

**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 28, 2023**

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- 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**  
Historic State (SHPO) Presentation – Secretary of Interior's Standards
- 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 February 14, 2023. (Absent: None)
2. **Resolution #2023-38** to approve a property tax refund due to a tax overpayment for property located at Block 2801 Lot 9 in the amount of \$2,418.57.
3. **Resolution #2023-39** to approve a property tax refund due to a tax overpayment for property located at Block 2101 Lot 16 in the amount of \$4,448.25 for 2022 and \$2,920.17 for 2023.
4. **Resolution #2023-40** to approve awarding a contract to Allied Painting, Inc. for tank maintenance Franklin Meadows Waterspheroid in the amount of \$999,000.00
5. **Resolution #2023-41** to approve the Governor's Council on alcoholism and drug abuse fiscal grant cycle FY2024.

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING FEBRUARY 28, 2023**

6. Resolution #2023-42 to approve authorizing a refund of an escrow for road opening permits in the amount of \$16,184.46.
7. Adoption 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”.

**Prior to final roll call Mayor Sowden will request a motion to open the meeting to the public for any comments regarding Ordinance 02-2023.**

8. Introduction of Ordinance #03-2023 entitled “SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY”.

**Public Hearing to be held March 14, 2023.**

9. Mayoral Appointment  
Mayor Sowden will make the following appointment.

**Planning Board**

James Nidelko Member (Class IV) (4-yr. unexpired term)  
expires 12/31/2025

10. Approval of extending a conditional offer to (2) two Police Officer candidates recommended in the Police Chief's February 23, 2023 letter. (Letter provided to Council via email)
11. National Poison Prevention Week Proclamation proclaiming the third full week March 19<sup>th</sup>–25<sup>th</sup>, 2023, to be National Poison Prevention Week (NPPW).
12. Discussion on Zoom Meetings

**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,

- **Anticipated Litigation**

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  
FEBRUARY 14, 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 had nothing to report.

Mr. Postas commented that there is a water source meeting tomorrow [Wednesday].

Mr. Snyder commented that there are items on the agenda from our personnel committee meeting and we need to schedule a finance meeting.

Mr. Formica commented that the third Welcome to Franklin sign has been installed.

Mr. Skellenger commented that the public safety committee will be meeting on February 20, 2023 to interview the police candidates.

Mrs. Heath commented that the Recreation Committee is looking to do a 5k race and the theme for the Spring Fling, which is scheduled for April 22, 2023, is Roaring 20's. There is a concert in the park scheduled for July 1, 2023 and they will be using the Glen Roberts Band and possibly food trucks. We discussed the possibility of an Easter Egg Hunt and the Recreation approved an application for the Wallkill Valley Lacrosse to use the football field. Mrs. Heath asked about advertising for the lifeguards and assistants.

Mr. Snyder feels that the pond should not open this year.

Mr. Postas commented that he thought it was already decided to advertise for the positions.

Mrs. Tremont commented that there were some issues that came up. What positions are we going to advertise for, what will the pay rate be, water testing and having the personnel available to handle the day to day operations.

It was the consensus of the Governing Body to place the ads for the aquatic's director, lifeguards and beach attendants.

Mrs. Tremont commented that she reached out to the County regarding the Engine braking signs and the procedure is that she will be in touch with the police department as they need to make a recommendation as to where the signs would be placed. Then a County application would need to be filled out and sent to them.

## **MAYOR & COUNCIL MEETING MINUTES FEBRUARY 14, 2023**

When the County receives the application, they will go out and inspect where the signs will be placed and send back an approval. Once that is complete, we can have the signs placed. The CFO has been in contact with our auditor and she has received the Annual Financial Statement. She and I will review the budget together and we will set up a finance meeting to go over and finalize the budget.

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. Skellenger. All were in favor.

Mrs. Joanne Tatka, 151 Maple Road, Franklin stepped forward. Mrs. Tatka questioned the position of the Planner, what types of shared services were being discussed with Ogdensburg, if the road department still had the cherry picker, if a shared service was looked into with the Sheriff's office for 911 dispatching service, what the recycling grant money is used for, where the new well would be drilled and the salary resolutions that are on the agenda.

Mr. Eric Maynard, 24 Maple Road, Franklin stepped forward. Mr. Maynard discussed the 5k event and commented that the DPW and Police department are in support of the event.

Ms. Patti Carnes, 289 Rutherford Avenue, Franklin stepped forward. Ms. Carnes complimented the DPW on their response to her recent issues.

There being no one else present or on Zoom who wished to address the Governing Body, Mr. Skellenger 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. Township of Hardyston resolution #13-23 opposing the cuts in state school aid to the Hardyston Township School District and other Sussex County School Districts.
2. NJDEP 2020 final recycling tonnage grant payout for Sussex County Municipalities.

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

1. DPW Report – January 2, 2023 – January 6, 2023
2. DPW Report – January 9, 2023 – January 13, 2023
3. DPW Report – January 16, 2023 – January 20, 2023
4. Police Department Report – December 2022
5. Construction Permit Activity Report – January 2023
6. Permit List – January 2023
7. COH Report – January 2023
8. Zoning Office Report – December 2022 – January 2023
9. Board of Health Report – January 2023

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

1. None filed.

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

1. Resolution #2023-37 to approve a 2022 budget transfer in the amount of \$11,081.00.
2. Payment of bills for the meeting of February 14, 2023.

Mr. Limon made a motion to approve the consent agenda of February 14, 2023. Seconded by Mr. Postas.

**MAYOR & COUNCIL MEETING MINUTES FEBRUARY 14, 2023**

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

Mr. Ursin commented that you previously appointed a temporary CFO and the State of NJ communicated that they do not like the title of temporary CFO; that title is used for someone who is not yet certified. The State has asked that a resolution be passed to designate the Temporary CFO as the CFO until further notice.

Mrs. Heath made a motion to change the title from Temporary CFO to CFO until further notice. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**NEW BUSINESS**

**Approval of the Minutes**

Mr. Limon made a motion to approve the regular meeting minutes for January 24, 2023. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Agreement for Certified Recycling Professional**

Mr. Skellenger made a motion 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. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Postas

**Resolution #2023-25**

Mrs. Heath made a motion to adopt resolution 2023-25 Property tax refund due to a tax overpayment for the property located at Block 1004 Lot 30 in the amount of \$1,231.57. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2023-26**

Mr. Snyder made a motion to adopt resolution 2023-26 amending the responsibilities and compensation for the Borough Clerk in the amount of \$25,000.00 effective February 1, 2023. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2023-27**

Mr. Snyder made a motion to adopt resolution 2023-27 amending the responsibilities and compensation for the Deputy Clerk/Deputy Registrar in the amount of \$12,500.00 effective February 1, 2023. 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 FEBRUARY 14, 2023

### Resolution #2023-28

Mr. Formica made a motion to adopt resolution 2023-28 amending the responsibilities and compensation for Corry Chrobak in the amount of \$17,268.27 effective February 1, 2023. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2023-29

Mr. Postas made a motion to adopt resolution 2023-29 supporting designating "Franklinite" as the Official Mineral of the State of New Jersey. Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2023-30

Mr. Skellenger made a motion to adopt resolution 2023-30 approving the Franklin Fire Department 2023 Coin Toss Fundraisers on February 25<sup>th</sup> and 26<sup>th</sup>, April 15<sup>th</sup> and 16<sup>th</sup>, July 15<sup>th</sup> and 16<sup>th</sup> and November 18<sup>th</sup> and 19<sup>th</sup>. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

### Resolution #2023-31

Mr. Postas made a motion to adopt 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. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2023-32

Mr. Postas made a motion to adopt 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. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2023-33

Mr. Skellenger made a motion to adopt 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. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2023-34

Mr. Skellenger made a motion to adopt resolution 2023-24 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. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

## MAYOR & COUNCIL MEETING MINUTES FEBRUARY 14, 2023

### Resolution #2023-35

Mr. Limon made a motion to adopt 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. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Resolution #2023-36

Mrs. Heath made a motion to adopt 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. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Heath, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Formica

### Adoption of Ordinance 01-2023

Mr. Snyder made a motion to adopt 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). Seconded by Mr. Limon.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for any comments regarding Ordinance 01-2023. Mr. Postas made a motion to open to the public Ordinance 01-2023, seconded by Mr. Skellenger. All were in favor.

There being no one present or on Zoom who wished to address the governing body, Mr. Postas made a motion to close to the public Ordinance 01-2023. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Introduction of Ordinance 02-2023

Mr. Limon made a motion to introduce 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". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing for Ordinance 02-2023 will be held on February 28, 2023.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Approval of DPW Salary Step Increase

Mr. Formica made a motion to approve the 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. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Postas

## MAYOR & COUNCIL MEETING MINUTES FEBRUARY 14, 2023

### Mayoral Appointments

Mayor Sowden made 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.

Mr. Limon made a motion to accept the Mayoral appointments of the Crossing Status changes. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### EZ Dock Quote

Mr. Formica made a motion to approve EZ Dock quote #11272 in the amount of \$14,804.00. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Application for a Social Affair Permit

Mr. Skellenger made a motion 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. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

### Recreation Committee Request

Mrs. Heath made a motion to endorse 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. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

### Discussion on Water Tank Bids

Mr. Ursin explained the lowest bid and reason for the request to withdraw that bid.

There was a discussion regarding the drawing for the water tank. It was suggested that we reach out to Mr. Vreeland for the drawing you want and to make sure he confirms that it's the same price and bring it back to the next meeting.

### Discussion on 35 Fowler Street Auction

Mr. Ursin explained that the buyer of the property could not secure the money to purchase the property. He recommends that the council pass a motion which would void the previous approval of the previous bid, retain the deposit that has been paid and to reach out to the second bidder to see if they are willing to abide by the terms of the auction, you could award the bid to the second highest bidder.

Mr. Skellenger made a motion to void the previous award of the winner of the auction, retain the deposit and authorize the administration and Mr. Ursin to



**MAYOR & COUNCIL MEETING MINUTES FEBRUARY 14, 2023**

approach the second highest bidder in an attempt to get them to sign a contract and move forward. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Uhl & Associates, Inc. Proposal**

Mr. Postas made a motion to approve the proposal from Uhl & Associates, Inc. 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. Seconded by Mr. Formica.

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 he was approached by a resident to change the intersection of Main Street and Junction Street to a 4-way stop.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:01p.m., seconded by Mr. Skellenger. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk

# **Borough of Franklin, County of Sussex**

## **Resolution #2023-38**

### **Property Tax Refund Resolution**

**WHEREAS, Foundation Title & Corelogic both paid  
4<sup>th</sup> Qtr 2022 taxes on Block 2801 Lot 9 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  
Kevin & Deanne Blondia, the previous property owners,  
\$2, 418.57 for the 4<sup>th</sup> qtr 2022 overpayment.**

**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 in a meeting held in the Franklin  
Municipal Building at 46 Main Street at 7:00 PM on February 28, 2023.**

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**Darlene J. Tremont, Municipal Clerk**

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

# **Borough of Franklin, County of Sussex**

## **Resolution #2023-39**

### **Property Tax Refund Resolution**

**WHEREAS, a Disabled Veteran Exemption was allowed on Block 2101 Lot 16, 147 Maple Rd effective August 12, 2022.**

**WHEREAS, tax payments were received from Corelogic Tax Service for 3<sup>rd</sup> & 4<sup>th</sup> Qtr 2022 in the amount of \$4,448.25 and for 1<sup>st</sup> qtr 2023 in the amount of \$2,920.17 which created an overpayment on the account.**

**NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin, that the Tax Collector is hereby authorized to refund Corey Houghtaling, \$4,448.25 for the 2022 overpayment and \$2,920.17 for the 2023 overpayment.**

**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 in a meeting held in the Franklin Municipal Building at 46 Main Street at 7:00 PM on February 28, 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 #2023-40**

### **RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AWARING CONTRACT FOR TANK MAINTENANCE FRANKLIN MEADOWS WATERSPHEROID**

**WHEREAS**, the Borough of Franklin solicited bids for a project known as the “Tank Maintenance Franklin Meadows Waterspheroid”;

**WHEREAS**, the bids were received on January 18, 2023;

**WHEREAS**, there were five (5) bids received;

**WHEREAS**, the lowest bid received was from Guimar General Contractor, LLC;

**WHEREAS**, Guimar General Contractor, LLC submitted a request to withdraw their Bid;

**WHEREAS**, the Borough of Franklin Governing Body accepted the Bid withdrawal request from Guimar General Contractor, LLC at their meeting held on February 14, 2023;

**WHEREAS**, the next lowest responsive and responsible base bid plus Alternate A-1 received was from Allied Painting, Inc., 4 Larwin Road, Cherry Hill, NJ 07034 in the amount of \$999,000.00;

**WHEREAS**, the Borough Engineer has reviewed the bids and is recommending the award of the contract to Allied Painting, Inc., 4 Larwin Road, Cherry Hill, NJ 07034;

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C. 5:34-5.1 ET SEQ, I, Michelle LaStarza, CFO, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that there are adequate funds available.

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Michelle LaStarza, CFO

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Franklin that a contract for the Tank Maintenance Franklin Meadows Waterspheroid is awarded to Allied Painting in the amount of \$999,000.00.

**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 28, 2023.

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Darlene J. Tremont, Municipal Clerk

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

# Borough of Franklin, County of Sussex

## Resolution #2023-41

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle FY2024

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Franklin, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a revised strategic plan for the Wallkill Valley Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$ 5,358.00
Cash Match	\$ 1,339.50
In-Kind	\$ 4,018.50
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
John M. Sowden, IV, *Mayor*

### CERTIFICATION

I, Darlene Tremont, Municipal Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 28<sup>th</sup> day of February, 2023.

\_\_\_\_\_  
*Darlene Tremont, Municipal Clerk*

# **Borough of Franklin, County of Sussex**

## **Resolution #2023-42**

### **RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING A REFUND OF AN ESCROW FOR ROAD OPENING PERMITS**

**WHEREAS**, Elizabethtown Gas has made various road opening permits during the year 2022;

**WHEREAS**, the balance of unused funds received amounts to \$16,184.46;

**WHEREAS**, the Borough professionals all agree that the escrow is no longer needed and can be refunded;

**WHEREAS**, the CFO has recommended the return of the escrow;

**NOW THEREFORE IT BE RESOLVED** by the Governing Body of the Borough of Franklin that the sum of \$16,184.46 from the road opening escrow fund be returned to Elizabethtown Gas.

#### **CERTIFICATION**

I, **Darlene J. Tremont**, Municipal Clerk of the Borough of Franklin, County of Sussex, and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey, at a regular meeting of said Council held on February 28, 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  
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

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DARLENE J. TREMONT,  
Clerk of the Borough of Franklin

ADOPTED ON SECOND READING  
DATED: February 28, 2023

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DARLENE J. TREMONT,  
Clerk of the Borough of Franklin

APPROVAL BY THE MAYOR ON THIS 28<sup>th</sup> DAY OF FEBRUARY, 2023.

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JOHN M. SOWDEN, IV, Mayor

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

**BOROUGH OF FRANKLIN  
COUNTY OF SUSSEX**

**ORDINANCE NO. 03-2023**

**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:

<b><u>POSITION</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
Mayor (P/T)	\$3,000	\$5,000
Councilman (P/T)	\$1,500	\$3,000
Borough Administrator (Contract)	\$80,000	\$100,000
Municipal Clerk	\$75,000	\$115,000
Deputy Municipal Clerk	\$55,000	\$65,000
Certified Municipal Court Administrator		
Shared Service	\$65,000	\$90,000
CFO (P/T)	\$50,000	\$110,000
Treasurer	\$50,000	\$75,000
Municipal Court Magistrate (P/T)	\$20,000	\$50,000
Alternate Municipal Court Magistrate (P/T)	\$350.00/ct. session	\$500.00/ct. session
Certified Public Works Manager (Contract)	\$90,000	\$137,496
Public Works Foreman	\$35.00/hr	\$38.00/hr
Public Works Mechanic	\$19.00/hr	\$34.00/hr
Public Works Laborer	\$19.00/hr	\$34.00/hr
Zoning Officer (P/T)	\$25.00/hr	\$37.00/hr
Water & Sewer/Tax Collector Asst.	\$30,000	\$50,000
Planning/Zoning Secretary	\$30,000	\$45,000
Tax Assessor (P/T)	\$30,000	\$50,000
Chief of Police (Contract)	\$105,000	\$150,000
Police Captain (Contract)	\$100,000	\$140,000
Police Lieutenant	\$121,194	\$135,351
Police Sergeant	\$111,138	\$123,677
Patrol Officer	\$46,751	\$112,458
Police Recruit	\$ -	\$30,000
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	\$3,000
Board of Health Secretary (P/T)	\$1,200	\$2,000
Registrar	\$1,500	\$3,000
Deputy Registrar	\$1,000	\$3,000
Police Secretary/Records Clerk	\$20.00/hr	\$30.00/hr

Crossing Guards (P/T)	\$14.13/hr	\$20.00/hr
Head Crossing Guard (P/T)	\$15.00/hr	\$25.00/hr
Court Attendants (P/T)	\$100.00/ct. session	\$150.00/ct. session
Violations Clerk (P/T)	\$15.00/hr	\$25.00/hr
Deputy Court Administrator (P/T)	\$15.00/hr	\$45.00/hr
Accounting Assistant	\$20.00/hr	\$35.00/hr
Administrative Assistant	\$20.00/hr	\$30.00/hr
Finance Clerk	\$15.00/hr	\$25.00/hr
Clerk (P/T)	\$14.13/hr	\$20.00/hr
Recreation Secretary	\$14.13/hr	\$20.00/hr
Senior Center Attendant (P/T)	\$14.13/hr	\$15.00/hr
Senior Center – Safe Serv (P/T)	\$15.00/hr	\$20.00/hr
Custodian	\$14.13/hr	\$20.00/hr

## **SECTION 2.**

The salaries and wages fixed by this Ordinance shall be effective January 1, 2023. 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 1<sup>st</sup> 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:

## NOTICE

TAKE NOTICE that the above entitled Ordinance 03-2023 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on February 28, 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 March 14, 2023 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 \_\_\_\_, 2023.

\_\_\_\_\_  
Darlene J. Tremont, Municipal Clerk  
Borough of Franklin

\_\_\_\_\_  
John M. Sowden IV, Mayor

Introduced:

Adopted:

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

## Proclamation

*WHEREAS*, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961, and has since recognized this week to raise national awareness of the dangers of accidental poisoning, ways to prevent exposure to potentially dangerous products and substances, and how to respond in a poisoning emergency; and

*WHEREAS*, the NJ Poison Control Center at Rutgers New Jersey Medical School joins poison control centers nationwide to educate people of all ages about the risk of accidental poisoning in everyday environments; and

*WHEREAS*, in 2023, the NJ Poison Control Center marks its 40<sup>th</sup> anniversary; and

*WHEREAS*, the state's poison control center is instrumental in the medical management and surveillance of poisoning exposures across New Jersey including the use, misuse, and abuse of medicines, legal and illicit drugs; environmental contaminants, bioterrorism agents, and public health crises including COVID-19 and Mpox (Monkeypox); and

*WHEREAS*, the public and medical and emergency service professionals alike can easily access the poison control center's free services through the Poison Help line (1-800-222-1222) or njpies.org; and

*WHEREAS*, the specialized healthcare professionals at the state's poison control center provide emergency assistance, offer guidance on poison prevention, and answer questions concerning potential exposure to callers of all ages; and

*WHEREAS*, most reported poison exposures involve children five (5) years old and younger; and

*WHEREAS*, most poison-related deaths occur in adults; and

*WHEREAS*, the poison control center's life-saving services are available 24/7 and save healthcare dollars by eliminating thousands of unnecessary emergency department/room visits and result in shorter lengths of stay for patients hospitalized for poisoning; and

*WHEREAS*, the NJ Poison Control Center encourages people not to guess, wait for symptoms to appear, or waste time searching for medical information online, get immediate help from the poison control center when a potentially dangerous exposure occurs.

***NOW, THEREFORE, I, John M. Sowden, IV, Mayor, of Franklin Borough do hereby proclaim the week of March 19-25, 2023 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.***

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***Darlene J. Tremont, Municipal Clerk***

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***John M. Sowden IV, Mayor***

