

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
MAY 9, 2023

- A. **Mayor Sowden** will call the meeting to order; Clerk will call the roll.
- B. **Mayor Sowden** will invite all present to salute the flag.
- C. **Mayor Sowden** will state that "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall, and printed in the New Jersey Herald/Sunday New Jersey Herald on January 6, 2023, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**
There are no presentations for tonight's meeting.
- 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 April 25, 2023. (Absent: None)
2. **Resolution 2023-68** – to authorize the award of a non-fair and open contract for hydrogeologic consulting services for the Department of Public Works in an amount not to exceed \$18,000.
3. **Introduction of Ordinance 05-2023** entitled an ordinance of the Borough of Franklin, County of Sussex and State of New Jersey modifying Chapter 248 Towing Services.

PUBLIC HEARING WILL BE HELD ON MAY 23, 2023.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING MAY 9, 2023

4. National Association of Letter Carriers Proclamation proclaiming the second Saturday in May as the National Association of Letter Carriers food drive.
5. Approval to Extend a Conditional Offer to (1) one Police Officer candidate as recommended in the Police Chief's May 4, 2023 letter. (Letter of recommendation provided to Council via email)
6. Approve Special Event Permit Application - for Franklin Mineral Museum to conduct a Rock Swap and Sell on July 29, 2023 at the park next to the pond on George LaBance Lane, Franklin and to authorize the use of the Franklin Pond area for parking as needed.
7. Discussion on 2023 Paving Projects
8. Discussion on Summer Hours
9. Discussion on New Hire for Senior Center

J. EXECUTIVE SESSION – IF REQUESTED

Mayor Sowden will request a motion to adopt a resolution to adjourn into Executive Session to discuss certain items excluded from the public.

THE OPEN PUBLIC MEETINGS ACT ALLOWS THE MAYOR AND COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A MEETING IN CERTAIN CIRCUMSTANCES,

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FRANKLIN, THAT THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF MATTERS ALLOWED BY NEW JERSEY LAW.

THE EXECUTIVE SESSION MINUTES WILL BE PLACED ON FILE IN THE BOROUGH CLERK'S OFFICE, AND WILL BE AVAILABLE TO THE PUBLIC AS PROVIDED FOR BY NEW JERSEY LAW.

Be further advised this Resolution shall take effect immediately.

- K. MISCELLANEOUS COMMENTS: **Mayor Sowden** will allow each member of the Governing Body to offer any miscellaneous comments which they may have at this time.
- L. ADJOURNMENT: **Mayor Sowden** will request a motion to adjourn the meeting.

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
APRIL 25, 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

Mr. Ray Sarinelli Sr., Municipal Auditor gave a brief overview of the CY2023 Municipal Budget. Mr. Sarinelli commented on how the tax revaluation effected some residents more than others, which is usually the case. Mr. Sarinelli spoke about the different challenges that were faced when putting the budget together such as the garbage contract which went up 25%, the insurance cost went up \$45,000 and an increase in police pension of \$80,000. There is new revenue that is being received from the cannabis tax and using the fund balance to help keep taxes down.

COMMITTEE REPORTS

Mr. Limon commented on an email from Brian VanDenBroek and there was a public utility meeting.

Mr. Postas commented that he spoke to Brian VanDenBroek about a new well location.

Mr. Snyder commented that there will be a personnel meeting on April 27th.

Mr. Formica commented that an ordinance committee meeting will be set up soon. There was some damage done to the fence at the playground and the funds have been encumbered to make repairs.

Mr. Skellenger commented that there will be a public safety meeting on May 3rd to interview new police candidates and the sergeant.

Mrs. Heath thanked Recreation for the great job on the Spring fling. Chair Bobbi Formica did a wonderful job. Congratulations to Judy and Jim Williams on receiving the 2023 Franklin Borough Senior of the Year award. Mrs. Heath commented that she attended the Franklin Hardyston Chamber of Commerce Meeting.

Mrs. Tremont commented that we received the 1st quarter tax payment from Ascend in the amount of \$272,806.27. The DPW ad has been placed and the closing date for applications is May 12, 2023. I spoke to Brian VanDenBroek in regards to the stumps on Maple Road and he will start having his employees clean it up when they have time. Financial Disclosure Statements are due to be filed by April 30th.

Mr. McBriar had nothing to report.

MAYOR & COUNCIL MEETING MINUTES APRIL 25, 2023

Mayor Sowden commented on the Ash trees that need to be removed and to have OEM canvass the area and let us know his recommendations. Mayor Sowden asked about the status of the paving projects for this year. The Spring Fling was a really nice event and it was great to see the surprised faces of the recipients. I've been in contact with the engineer and we are waiting for the antenna people to be able to move forward with the water tower painting.

OPEN PUBLIC SESSION

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

Joanne Tatka asked if the JCP&L Property is back on the tax rolls and questioned the EDU rate for 7 LaRue Street.

There being no one else present or on Zoom who wished to address the Governing Body, Mr. Limon 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. None filed.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Police Department Report – March 2023
2. DPW Report – March 27, 2023 – March 31, 2023
3. Registrar Report – January through March 2023
4. County Health Department Report – March 2023

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution 2023-61 requesting permission for the dedication by rider for mobile video record system.
2. Resolution 2023-62 requesting permission for the dedication by rider for forfeited property.
3. Resolution 2023-63 requesting permission for the dedication by rider for police donations.
4. Resolution 2023-64 - to approve appointing Darlene J. Tremont, as Fund Commissioner for the Local Unit calendar year 2023 and Colleen Little, as Alternate Fund Commissioner for the Local Unit calendar year 2023.
5. Payment of bills for the meeting of April 25, 2023.

Mr. Limon made a motion to approve the consent agenda of April 25, 2023. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Public Hearing on the 2023 CY Municipal Budget

Mayor Sowden requested a motion to open the meeting to the public for public comments on the 2023 CY Municipal Budget.

Mr. Snyder made a motion to open to the public CY2023 Municipal Budget. Seconded by Mr. Postas. All were in favor.

Joanne Tatka asked what the tax rate would be.

MAYOR & COUNCIL MEETING MINUTES APRIL 25, 2023

Mr. Sarinelli commented that the tax rate is .83 per \$100,000 assessed value home.

Mr. Limon made a motion to close to the public CY2023 Municipal Budget. Seconded by Mrs. Heath. All were in favor

Resolution #2023-59

Mr. Limon made a motion to adopt resolution 2023-59 adopting the 2023 CY Municipal Budget. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for April 11, 2023. (Absent: None) Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-60

Mr. Skellenger made a motion to adopt resolution 2023-60 to authorize hiring of a new police officer. (Letter of recommendation from Chief Cugliari included Council packets) Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-65

Mr. Postas made a motion to adopt resolution 2023-65 authorizing extending the probationary period for Frederick Milligan in Department of Public Works. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: Postas Absent: None Abstentions: None

Resolution #2023-66

Mrs. Heath made a motion to adopt resolution 2023-66 authorizing the award of a non-fair and open contract for Borough computer system support to Quikteks in an amount not to exceed \$30,000. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-67

Mr. Formica made a motion to adopt resolution 2023-67 to authorize submission of a Governor's Council on Alcoholism and Drug Abuse, NJ Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) Youth Leadership Grant application for the Walkkill Valley Municipal Alliance Grant Term 9/1/23 - 9/30/25 in the amount of \$2,547.00. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

American Legion Post 132

Mr. Limon made a motion to approve the request from the American Legion to hold their Memorial Day Parade on May 29, 2023; parade line up will start at the Legion Post at 10:15AM, parade starts at 10:45AM. Seconded by Mrs. Heath.

MAYOR & COUNCIL MEETING MINUTES APRIL 25, 2023

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Public Employer Trust Agreement

Mr. Snyder made a motion to approve the Public Employer Trust Agreement between the Borough of Franklin and Brown and Brown, Benefit Advisors for Horizon Healthcare Dental for the period of July 1, 2023 to June 30, 2024, at no increase in premiums, addendum with coverage cost election attached. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Water/Sewer Connection Application

Mr. Skellenger made a motion to approve the water/sewer connection application submitted by 7 LaRue LLC for a .87 EDU residential dwelling at 7 LaRue Street contingent upon receipt of associated connection fees. Seconded by Mr. Postas.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on Cannabis Testing Facility

Mr. Jack Parker is seeking a resolution of support to obtain a license for a cannabis testing facility.

The Governing Body directed Counsel to draft a resolution of support to be voted on at the next council meeting.

Discussion on Cannabis Consumption Areas

Mr. Formica commented that the State is most likely moving forward with cannabis consumption areas. If you are a dispensary or a grower you can apply to the State to have a consumption area.

Mr. McBriar commented that the current [Franklin Borough] ordinance does not allow for cannabis consumption areas in residential areas.

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mrs. Heath commented that everyone did a great job on the budget this year.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Postas made a motion to adjourn the meeting at 7:48p.m., seconded by Mrs. Heath. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2023-68

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR HYDROGEOLOGIC CONSULTING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Franklin has a need to acquire the services of hydrogeologic consulting services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5 as appropriate;

WHEREAS, the purchasing agent has determined and certified in writing that the value of the services will exceed \$17,500;

WHEREAS, the anticipated term of this contract is retroactive from January 1, 2023 to December 31, 2023;

WHEREAS, Uhl & Associates has submitted an agreement indicating they will provide hydrogeologic consulting services as per the cost schedule outlined in the February 10, 2023 proposal:

WHEREAS, Uhl & Associates services to be provided as described herein will not exceed an amount of \$18,000.00;

WHEREAS, Uhl & Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Uhl & Associates has not made any reportable contributions to a political or candidate committee in Franklin Borough in the previous one year, and that the contract will prohibit Uhl & Associates from making any reportable contributions through the term of the contract;

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.

Michelle LaStarza, CFO

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin authorizes the Mayor to execute the contract with Uhl & Associates as described herein.

CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting of the said Governing Body held at 7:00 PM on May 9, 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)				

NOT YET APPROVED BY COUNCIL

Borough of Franklin
County of Sussex

National Association of Letter Carriers Proclamation

WHEREAS, many people in this country struggle with hunger every day and letter carriers see first-hand the needs in the communities where we work; and

WHEREAS, for more than 20 years, the National Association of Letter Carriers (NALC) has conducted an annual nationwide food drive on the second Saturday in May; and

WHEREAS, using the unparalleled postal networks, letter carriers collect non-perishable food donations on that day as they deliver mail along their postal routes;

WHEREAS, it is held in 10,000 cities and towns in all 50 states, the District of Columbia, Puerto Rico, the Virgin Islands and Guam;

WHEREAS, among the many local volunteer groups that will help are the United Way, Salvation Army, Catholic Charities, National Guard units, American Legion and Veterans of Foreign Wars, Boy/Girl Scouts, various student groups, Rotary Clubs and AARP programs;

NOW THEREFORE, be it resolved that the Borough of Franklin does proclaim the second Saturday in May as the National Association of Letter Carriers food drive.

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 Proclamation adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting held on May 9, 2023.

Darlene J. Tremont, Municipal Clerk

John M. Sowden IV, Mayor

