official mineral of State of New Jersey.

WHEREAS, the mineral has unique properties that are found almost exclusively here in the Franklin area, have made the area world-famous, through a NJ DEP poll has been recognized as the best representative of NJ mineral, has a main element of zinc which has strengthened America’s economy along with iron that has helped us in the Revolutionary War and the 1800s, and has brought immigrants and livelihood to the State over the last 150 years.”

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin, County of Sussex and State of New Jersey, hereby supports Bill No. S-1727 and identical bill A3393 in the Assembly, as attached, designating “Franklinite” as the official mineral of the State of New Jersey and urges the Legislature to approve and pass the bill for the reason expressed herein.

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 February 14, 2023.

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)				

ASSEMBLY, No. 3393

STATE OF NEW JERSEY
220th LEGISLATURE

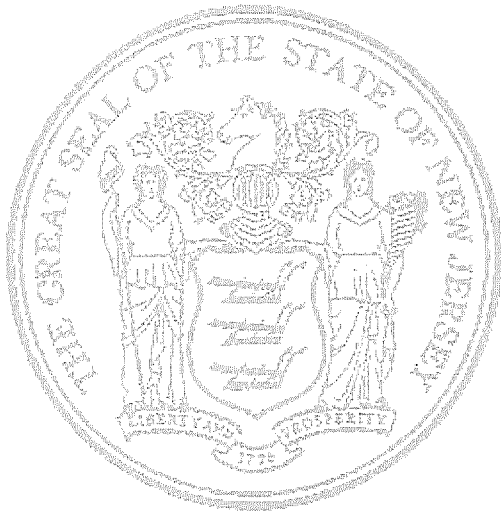
INTRODUCED MARCH 7, 2022

Sponsored by:
Assemblyman PARKER SPACE
District 24 (Morris, Sussex and Warren)
Assemblyman HAROLD "HAL" J. WIRTHS
District 24 (Morris, Sussex and Warren)

Co-Sponsored by:
Assemblyman Benson

SYNOPSIS
Designates franklinite as official mineral of State of NJ.

CURRENT VERSION OF TEXT
As introduced.



(Sponsorship Updated As Of: 5/26/2022)

1 **AN ACT** designating franklinite as the official mineral of the State
2 of New Jersey and supplementing chapter 9A of Title 52 of the
3 Revised Statutes.

4
5 **WHEREAS**, The mineral franklinite was first described in 1819 by
6 Pierre Berthier and was named in honor of Benjamin Franklin; and

7 **WHEREAS**, Franklinite, with a striking black color, submetallic luster,
8 and sharp octahedral crystals, is aesthetically pleasing and makes
9 for handsome mineral specimens, creating the potential for strong
10 interest from mineral collectors around the world; and

11 **WHEREAS**, New Jersey has a long history of mineral mining, including
12 two world-famous zinc mines in Sussex County, at Franklin and at
13 Ogdensburg, which operated for more than 250 years, producing
14 more than 33 million tons of high-grade zinc ore and contributing
15 significantly to the economic vitality and cultural history of the
16 State of New Jersey and the nation; and

17 **WHEREAS**, Three hundred fifty-nine different confirmed minerals have
18 been found in these two mines, 19 of which are not found anywhere
19 else on Earth; and

20 **WHEREAS**, Though millions of tons of franklinite, willemite, and
21 zincite are found in these mines, they are found elsewhere only in
22 small amounts; and

23 **WHEREAS**, The Franklin Mine closed in 1954, and the Ogdensburg
24 (Sterling Hill) Mine closed in 1986, but both are memorialized by
25 the Franklin Mineral Museum, the Sterling Hill Mining Museum,
26 and the Franklin-Ogdensburg Mineralogical Society; and

27 **WHEREAS**, In 1968, New Jersey passed a resolution declaring the
28 Borough of Franklin the “Fluorescent Mineral Capital of the
29 World”; and

30 **WHEREAS**, In a poll conducted by the New Jersey Department of
31 Environmental Protection with several thousand national
32 participants, 96 percent voted in support of franklinite as the New
33 Jersey State mineral; and

34 **WHEREAS**, In order to pay recognition to the scientific, economic, and
35 historic importance of franklinite, it is fitting and appropriate to
36 designate franklinite as the official mineral of the State of New
37 Jersey; now, therefore,

38
39 **BE IT ENACTED** *by the Senate and General Assembly of the State*
40 *of New Jersey:*

41
42 1. Franklinite is designated as the official mineral of the State of
43 New Jersey.

44
45 2. This act shall take effect immediately.

STATEMENT

This bill designates franklinite as the official mineral of the State of New Jersey.

The mineral franklinite was first described in 1819 by Pierre Berthier and was named in honor of Benjamin Franklin. With a striking black color, submetallic luster, and sharp octahedral crystals, franklinite is aesthetically pleasing and makes for handsome mineral specimens, creating the potential for strong interest from mineral collectors around the world.

New Jersey has a long history of mineral mining, including two world-famous zinc mines in Sussex County, at Franklin and at Ogdensburg. These mines operated for more than 250 years, producing more than 33 million tons of high-grade zinc ore and contributing significantly to the economic vitality and cultural history of the State of New Jersey and the nation. Three hundred fifty-nine different confirmed minerals have been found in these two mines, 19 of which are not found anywhere else on Earth. Though millions of tons of franklinite, willemite, and zincite are found in these mines, they are found elsewhere only in small amounts.

The Franklin Mine closed in 1954, and the Ogdensburg (Sterling Hill) Mine closed in 1986, but both are memorialized by the Franklin Mineral Museum, the Sterling Hill Mining Museum, and the Franklin-Ogdensburg Mineralogical Society.

In 1968, New Jersey passed a resolution declaring the Borough of Franklin the "Fluorescent Mineral Capital of the World." In a poll conducted by the New Jersey Department of Environmental Protection with several thousand national participants, 96 percent voted in support of franklinite as the New Jersey State mineral. In order to pay recognition to the scientific, economic, and historic importance of franklinite, it is fitting and appropriate to designate franklinite as the official mineral of the State of New Jersey.

Borough of Franklin, County of Sussex

Resolution #2023-30

BOROUGH OF FRANKLIN FIRE DEPARTMENT COIN TOSS FUNDRAISER

WHEREAS, the Franklin Fire Department benefits the Borough of Franklin by providing fire services;

WHEREAS, the Franklin Fire Department has requested approval of coin toss fundraisers for the year 2023 on February 25th and 26th, April 15th and 16th, July 15th and 16th, and November 18th and 19th;

WHEREAS, the coin toss fundraisers will occur at the location of the intersection of State Route 23 North and South and Mabie Street;

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that the Franklin Fire Department coin toss fundraisers for the year 2023 February 25th and 26th, April 15th and 16th, July 15th and 16th, and November 18th and 19th; are hereby approved contingent upon receiving any necessary County or NJDOT approval and further contingent upon complying with any requests, recommendation or directions of the Franklin Borough Police Department.

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 February 14, 2023.

Darlene J. Tremont, Municipal Clerk

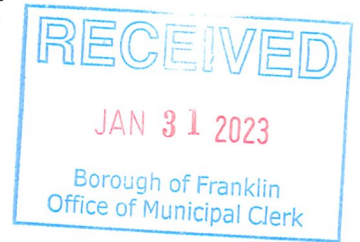
RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				



Franklin Fire Department

Incorporated since 1911

**137 Buckwheat Road
Franklin, New Jersey 07416**



Dial 9-1-1 for Emergencies

Business Contact: 973-827-6650

January, 6, 2022

Andrew Bernath, Administrator
Borough Council
Borough of Franklin
46 Main Street
Franklin, NJ 07416

To whom it may Concern,

I am writing you on behalf of the Franklin Fire Department to request the following dates in 2023 to be used to hold our coin toss fundraisers on State Route 23 and Mabie Street.

The four weekend dates for 2022 are February 25-26, April 15-16, July 15-16, and November 18-19.

Respectfully yours,

Michael S. Petro
Treasurer

NEW JERSEY DEPARTMENT OF TRANSPORTATION

COMPLETION INSTRUCTIONS ON
PAGE 2.

SUBMIT 2 COPIES OF THIS FORM
* Mandatory Fields

APPLICATION FOR HIGHWAY OCCUPANCY

Mail to:
NJDOT Operations Permits
1035 Parkway Avenue
PO Box 600
Trenton, NJ 08625-0600

APPLICATION NUMBER
COUNTY
MUNICIPALITY
ROUTE NUMBER
AMOUNT RECEIVED
CHECK NUMBER
DATE RECEIVED

(DEPARTMENT USE ONLY)

Name:* Kody Conklin Title: _____
Street:* 137 Buckwheat Rd _____
City:* Franklin State:* NJ ZIP Code:* 07416
Telephone:* 9738640557 _____
E-Mail: _____ Companion Permit Number: _____
Company Name: _____
Requests* Charitable Solicitation _____ Permit for the Use and Occupancy of the Right -of-Way
Type of Permit, see page 2:
of State Highway No.* 23 Milepost* 33.5 Direction* N&S Municipality* Franklin County* Sussex
Location in Reference to Intersection* Advanced Auto Parts _____

(Street, Bridges or other existing landmarks)
for the installation, operation and maintenance of the following described project:*

☒ Site Plan (4 sets) ☐ Traffic Control Plans (4 sets)

ALL PLANS MUST BE SEQUENCED AND STAPLED IN SETS. ALL PLANS MUST BE SUBMITTED FOLDED AS PER NJDOT STANDARDS SHOWING THE TITLE BLOCK IN FRONT. ROLLED PLANS ARE NOT ACCEPTABLE.

If permit is granted that includes the installation or construction of items within State Right of Way, I /we agree to accept full maintenance responsibility for such items, which may include but not limited to: flower beds, trees, benches, trash receptacles, decorative curbing, lighting and sidewalks. A comprehensive list of items will be provided to the State along with a plan sheet identifying the items and their location/s. Said list of items and plan sheet/s will be attached hereto and become part of this Permit.

Subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., I /we will be responsible for personal injuries and property damage caused by the actions of ourselves, our agents, servants and employees which arise out of or which are claimed to arise out of this Permit. Any such claim for such personal injury or property damage must be filed in accordance with N.J.S.A.59:8-1 et seq.

The Department shall reserve the right to demand from the applicant, as a condition of any permit, a certified check in an amount sufficient to guarantee or insure proper maintenance or restoration of the area disturbed. If it becomes necessary that the Department forces, for any reason, are required to make repairs, the cost of such work shall be deducted from the principal and the remainder, if any, shall be returned after the project has been completed and accepted. If the amount of the guarantee is less than the cost for the additional work, the applicant shall be billed for the balance due.

* NOTE: SUBMIT TWO (2) COPIES OF THIS APPLICATION AND FOUR (4) COPIES OF A DETAILED PLAN DRAWN TO SCALE SHOWING THE PROPOSED INSTALLATION AND WHATEVER DATA IS NECESSARY FOR A COMPLETE UNDERSTANDING OF THE REQUEST. A TRAFFIC SAFETY SETUP AS PER THE "MANUAL ON UNIFORM TRAFFIC CONTROL" IS REQUIRED WITH APPLICATION. THE DEPARTMENT WILL NOT BE RESPONSIBLE FOR ANY ERRORS OR MISINFORMATION GIVEN IN THE APPLICATION AND/OR ON THE ACCOMPANYING PLANS.

If a permit is granted, I /we agree to comply with the rules and regulations of the New Jersey Department of Transportation and the conditions included therein and on page 2 of this form. In addition, I/we understand that N.J.S.A. 27:7-44.1 makes any violation of the provisions of the permit subject to a fine and civil action for the costs of prosecution as well as civil action for trespass to remove any non-conforming use. No work in connection with this application will be started until the final permit is approved and issued.

Included is the required Application Fee in the amount of \$ 25.00

I/we understand that no refunds will be made after an application has been filed.

Kody Conklin Digitally signed by Kody Conklin Date: 2022.01.06 11:32:38 -0500
(Signature of Applicant)* (Title)

Kody Conklin 1/16/23
(Print or Type Your Name)* (Date)*

INSTRUCTIONS TO APPLICANT FOR HIGHWAY PERMITS

An applicant requesting a permit to occupy a highway right of way must obtain and complete the proper application form listed below according to the type of work to be performed.

APPLICATION FIR BRIDGE ATTACHMENT	NJ 16:41	FORM MT-105A
APPLICATION FOR ACCESS DRIVEWAY	NJ 16:47	FORM MT-32A
APPLICATION FOR DRAINAGE	NJ 16:41	FORM MT-39A
APPLICATION FOR ERECTION OF POLE	NJ 16:41	FORM MT-33A
APPLICATION FOR UTILITY OPENING	NJ 16:41	FORM MT-17A
APPLICATION FOR HIGHWAY OCCUPANCY	NJ 16:41	FORM MT-120A
APPLICATION FOR CHARITABLE SOLICITATION	NJ 16:40	FORM MT-120A

INSTRUCTIONS FOR COMPLETING THIS FORM

Below is the schedule of fees and types of requests that may granted and are covered by completing this form. Be sure to indicate the type of permit that you are applying for on the application and submit the required fee.

CASH WILL NOT BE ACCEPTED - FEES ARE NON-REFUNDABLE.
MAKE CHECKS PAYABLE TO NJ DEPARTMENT OF TRANSPORTATION.
SUBMIT ONLY THE APPLICATION FEE WITH APPLICATION.

FEE SCHEDULE AND TYPES OF PERMITS THAT APPLY TO THIS FORM				
TYPE OF REQUEST	NUMBER - UNIT	APPLICATION FEE	PERMIT FEE	EXTENSION
Automatic Traffic Counting Procedure		\$65.00	\$35.00	\$35.00
Banners, Decorations or Temporary Announcement or Guide Signs	1 to 5	\$165.00	\$35.00	\$35.00
Banners, Decorations or Temporary Announcement or Guide Signs	Greater than 5	\$230.00	\$65.00	\$65.00
Bus Shelters or Benches		\$395.00	\$130.00	\$130.00
Charitable Solicitation		\$25.00	\$10.00	N/A
Crosswalks	1 to 4	\$230.00	\$65.00	\$65.00
Crosswalks	Greater than 4	\$460.00	\$165.00	\$165.00
Curb, Sidewalk, Handicapped ramp	0-200 Linear Feet (LF)	\$395.00	\$130.00	\$130.00
Curb, Sidewalk, Handicapped ramp	Greater than 200 Linear Feet (LF)	\$790.00	\$265.00	\$265.00
Detours on/off State Highway		\$395.00	\$130.00	\$130.00
Grading	Unit	\$330.00	\$100.00	\$100.00
Guiderail	0-200 Linear Feet (LF)	\$395.00	\$130.00	\$130.00
Guiderail	Greater than 200 Linear Feet (LF)	\$790.00	\$265.00	\$265.00
Landscaping, Tree Trim, Vegetation Control and Unclassified Landscaping	Unit	\$395.00	\$130.00	\$130.00
Lane or Shoulder Closings on State Highway		\$230.00	\$65.00	\$65.00
Miscellaneous	Unit	\$395.00	\$130.00	\$130.00
Monitoring Wells	1 to 5	\$230.00	\$65.00	\$65.00
Monitoring Wells	Greater than 5	\$460.00	\$165.00	\$165.00
Parades or Gatherings		\$165.00	\$35.00	\$35.00
Pedestrian Overpass and/or Pedestrian Underpass	1 Unit	\$790.00	\$265.00	\$265.00
Railroad Grade Crossings	Unit	\$525.00	\$200.00	\$200.00
Temporary Use		\$460.00	\$165.00	\$165.00
Test Holes or Borings	1 to 5	\$230.00	\$65.00	\$65.00
Test Holes or Borings	Greater than 5	\$460.00	\$165.00	\$165.00
Vegetation Canopy Management - Plan	Unit	\$2000.00	\$1000.00	N/A
Vegetation Canopy Management - Site Investigation	Unit	\$395.00	\$130.00	\$130.00
Wireless Communications Site Survey	Annual	\$790.00	\$265.00	\$265.00
The Department will not be responsible for any errors or misinformation given in the application and on the accompanying plans. Incomplete applications or applications not accom[panied by payment will be returned to the applicant unprocessed.				

LEGEND:

- CONES
- SIGN ON A CONE/WILL SAY: CON TOS
- △ SIGN ON GRASS NEAR CURB

MABIE ST.

SPACED ABOUT
200' APART

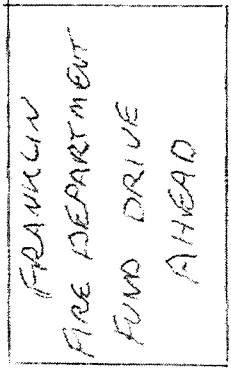
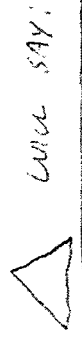
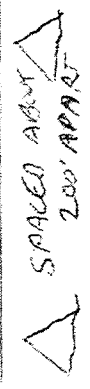


RT 23S

TRAFFIC
LIGHT



RT 23N



MABIE ST.

Borough of Franklin, County of Sussex

Resolution #2023-31

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN TO ACCEPT PROJECT AS COMPLETE FOR PROPOSED RESURFACING OF MAPLE ROAD

WHEREAS, Tilcon NY, performed a project for Proposed Resurfacing of Maple Road;
and

WHEREAS, the project is now complete, and was inspected by NJDOT; and

WHEREAS, the municipal engineer has recommended in his letter dated February 3, 2023 that the project be accepted by Council as complete;

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that the project performed by Tilcon NY, for the Proposed Resurfacing of Maple Road is accepted as complete.

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 February 14, 2023.

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 #2023-32

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN TO ACCEPT PROJECT AS COMPLETE FOR PROPOSED LINE PAINTING OF MAPLE ROAD

WHEREAS, Denville Line Painting, performed a project for Proposed Line Painting of Maple Road; and

WHEREAS, the project is now complete; and

WHEREAS, the municipal engineer has recommended in his letter dated February 3, 2023 that the project be accepted by Council as complete;

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that the project performed by Denville Line Painting for the Proposed Line Painting of Maple Road is accepted as complete.

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 February 14, 2023.

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)				



43 Newburgh Road, Suite 100
Hackettstown, New Jersey 07840
T: 908.850.0977
F: 732.312.9801
fpaengineers.com

February 3, 2023

Ms. Darlene Tremont
FRANKLIN BOROUGH
46 Main Street
Franklin, NJ 07416

Re: Recommendation to Accept Project
2022 NJDOT Local Aid - Maple Road
Borough of Franklin, Sussex County, NJ
FPA No. 16881.002

Dear Darlene,

The above-referenced project has been completed by the contractors. At this time, all work has been completed. At this time we recommend that the contractors be paid for all work completed. The contract work completed is authorized as follows:

<u>Tilcon NY</u> – Asphalt Milling & Paving	Invoice #C2210058	\$131,538.00
<u>Denville Line Painting</u> – Traffic Lines & Striping	Invoice #16917	\$2,683.24

Upon the Borough Council's acceptance, please provide our office with a copy of the Resolution for our records. We will prepare the final paperwork to send to the contractor and will have everything submitted to the Borough for processing when the Resolution is prepared.

If you have any questions, or we can be of further assistance, please call.

Sincerely,
FRENCH & PARRELLO ASSOCIATES

A handwritten signature in blue ink, appearing to read 'D. Keenan', is written over a horizontal line.

Denis F. Keenan, PE CME
Borough Engineer

c: *A. Bernath*

Borough of Franklin, County of Sussex

Resolution #2023-33

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN TO ACCEPT PROJECT AS COMPLETE FOR PROPOSED RESURFACING OF VARIOUS ROADS (LOZAW/GINTER/MABIE/AUCHE/JOHN WILTON)

WHEREAS, Tilcon NY performed a project for Proposed Resurfacing of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton); and

WHEREAS, the project is now complete; and

WHEREAS, the municipal engineer has recommended in his letter dated February 3, 2023 that the project be accepted by the Council as complete;

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that the project performed by Tilcon NY, for the Proposed Resurfacing of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton) is accepted as complete.

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 February 14, 2023.

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 #2023-34

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN TO ACCEPT PROJECT AS COMPLETE FOR PROPOSED LINE PAINTING OF VARIOUS ROADS (LOZAW/GINTER/MABIE/AUCHE/JOHN WILTON)

WHEREAS, Denville Line Painting, performed a project for Proposed Line Painting of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton); and

WHEREAS, the project is now complete; and

WHEREAS, the municipal engineer has recommended in his letter dated February 3, 2023 that the project be accepted by the Council as complete;

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that the project performed by Denville Line Painting for the Proposed Line Painting of various roads (Lozaw/Ginter/Mabie/Auche/John Wilton) is accepted as complete.

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 February 14, 2023.

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)				



43 Newburgh Road, Suite 100
Hackettstown, New Jersey 07840
T: 908.850.0977
F: 732.312.9801
fpaengineers.com

February 3, 2023

Ms. Darlene Tremont
FRANKLIN BOROUGH
46 Main Street
Franklin, NJ 07416

Re: Recommendation to Accept Project
2022 Municipal Paving Projects
Borough of Franklin, Sussex County, NJ
FPA No. 16881.001 Task 009

Dear Darlene,

The above-referenced project has been completed by the contractors. At this time, all work has been completed. At this time we recommend that the contractors be paid for all work completed. The contract work completed is authorized as follows:

✓ <u>Tilcon NY – Asphalt Milling & Paving</u>	Invoice #C2210059	\$166,901.47
✓ <u>Denville Line Painting – Traffic Lines & Striping</u>	Invoice #16918	\$1,294.52

Upon the Borough Council's acceptance, please provide our office with a copy of the Resolution for our records. We will prepare the final paperwork to send to the contractor and will have everything submitted to the Borough for processing when the Resolution is prepared.

If you have any questions, or we can be of further assistance, please call.

Sincerely,
FRENCH & PARRELLO ASSOCIATES

A handwritten signature in blue ink, appearing to read 'D. Keenan', is written over the company name.

Denis F. Keenan, PE CME
Borough Engineer

c: *A. Bernath*

Borough of Franklin, County of Sussex

Resolution #2023-35

2022 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 **2022 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 February 14, 2023.

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 #2023-36

AUTHORIZING A DISABLED VETERAN TAX EXEMPTION

WHEREAS, Corey Houghtaling is the resident and owner of premises located at 147 Maple Rd, Franklin, New Jersey, also known and designated as Block 2101 Lot 16.

WHEREAS, Corey Houghtaling was evaluated and assigned as having a service-connected 100% total disability in accordance with the Department of Veterans Affairs Rating Schedule effective July 1, 2020.

WHEREAS, NJSA 54:4-3.30 provides, in part, that “the dwelling house...of any citizen and resident of the State, now or hereafter honorably discharged or released under honorable circumstances from active duty in any branch of the Armed Forces of the United States, who has been or shall be declared by the United States Department of Veterans Affairs...to have a service-connected disability...to be a total or 100% permanent disability, and not so evaluated solely because of hospitalization or surgery and recuperation, sustained through enemy action, accident, or resulting from disease contracted while in such active service, shall be exempt from taxation...” and

WHEREAS, by reason thereof, he was entitled to receive an exemption from real property taxation for his ownership interest in said premises as a 100% disabled Veteran upon the timely filing and approval of an application therefor; and

WHEREAS, an application for such exemption was filed with the Tax Assessor for the Borough of Franklin on August 12, 2022.

WHEREAS, as per NJSA 54:4-3.30 et seq, Mr. Houghtaling is entitled to a tax exemption on his property located at 147 Maple Rd from August 12, 2022, the date of application.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Tax Collector is authorized to cancel taxes billed from August 12, 2022 to December 31, 2022 in the amount of \$4,448.25.
2. The property will be marked as exempt in the 2023 tax list.

This Resolution shall take effect immediately.

CERTIFICATION: I 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, in the County of Sussex, New Jersey at a meeting held on February 14, 2023.

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)				

ORDINANCE NO. 01-2023

**BOROUGH OF FRANKLIN
SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2023
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 1.0% 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 2023 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 \$262,766.07 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 2023 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 \$262,766.07, and that the CY 2023 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 2023 Municipal Budget.

Attest:

Darlene J. Tremont, Municipal Clerk

John M. Sowden, IV, Mayor

NOTICE

TAKE NOTICE that the above entitled Ordinance 01-2023 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on January 12, 2023 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 February 14, 2023 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 _____, 2023.

Darlene J. Tremont, Municipal Clerk

John M. Sowden IV, Mayor

Introduced: January 12, 2023

Adopted:

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

**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 ____ DAY OF _____, 2023.

JOHN M. SOWDEN, IV, Mayor

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

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