

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
APRIL 23, 2024

- A. **Mayor Sowden** will call the meeting to order; Clerk will call the roll.
- B. **Mayor Sowden** will invite all present to salute the flag.
- C. **Mayor Sowden** will state that "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall, and printed in the New Jersey Herald/Sunday New Jersey Herald on January 7, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**
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. **Public Hearing on the 2024 CY Municipal Budget**
Mayor Sowden will request a motion to open the meeting to the public for public comments on the 2024 CY Municipal Budget.
2. **Resolution #2024-51** to adopt the 2024 CY Municipal Budget.
3. **Approval of the Minutes** for the regular meeting minutes for April 9, 2024.
(Absent: None)
4. **Approval of the Minutes** for the special meeting minutes for April 15, 2024.
(Absent: Limon, Postas)
5. **Resolution 2024-52** approval to submit a grant application and execute a grant contract with the New Jersey Highlands Council for stormwater and Tier A Compliance.
6. **Resolution 2024-53** declaring the Borough of Franklin resolution of support for the JCP&L EnergizeNJ Program BPU Docket No. EO23110793.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING APRIL 23, 2024

7. Resolution 2024-54 in support of the request to the NJDOT from the Franklin Police Department to consider a left-hand turn lane on Route 23 in the vicinity of mile marker 32.5.
8. Adoption of Ordinance 06-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4, GENERAL FEES.”

Prior to final roll call Mayor Sowden will request a motion to open the meeting to the public for Ordinance 06-2024.

9. Introduction of Ordinance 07-2024 entitled “BOND ORDINANCE PROVIDING FOR VARIOUS 2024 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$1,413,021 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$1,168,173 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

Public Hearing will be held May 14, 2024.

10. Approval to Extend Conditional Offer(s) to Police Officer candidate(s) as recommended in the Police Chief’s April 18, 2024 letter. (Letter of recommendation provided to Council via email)
11. Peddlers Permit Application to approve the peddler permit submitted by Juan Zerna for the sale of ice cream.
12. Discussion on letter from Historical Preservation Committee

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.

NOT YET APPROVED BY COUNCIL

SECTION 2 - UPON ADOPTION FOR YEAR 2024

RESOLUTION 2024-51

Be it Resolved by the COUNCIL MEMBERS of the BOROUGH
of FRANKLIN, County of SUSSEX that the budget hereinbefore set forth is hereby
adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 5,381,024.00 (Item 2 below) for municipal purposes, and
(b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
(c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in
Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of
the following summary of general revenues and appropriations.
(d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
(e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
(f) \$ - (Item 5 Below) Minimum Library Tax

RECORDED VOTE
(Insert last name)

Ayes

Nays

Abstained

Absent

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated	08-100	\$	755,000.00
Miscellaneous Revenues Anticipated	13-099	\$	2,053,218.15
Receipts from Delinquent Taxes	15-499	\$	475,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	5,381,024.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY		\$	-
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191		
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	07-192	\$	-
Total Revenues	13-299	\$	8,664,242.15

NOT YET APPROVED BY COUNCIL

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXXXXXXXX
Within "CAPS"	XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	\$ 5,670,028.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 963,657.00
(g) Cash Deficit	46-885	\$ -
Excluded from "CAPS"	XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 324,636.15
(c) Capital Improvements	44-999	\$ 363,372.00
(d) Municipal Debt Service	45-999	\$ 538,274.00
(e) Deferred Charges - Municipal	46-999	\$ -
(f) Judgments	37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$ -
(g) Cash Deficit	46-885	\$ -
(k) For Local District School Purposes	29-410	\$ -
(m) Reserve for Uncollected Taxes	50-899	\$ 804,275.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)	07-195	
Total Appropriations	34-499	\$ 8,664,242.15

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 23 day of April, 2024. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2024 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 23 day of April, 2024, clerk@franklinborough.org, Clerk

Signature

**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
APRIL 9, 2024**

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

Absent: None

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall and printed in the New Jersey Herald/Sunday New Jersey Herald on January 7, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."

PRESENTATIONS

Mr. Rich Rebisz, JCP&L Regional External Affairs-NJ, JCP&L's Infrastructure Improvement Plan ("EnergizeNJ"). Mr. Rebisz introduced the company providing information of service. Mr. Rebisz explained the plan and that some circuits were pulled out of the plan but none of them effect Franklin Borough. Mr. Rebisz commented that Franklin Borough residents are serviced by five circuits and two substations. The investments that are being made are being made on the substations and circuits. Mr. Rebisz commented that he will be looking for council support of the EnergizeNJ. Mr. Rebisz commented that there are three components of the plan which are gride modernization, system resiliency and substation modernization. Mobile substations will be added to the fleet and these substations will be used it something happens to the substations in town. This plan has been provided to the BPU for review. Mr. Rebisz asked the council to provide a resolution of support for this plan.

COMMITTEE REPORTS

Mrs. Heath commented that the Spring Fling is on April 20th. The Easter Egg hunt was successful and thanked recreation and boy scouts. The pop-up market will start on the 2nd Monday of each month at 4pm. The fishing contest is being organized. Franklinite will be on June 29th and there will be fireworks. Recreation is planning a baseball game on September 28th, Yankees vs. Pittsburgh.

Mr. Skellenger had nothing to report.

Mr. Formica commented that there was a public safety meeting and discussed new hires.

Mr. Limon commented that on the agenda there are several action items one of which is regarding a fence. Mr. Limon also commented he met with the Mayor, Concetto, Mike Vreeland and Brian VanDenBroek in regard to the water source. There are items being addressed at the pond in regard to lighting and circulating pump for the fountain. They are also looking to install a new cable system and net for the foul balls. The water will be turned on April 18th for the concession stand.

Mr. Postas had nothing to report.

Mr. Snyder had nothing to report.

Mrs. Tremont commented that we had a "First Amendment Audit" training on April 5th which was the same day as the earthquakes. Brian and John Rome did inspections on the pump houses after the earthquake. At the last meeting we adopted a resolution to hire two DPW workers, one of those took another job. The trees at Paddock Park will be coming down tomorrow.

Mr. Ursin had nothing to report.

MAYOR & COUNCIL MEETING MINUTES APRIL 9, 2024

Mayor Sowden commented about the roof on the Hungarian Church. Mayor Sowden stated that he would like to declare the Hungarian Church historical.

OPEN PUBLIC SESSION

Mrs. Heath 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.

Mr. Carl Platvoet stepped forward. Mr. Platvoet complained about the old Littell Building and the construction that is being done. Mr. Platvoet commented that there are trucks running at 5am and starting work at 7am on Saturday. Mr. Platvoet stated that the police were called to report the noise to have it on record and one of the police officers commented that he just started a truck and it's a commercial lot. Mr. Platvoet commented that it is not a commercial lot; it is zoned as B2 – Main Street mixed use. He has spoke to the zoning office.

Ms. Dawne Rowe stepped forward. Ms. Rowe commented on the noise from vehicles with backfires. Ms. Rowe asked if there is an ordinance that can be referred to and ticket issued. If there is not one, can one be drafted.

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

CONSENT AGENDA

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

CORRESPONDENCE (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Preliminary Equalization Table for the County of Sussex for the year 2024.
2. Letter of resignation dated March 25, 2024, from John E. Rome Sr. to Franklin Borough Administrator, Mayor and Town Council Re: retirement effective July 31, 2024.
3. Letter dated April 1, 2024, from Robin Bruscano, Re; Resignation as BOH Member
4. Letter dated March 27, 2024, from Jeff Parrott, Sussex County Clerk to Franklin Borough Council Members Re: Squatters.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. DPW Report – March 4, 2024 – March 8, 2024
2. Zoning Office Report – January – March 2024

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of April 9, 2024.

Mr. Formica commented on John Rome's resignation letter. Mr. Rome has been an employee of Franklin Borough for 36 years and 9 months.

Mr. Snyder commented that Mr. Rome is a good employee.

Mr. Formica made a motion to approve the consent agenda of April 9, 2024. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

Mr. Snyder asked for an update for Rowett's garage.

MAYOR & COUNCIL MEETING MINUTES APRIL 9, 2024

Mr. Postas commented that he understands that the owner of the old Littell Building has a substantial fine levied against him. Mr. Postas asked if we are making the people pay the fines.

Mrs. Tremont commented that the owner has a certain time frame to comply and if the owner doesn't comply then that's when the fines will need to be paid.

Mr. Postas commented that there is a property at 48 Davis Road that is an eye sore to the community.

Mr. Limon thanked the administrator and Michelle for fielding a lot of the calls that come in regarding the various issues.

Mr. Snyder commented on the 4-way stop sign at the intersection of Main Street and Junction Street. How can the stop sign be on the opposite side of the road where the vehicles are supposed to stop. Stop ahead signs should be posted North and South and paint stop with a stop bar on the road.

NEW BUSINESS

Approval of the Minutes

Mr. Postas made a motion to approve the regular meeting minutes for March 26, 2024. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-37

Mr. Snyder made a motion to adopt resolution 2024-37 to accept the project as complete for proposed resurfacing of various roads (Taylor/Kane/Premock/Hillside/Brick Row/Mountain View). (Tabled from March 26, 2024 meeting) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-38

Mr. Limon made a motion to adopt resolution 2024-38 to accept the project as complete for proposed installation of guiderail on Taylor Road and South Rutherford Avenue. (Tabled from March 26, 2024 meeting) Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2024-39

Mr. Limon made a motion to adopt resolution 2024-39 to accept the project as complete for proposed line painting of Premock Road. (Tabled from March 26, 2024 meeting) seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2024-46

Mr. Formica made a motion to adopt resolution 2024-46 to authorize TSS Facility Services, Inc. to provide street sweeping in the amount of \$7,540.00. 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 APRIL 9, 2024

Resolution #2024-47

Mrs. Heath made a motion to adopt resolution 2024-47 authorizing to join the County of Sussex in applying for a LEAP Implementation Grant. Seconded by Mr. Skellenger.

Mrs. Heath thanked Mrs. Tremont for gathering the facts and figures together for this.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance 05-2024

Mrs. Heath made a motion to adopt ordinance 05-2024 entitled "AN ORDINANCE AMENDING CHAPTER 161 "LAND DEVELOPMENT" ARTICLE IX STORMWATER AND FLOODING CONTROLS OF THE BOROUGH OF FRANKLIN CODE." Seconded by Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for Ordinance 05-2024. Mr. Skellenger made a motion to open the meeting to public for Ordinance 05-2024. Seconded by Mr. Postas. All were in favor.

There being no one present who wished to address the governing body, Mr. Postas made a motion to close the meeting to the public for Ordinance 05-2024. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Introduction of Ordinance 06-2024

Mr. Skellenger made a motion to introduce ordinance 06-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4, GENERAL FEES." Seconded by Mr. Postas.

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

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approve Garden State Fireworks Agreement

Mrs. Heath made a motion to approve the agreement with Garden State Fireworks for Fireworks Display for Franklin Day, to be held on June 29, 2024, in the amount of \$13,200.00. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mr. Skellenger made a motion to approve the application for membership of Timothy R. Gould, 3282 Route 94, Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

MAYOR & COUNCIL MEETING MINUTES APRIL 9, 2024

Franklin Fire Department Business Line of Credit Letter of Support request.

Mr. Postas made a motion to support the request of the Franklin Fire Department for a business line of credit. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Mayoral Appointment

Mayor Sowden made the following appointment.

Board of Health

Mary Bauberger Member (4-yr. unexpired term) expires 12/31/2024

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

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on Police Department Conditional Offer

Mr. Formica commented that if during the interview process, if one candidate really stands out can a conditional offer letter be sent to that candidate.

Mr. Ursin commented that if a conditional offer is given to a candidate and the council does not agree with that candidate and withdraws the offer it could be a problem.

Discussion on FFD Fireman's Park fencing repair

Mayor Sowden commented that he believes there was a misunderstanding regarding to fence that runs parallel to High Street on the Firemen's Park side.

Mr. Limon commented that there was an orange cautioned fence there and something knocked it down. Mr. Limon commented that he just wants the fence hung back up.

Mr. Formica commented that firemen's park, the pond, the playground, little league fields, softball fields, football fields, Paddock Park and Memorial Park are all Borough property and fall under buildings and grounds. That should be made clear to the DPW that the places mentioned are all Borough owned and fall under buildings and grounds.

Mr. Ursin commented that the council has made its position very clear, summarized by Councilman Formica. The administrator can take it from there. Something like this does not require council approval. This should come up to the level of the administrator and the administrator should make the call. Something small like this should not show up on your agenda.

ADDENDUM

Resolution #2024-48

Mrs. Heath made a motion to adopt resolution 2024-48 authorizing fireworks display in the Borough of Franklin on June 29, 2024 at the Franklin Pond Recreation area. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

MAYOR & COUNCIL MEETING MINUTES APRIL 9, 2024

Resolution #2024-49

Mrs. Heath made a motion to adopt resolution 2024-49 regarding the temporary closure of Franklin Avenue, County Road 631 on June 29, 2024. 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

There were no miscellaneous comments.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 8:14p.m., seconded by Mr. Formica. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

**MINUTES OF THE SPECIAL MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
APRIL 15, 2024**

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

Absent: Mr. Limon and Mr. Postas

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 7, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."

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.

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

NEW BUSINESS

Resolution #2024-50

Mrs. Heath made a motion to adopt resolution 2024-50 authorizing the submission and execution of a grant agreement to the New Jersey Department of Community Affairs in the amount of \$356,800. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon, Postas Abstentions: None

EXECUTIVE SESSION

There was no executive session.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mrs. Heath made a motion to adjourn the meeting at 7:03p.m., seconded by Mr. Skellenger. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2024-52

Approval to submit a grant application and execute a grant contract with the New Jersey Highlands Council for Stormwater and Tier A compliance

WHEREAS, the Franklin Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey formally approves the grant application for the above stated project; and

WHEREAS, French and Parrello Associates are hereby authorized to submit a grant application to the New Jersey Highlands Council on behalf of Franklin Borough.

NOW THEREFORE BE IT RESOLVED by the Borough Council of Franklin, County of Sussex, State of New Jersey that French and Parrello Associates are hereby authorized to sign the grant agreement with the New Jersey Highlands Council on behalf of Franklin Borough and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

CERTIFICATION: I, Darlene J. Tremont, Borough Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a meeting of said Governing Body held on April 23, 2024.

Darlene J. Tremont, Borough Clerk

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

Borough of Franklin, County of Sussex

Resolution #2024-53

DECLARING THE BOROUGH OF FRANKLIN RESOLUTION OF SUPPORT FOR THE JCP&L *EnergizeNJ* PROGRAM BPU Docket No. EO23110793

WHEREAS The Borough of Franklin recognizes that reliable electric service plays a crucial role in the daily lives of Township residents; and

WHEREAS The Borough of Franklin recognizes that reliable electric service also is critical to the local businesses within our community, and drives commerce in our Township and across the region; and

WHEREAS The Borough of Franklin supports efforts to upgrade our energy infrastructure to continue to provide families and businesses the reliable source of energy they need; and

WHEREAS The Borough of Franklin supports efforts to enhance the reliability and resiliency of the electric distribution system against severe weather and reduce the number of customers affected by outages and shorten the duration of outages; and

WHEREAS The Borough of Franklin has been informed that Jersey Central Power and Light Company's (JCP&L) *EnergizeNJ* Program includes approximately \$930.5 million in targeted investments above and beyond its regular annual investments to enhance JCP&L's service reliability and resiliency; and

WHEREAS The Borough of Franklin has been informed that the JCP&L plan is divided into three key investment areas: grid modernization, system resiliency and substation modernization, that will strengthen the backbone of JCP&L's local electric system, providing the foundation for smart grid capabilities in the future; and

WHEREAS The Borough of Franklin has been informed that this investment should provide approximately \$3.36 billion return in reliability benefits to customers by helping to reduce non-storm outages and improving JCP&L's ability to restore power following a major storm event; and

WHEREAS The Borough of Franklin has been informed that JCP&L estimates the initial increase on the monthly bill for an average residential customer would be about 42 cents in 2025 and after full phase-in in 2030 the additional monthly bill for an average residential customer would increase by \$4.07.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Franklin hereby finds and declares:

That JCP&L's *EnergizeNJ* Program will benefit residents and businesses in the Borough of Franklin and throughout Sussex County by making JCP&L's electric distribution system during storm and non-storm events more resistant to storm damage and enabling the system to recover more quickly when outages do occur and increase the distribution system's resiliency, operational flexibility, safety and security.

JCP&L's *EnergizeNJ* Program should be approved by the New Jersey Board of Public Utilities.

INTRODUCED, READ AND ADOPTED by the Mayor and Council this 23rd day of April, 2024.

ATTESTS:

Darlene J. Tremont, Municipal Clerk

John M. Sowden IV, Mayor

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

Borough of Franklin, County of Sussex

Resolution #2024-54

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN IN SUPPORT OF REQUEST TO NJDOT

WHEREAS, the Franklin Borough Police Department Traffic Department made a request to the NJDOT to consider a left-hand turn lane on Route 23 in the vicinity of mile marker 32.5;

WHEREAS, the request would relate to a safer entrance for the resident at 157 Route 23 South;

WHEREAS, by letter dated March 18, 2024, the NJDOT indicated that it was reviewing the request and requested a Resolution of Support from the Borough of Franklin;

WHEREAS, the Borough Council is in agreement with this request and wants to support the review.

NOW THEREFORE IT BE RESOLVED by the Mayor and Council of the Borough of Franklin that this Resolution is adopted in support of the request to the NJDOT to examine the situation and determine whether work can be done to create a safer access to the resident.

NOW THEREFORE IT BE FURTHER RESOLVED that this Resolution be transmitted by the Borough Clerk to the appropriate parties.

CERTIFICATION

I, Darlene J. Tremont, 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 adopted by the Franklin Borough Council at a meeting held on the 23rd day of April, 2024.

Darlene J. Tremont, Borough Clerk

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

**BOROUGH OF FRANKLIN
ORDINANCE NO. 06-2024**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
AMENDING SECTION 119-4, GENERAL FEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Code of the Borough of Franklin is hereby amended as follows:

SECTION I.

Section 119-4 is amended to update the following fees:

Chapter 196, Parks and Recreation:

§ 196-4	Daily use of recreation fields	\$75 (nonrefundable)
	Seasonal use of fields	\$400 (nonrefundable)
	Security deposit for damage to fields	\$400 (refundable)
	Use of refreshment stands	
	Daily	\$50 (nonrefundable)
	Seasonal	\$300 (nonrefundable)
	Use of fixed municipal rest rooms	\$50 per event (nonrefundable)
	Lighting Fee	
	Daily	\$75 (nonrefundable)
	Seasonal	\$350 (nonrefundable)

SECTION II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN

Darlene J. Tremont, CLERK

BY: John M. Sowden IV, MAYOR

DATED: April 23, 2024

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on April 9, 2024, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on April 23, 2024, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

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 23rd day of April, 2024.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced: April 9, 2024

Adopted: April 23, 2024

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					
RACHEL HEATH COUNCIL PRESIDENT	X					
JOSEPH LIMON	X					
JOHN POSTAS	X					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 COUNCIL PRESIDENT						
JOSEPH LIMON						
JOHN POSTAS						
STEPHEN SKELLENGER						

GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						

NOT YET APPROVED BY COUNCIL

**BOROUGH OF FRANKLIN
BOND ORDINANCE NUMBER 07-2024**

BOND ORDINANCE PROVIDING FOR VARIOUS 2024 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$1,413,021 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$1,168,173 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Franklin, in the County of Sussex, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$1,413,021, which is inclusive of a grant from the New Jersey Department of Transportation in the amount of \$174,196 (the "Grant") allocable to the Catlin Road, Wyker Road, Rowe Place and Junction Street improvements, and \$70,652 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3(a) hereof and to meet the part of said \$1,413,021 appropriation not provided for by application hereunder of the Grant and down payment in the amount of \$70,652, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,168,173 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding

\$1,168,173 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
<p>(i) <u>Road and Sidewalk Improvements</u> - Various Road And Sidewalk Improvements, Said Road Improvements To Include, But Not Limited To, Caitlyn Road, Wyker Road, Rowe Place And Junction Street (That Being The Portion Of The Improvements To Which The Grant Is Allocable), Edmonds Lane Extension And Hemlock Drive, Said Improvements To Include, But Not Be Limited To, Excavation, Milling, Paving, Reconstruction, Boxing Out, And Resurfacing Or Full Depth Pavement Replacement, And, As Applicable, The Repairing And/OR Installation, Of Associated Curbs, Curb Ramps (Including ADA Compliance); And Sidewalk Improvements To Include, But Not Limited To, Junction Street, Said Improvements To Include, But Not Be Limited To, Reconstruction Or Replacement Of Sidewalks And Driveway Aprons; And, As Applicable, All Associated Drainage Work, Roadway Painting, Landscaping And Aesthetic Improvements;</p>	\$602,419 (including the Grant)	\$398,102	\$30,121	20 years
<p>(ii) <u>Main Street Parking Lot Improvements</u> - Improvements To Parking Lot To Include, But Not Be Limited To, Excavation, Milling, Paving, Reconstruction, Boxing Out, And Resurfacing Or Full Depth Pavement Replacement, And, As Applicable, The Repairing And/OR Installation, Of Associated Curbs, Curb Ramps (Including ADA Compliance), Pavement Painting And Signage Improvements;</p>	\$394,850	\$375,107	\$19,743	15 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(iii) Police Department – Acquisition Of Various Sports Utility Vehicles With Upfittings; And	\$185,752	\$176,464	\$9,288	5 years
(iv) Public Works – Acquisition Of A Road Mower And Chipper.	\$230,000	\$218,500	\$11,500	5 years
Totals	<u>\$1,413,021</u>	<u>\$1,168,173</u>	<u>\$70,652</u>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated cost of said improvements or purposes is \$1,413,021, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant and the down payment in the amount of \$70,652 allocated for said purposes.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, the County of Sussex and/or a private entity make a contribution or grant in aid to the Borough, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Sussex and/or a private entity. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Sussex and/or a private entity, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or

grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, 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 will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 14.92 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,168,173 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$282,604 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of

this bond ordinance. This Section 9 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 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: April 23, 2024

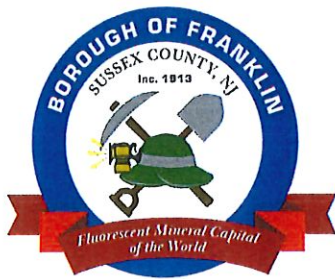
DARLENE J. TREMONT,
Clerk of the Borough of Franklin

ADOPTED ON SECOND READING
DATED: May 14, 2024

DARLENE J. TREMONT,
Clerk of the Borough of Franklin

APPROVAL BY THE MAYOR ON THIS ____ DAY OF ____, 2024.

JOHN M. SOWDEN, IV,
Mayor of the Borough of Franklin



BOROUGH OF FRANKLIN
Historical Commission
46 Main Street
Franklin, NJ 07416

John M. Sowden IV, Mayor
Darlene Tremont, Borough Clerk
Phillip R. Crabb, Borough Historian
Phone: 973-827-9280
Fax: 973-827-9279



April 19th, 2024

Franklin Borough Council
John M. Sowden, Mayor
46 Main Street
Franklin, New Jersey 07416

Pursuant to the stated position of the Franklin Borough Council to not allocated funding to repair and refurbish the former Franklin Hungarian Church which was relocated to the site of the former Neighborhood House:

The Franklin Historical Committee recommends, and requests that the Franklin Borough Council designate the property and former Church as Historic, facilitation this organization, and others in the Community, to apply for grants and other sources of funding to complete this project that has been dormant for some time.

This will facilitate both the Council's desire to not allocate taxpayer funding, and to allow the rehabilitation of this site to utilize for future purposes.

Thank you for your consideration,

A blue ink signature of Phillip R. Crabb, written in a cursive style.

Phillip R. Crabb, Chairman
Franklin Borough Historical Committee
Franklin Borough Historian