

**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**  
**JULY 18, 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**  
There are no presentations this evening.
- E. **COMMITTEE REPORTS:** **Mayor Sowden** will allow each member of the Council, Borough Administrator, Borough Clerk, and Borough Attorney to present their respective committee report.

**Mayor Sowden** will offer the Mayor's Report.

- F. **OPEN PUBLIC SESSION:** **Mayor Sowden** will request a motion to open the meeting to the public, for any questions or comments concerning the good and welfare of the Borough. **All comments should be directed to the Mayor and kept to a 3-minute maximum per person.**

After giving all persons present an opportunity to address the Governing Body, **Mayor Sowden** will request a motion to close the meeting to the public and return to the regular order of business.

- G. **CONSENT AGENDA:** **Mayor Sowden** will request that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made, at this time.

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

- H. **OLD BUSINESS:**

- I. **NEW BUSINESS:**

1. **Approval of the Minutes** for the regular meeting minutes and executive session meeting minutes for June 27, 2023. (Absent: Postas)
2. **Resolution #2023-91** to approve certifying the Franklin Borough Governing Body has reviewed the 2022 Audit comments and recommendations as required by N.J.A.C. 5:30-6.5.
3. **Resolution #2023-92** to accept and approve for filing the corrective action plan for the Audit Report year 2022 prepared and filed by the Borough's Chief Financial Officer. (Corrective Action Plan attached)
4. **Resolution #2023-93** to authorize the award of a required disclosure contract with J&D Sheds in the amount not to exceed \$17,600.00 for the Recreation Committee.

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING JULY 18, 2023**

5. Resolution #2023-94 to authorize the Franklin Fire Department to apply to become an eligible organization and appoint an authorized signor.
6. Resolution #2023-95 to authorize a Postal Meter Lease with Quadiant Leasing USA in the amount of \$11,527.80 for the lease period July 1, 2023 until June 30, 2028.
7. Resolution #2023-96 to authorize a grant application to the New Jersey Department of Transportation for the Catlin Road, Wyker Road & Rowe Place project.
8. Resolution #2023-97 to authorize extending the grace period for payment of 3<sup>rd</sup> quarter 2023 taxes.
9. Resolution #2023-98 to authorize the execution of the New Jersey Department of Environmental Protection Treatment Works approval permit application (TWA-1); Statement of Consent for Block 2401 Lot 21 as requested by AWH Cultivation Facility.
10. Adoption of Ordinance #07-2023 – entitled “AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH CODE, ALLOWING FIRST FLOOR RESIDENTIAL ON SOME LOTS IN THE B-2 ZONE”.

**Mayor Sowden will request a motion to open the meeting to the public for ordinance 07-2023**

11. Adoption of Ordinance #08-2023 – “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4 OF THE BOROUGH CODE ENTITLED “GENERAL FEES”.

**Mayor Sowden will request a motion to open to the meeting to the public for ordinance 08-2023.**

12. Police Chief Agreement to approve the Police Chief Employment agreement between the Borough of Franklin and Police Chief Gregory Cugliari from January 1, 2024 to December 31, 2028. (Agreement provided in Council packets)
13. Sewer Connection Application to approve the sewer connection application submitted by Ascend New Jersey LLC for 62 EDU's commercial dwelling at 24 Munsonhurst Road contingent upon receipt of associated connection fees, all directives followed as per Utility Engineer, Michael Vreeland's memo dated July 3, 2023 and his final review.
14. Mayoral Appointment  
Mayor Sowden will make the following appointment.

**Planning Board**

James T. Affinito Alternate Member II (2-yr. unexpired term)  
Expires 12/31/2024

**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,

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING JULY 18, 2023**

- Contract Negotiation & Finance Agreements
- Potential 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  
JUNE 27, 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 (via ZOOM), Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: 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 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. Snyder had nothing to report.

Mr. Formica had nothing to report.

Mr. Skellenger had nothing to report.

Mrs. Heath commented that the Franklinite and Fireworks are July 1<sup>st</sup> and that the Miss Franklin Pageant is at 2pm on July 1<sup>st</sup>. There will be a concert in the park on July 15<sup>th</sup> from 6pm-9pm and the Franklin Band on July 22<sup>nd</sup> from 6pm-9pm.

Ms. Clinton had nothing to report.

Mrs. Tremont commented that she was in contact with Ascend on Munsonhurst regarding the parking issue and they have corrected the situation. Mrs. Tremont spoke to Mike Vreeland in regards to the cell tower and moving it. The agreement for the moving of the cell tower is now back with Sprint.

Mayor Sowden requested a moment of silence for the passing of the former Mayor Ed Allen.

**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.

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

**CONSENT AGENDA**

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

**CORRESPONDENCE** (ACCEPTANCE FOR FILING ONLY OF THE FOLLOWING):

1. Letter from Sandyston Township dated June 20, 2023 to the New Jersey Sierra Club in regards to the Delaware Water Gap National Recreation Area.

**MAYOR & COUNCIL MEETING MINUTES JUNE 27, 2023**

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

1. DPW Report – May 22 – May 26
2. DPW Report – May 29 – June 2
3. County Board of Health Report – May 2023

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

1. None filed.

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

1. Resolution 2023-90 – to authorize the Borough Clerk to renew the following liquor licenses for the 2023-2024 licensing term.  
1906-44-003-010 Jersey Innovative Investors Wine Grand
2. Payment of bills for the meeting of June 27, 2023.

Mr. Skellenger made a motion to approve the consent agenda of June 27, 2023. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

**OLD BUSINESS**

Discussion on Main St. & Junction St. multi-way stop

At this time there was a discussion on the Main Street and Junction Street multi-way stop.

Mr. Skellenger made a motion to improve the intersection of Main Street and Junction Street as recommended on pages 5 and 6 in the report by French and Parrello. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

**NEW BUSINESS**

Approval of the Minutes

Mr. Snyder made a motion to approve the regular meeting minutes for June 13, 2023. (Absent: None) Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2023-88

Mrs. Heath made a motion to adopt resolution 2023-88 to approve the Side Bar Agreement between the Borough of Franklin and Policemen's Benevolent Association Local No. 404. (Agreement provided in Council packets) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

Resolution #2023-89

Mr. Snyder made a motion to adopt resolution 2023-89 to approve modifying the Employee Handbook regarding Part-Time Employee Policy. Seconded by Mr. Formica.

Mr. Snyder questioned how this was agreed on as he thought it was decided at the last meeting.

Clerk Tremont explained what transpired at the last Mayor and Council meeting. It was agreed that a personnel meeting was needed to further discuss wording and holidays.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger

Nays: Snyder Absent: Postas Abstentions: None

**MAYOR & COUNCIL MEETING MINUTES JUNE 27, 2023**

**Introduction of Ordinance #07-2023**

Mr. Formica made a motion to introduce ordinance 07-2023 entitled "AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH CODE, ALLOWING FIRST FLOOR RESIDENTIAL ON SOME LOTS IN THE B-2 ZONE." Seconded by Mr. Skellenger.

Ms. Clinton will clarify if this ordinance needs to go back to the planning board for comment.

Mayor Sowden announced that the public hearing will be held on July 18, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

**Introduction of Ordinance #08-2023**

Mr. Formica made a motion to introduce ordinance 08-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING SECTION 119-4 OF THE BOROUGH CODE ENTITLED "GENERAL FEES". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on July 18, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

**Mayoral Appointment**

Mayor Sowden made the following appointment.

**Crossing Guard Status Change**

Charles Hughes II status change from permanent crossing guard to substitute crossing guard with no salary change, effective immediately, as recommended by Rebecca Babcock, Crossing Guard Captain.

Mr. Limon made a motion to confirm the mayor's appointment for the crossing guard status change. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Postas Abstentions: None

**EXECUTIVE SESSION**

In accordance with the provisions of the Open Public Meetings Act, Mr. Formica made a motion to adjourn into closed executive session to discuss personnel matters. Motion seconded by Mr. Skellenger. All were in favor.

Mayor Sowden commented that there will be no official action taken after executive session.

**ADJOURNMENT**

At 7:22pm, the Mayor and Council adjourned into executive session and did not return into open public session.

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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 #2023-91**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Franklin pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Franklin, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Darlene J. Tremont, hereby certify that this is a true copy of the resolution passed at a meeting of the Borough of Franklin Governing Body held on July 18, 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)				

**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT  
GROUP AFFIDAVIT FORM  
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY  
COUNTY OF SUSSEX

We, members of the governing body of the Borough of Franklin, in the County of Sussex, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Franklin Borough Council of the Borough of Franklin in the County of Sussex;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2021;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)	(L.S.)
_____ John M. Sowden IV, Mayor (L.S.)	_____ Concetto Formica, Councilman (L.S.)
_____ Rachel Heath, Councilwoman (L.S.)	_____ Joe Limon, Councilman (L.S.)
_____ John Postas, Councilman (L.S.)	_____ Stephen Skellenger, Councilman (L.S.)
_____ Gilbert Snyder, Councilman (L.S.)	_____ (L.S.)

Sworn to and subscribed before me this  
18th day of July, 2023  
Notary Public of New Jersey

\_\_\_\_\_  
Darlene J. Tremont, Municipal Clerk

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The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

**IMPORTANT:** This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.



# Borough of Franklin, County of Sussex

## Resolution #2023-92

**WHEREAS**, a Corrective Action Plan for the Audit Report Year of 2022 has been prepared and filed by Chief Financial Officer, Michelle LaStarza; and

**WHEREAS**, said Plan has been reviewed by the Mayor and Council of the Borough of Franklin.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Franklin that the Corrective Action Plan for the Audit Report Year of 2022 is accepted and approved for filing in the Borough Clerk's Office.

**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 July 18, 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)				

**Attachment to Resolution 2023-92**

**BOROUGH OF FRANKLIN  
COUNTY OF SUSSEX  
CORRECTIVE ACTION PLAN  
2022 AUDIT REPORT**

**Finding #1 Finance**

1. Description: That adequate segregation of duties for the various departments/offices of the Borough be reviewed in order to improve internal control.
2. Analysis: Due to the limited number of employees within the Finance, Tax Collection and Water/Sewer Utility Collection departments there is not always an ideal segregation of duties.
3. Corrective Action: The Borough will reassign duties within the finance department and limit/document instances where coverage of the Tax/Water Department is necessary.
4. Implementation Date: July 18, 2023

**Finding # 2 Finance**

1. Description: That Reconciling items are properly supported and the general ledger is supported by the receipts ledger.
2. Analysis: Reconciling items have been carried forward since 2021 and 2022 receipts were not always posted to the receipts ledger.
3. Corrective Action: The CFO will cancel reconciling items by resolution and all receipts will be posted to the receipts ledger.
4. Implementation Date: Resolution will be drafted and approved by 12/31/23

### **Finding # 3 Finance**

1. Description: That Federal and State Grant Fund appropriated reserves be monitored to prevent over expenditures.
2. Analysis: A body armor purchase was made from the incorrect account.
3. Corrective Action: Grant expenditures will be monitored more closely.
4. Implementation Date: 7/18/2023

### **Finding # 4 Finance**

1. Description: That dog license fees be remitted to the State Treasurer on a monthly basis.
2. Analysis: There were several months that remained unpaid at December 31, 2022.
3. Corrective Action: All 2022 outstanding items have been paid and all 2023 fees are being paid monthly.
4. Implementation Date: 06/28/2023

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

## **Resolution #2023-93**

### **RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A REQUIRED DISCLOSURE CONTRACT WITH J&D SHEDS FOR THE RECREATION COMMITTEE**

**WHEREAS**, the Borough of Franklin Recreation Committee has a need for a gazebo for the senior center, and J&D Sheds of 3520 Route 94, Franklin, NJ has a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4et. Seq., and,

**WHEREAS**, the Qualified Purchasing Agent has certified that the value of the contract is in excess of the Pay to Play threshold of \$17,500.00; and

**WHEREAS**, J&D Sheds of 3520 Route 94, Franklin, NJ has supplied a quote for the purchase of:

- An outdoor gazebo for the senior center not to exceed \$17,600.00

**WHEREAS** quotes were received from Stoltzfus Structures and Furniture and Garden Oaks Specialties

**WHEREAS** J&D Sheds is deemed to be the most advantageous to the Borough based upon Price and other Factors in accordance with N.J.S.A.40A:11-6.1 et. Seq., and

**WHEREAS**, J&D Sheds has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that J&D Sheds has not made any reportable contributions to a candidate in the Borough of Franklin in the previous one year and that the contract will prohibit J&D Sheds from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Purchasing Agent has recommended the contract be awarded in the amount of not to exceed \$17,600.00 and,

**WHEREAS** the Chief Financial Officer certifies the availability of funds and that the funds shall not exceed \$17,600.00

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Franklin, County of Sussex, State of New Jersey, as follows:

1. That the contract be and hereby is awarded for a gazebo for the senior center in the amount not to exceed \$17,600.00 to J&D Sheds of 3520 Route 94, Franklin, NJ
2. That the cost for the services aforesaid shall not exceed \$17,600.00

# Borough of Franklin, County of Sussex

## Resolution #2023-93

4. That the Municipal Clerk shall forward a certified copy of this Resolution to the following:

- A. Chief Financial Officer
- B. Purchasing Agent
- C. Director of Public Works
- D. J&D Sheds  
3520 Route 94, Franklin, NJ.

### CERTIFICATION

I, Darlene J. 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 correct copy of a Resolution adopted by the Borough Council at a meeting held on the 18<sup>th</sup> day of July, 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 #2023-94

### RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE FRANKLIN FIRE DEPARTMENT TO APPLY TO BECOME AN ELIGIBLE ORGANIZATION AND APPOINT AN AUTHORIZED SIGNOR

**WHEREAS**, the state has created a voluntary program to certify firefighters, and

**WHEREAS**, the Borough of Franklin Governing Body has reviewed, discussed and voted to participate in the program, and

**NOW THEREFORE, BE IT RESOLVED**, that the Borough of Franklin Governing Body appoints, Michael Raperto, Franklin Fire Department Chief, as the authorized signatory to sign any documents necessary to implement the Firefighter Certification Program in the Borough of Franklin.

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting held on July 18, 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 #2023-95

### POSTAL METER LEASE

WHEREAS, a proposal was obtained for the renewal of the Lease of a Postal Meter for the Borough of Franklin, from a state vendor; and

WHEREAS, the following vendor is an authorized supplier as approved by the State of New Jersey Division of Purchase and Property, and assigned a contract number, thereby affording the Borough the opportunity of Leasing without competitive bidding:

Quadient Leasing USA, LLC

Contract # A41267

60 Month Lease

\$11,527.80

NOW, THEREFORE, BE IT RESOLVED that the Borough of Franklin's Council hereby authorize the execution and issuance of the necessary purchase order in the total amount not to exceed \$11,527.80;

NOW, THEREFORE, FURTHER BE IT RESOLVED that this Lease upon signature will be in effect from July 1, 2023 until June 30, 2028; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall forward a certified copy of this Resolution to the following:

- A. Chief Financial Officer
- B. Purchasing Agent
- C. Quadient Leasing USA  
478 Wheelers Farms Road  
Milford, CT 06461

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting held on July 18, 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 #2023-96

### RESOLUTION OF THE BOROUGH COMMITTEE OF THE BOROUGH OF FRANKLIN AUTHORIZING A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CATLIN ROAD, WYKER ROAD, & ROWE PLACE PROJECT

**WHEREAS**, Franklin Borough is submitting a grant application to the New Jersey Department of Transportation for a project to pave a portion of Catlin Road, Wyker Road and Rowe Place; and

**WHEREAS**, the Borough Committee of the Borough of Franklin formally approves the grant application for the above stated project; and

**BE IT RESOLVED** that the Borough Engineer is hereby authorized to submit an electronic grant application identified as MA-2024-Catlin Road, Wyker Road & Rowe Place-00478 to the New Jersey Department of Transportation on behalf of the Borough of Franklin.

**BE IT FURTHER RESOLVED** that Mayor and Clerk hereby authorized to sign the grant agreement on behalf of the Borough of Franklin and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted:

Attest:

BOROUGH OF FRANKLIN,  
IN THE COUNTY OF SUSSEX

\_\_\_\_\_  
Darlene J. Tremont, Municipal Clerk

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

**CERTIFICATION:** I, Darlene J. Tremont, Borough Clerk of the Borough of Franklin do hereby certify the forgoing resolution was duly adopted by the Borough Committee at the regular meeting held on July 18, 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 #2023-97**

### **RESOLUTION EXTENDING GRACE PERIOD FOR PAYMENT OF 3<sup>RD</sup> QTR 2023 TAXES**

**WHEREAS, N.J.S.A. 54:4-64 provides that third quarter tax bills were to be mailed at least 47 days prior to the due date of August 1, 2023; and**

**WHEREAS, because of delays outside of the Borough's control, the bills could not be mailed prior to this deadline; and**

**WHEREAS, N.J.S.A. 54:4-66.3d provides that when third quarter tax bills cannot be mailed by June 14, taxes shall not be subject to interest until at least 25 days after the tax bills are mailed.**

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin that the grace period for payment of 3<sup>rd</sup> Qtr 2023 taxes be extended to August 18, 2023. Any payments not made within this time shall be charged interest from the State set due date of August 1, 2023.**

**CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted by the Governing Body of the Borough of Franklin, in the County of Sussex, State of New Jersey at a regular meeting held on 7:00 PM on the date of July 18, 2023.**

**Darlene J. Tremont, Municipal Clerk**

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

# Borough of Franklin, County of Sussex

## Resolution #2023-98

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

**WHEREAS**, an increased allocation with respect to the sanitary sewer system will be required as stated by the Borough Engineer for Block 2401, Lot 21, as set forth in his July 3, 2023 Memorandum. The project will have no impact on the Franklin Borough Sanitary Collection System, and it is necessary for AWH Cultivation Facility to seek consent on behalf of the Borough of Franklin for an approval from the New Jersey Department of Environmental Protection (NJDEP) for a Treatment Works Approval (TWA-1) Permit; and

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

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

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

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

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin at a regular meeting held at 7:00 p.m. on July 18, 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 # 07-2023**

**AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH CODE,  
ALLOWING FIRST FLOOR RESIDENTIAL ON SOME LOTS IN THE B-2 ZONE**

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Franklin as follows:

**Section 1. Schedule A** to the Land Use Ordinance is amended to indicate that the phrase “upper floors only” for apartments in the B-2 Zone shall not apply to Block 602 Lot 25; Block 607 Lots 18, 19 and 20; and Block 608 Lot 12 which shall permit residential uses on all floors in the B-2 Zone.

The amended Schedule A attached to this Ordinance.

**Section 2. Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 3. Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 4. Effective Date.** This ordinance shall take effect after publication and passage according to law.

**Section 5.** The Borough Clerk is hereby directed to give notice by certified mail at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

ATTEST:

**BOROUGH OF FRANKLIN**

\_\_\_\_\_  
Darlene J. Tremont, CLERK

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

DATED: July 18, 2023

**NOTICE**

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Franklin on June 27, 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 July 18, 2023, at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.

\_\_\_\_\_  
 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 18<sup>th</sup> day of July, 2023.

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

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

Introduced: June 27, 2023

Adopted: July 18, 2023

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X				X	
RACHEL HEATH	X					
JOSEPH LIMON	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)						

LAND DEVELOPMENT  
161 Attachment 2  
Schedule A

Permitted, Conditional and Accessory Uses & Structures  
Borough of Franklin, Sussex County, New Jersey

Legend:

P = Permitted principal use

A = Permitted accessory use

C = Conditional use

Uses	R-1	R-2	R-3	R-4	MF	ZM	B-1	B-2	HC	I	MHP	OS/GU	GC	Q	HMF
Detached single family	P	P	P	P										P	P
Apartments					P	Upper floors of upper section only	Upper floors only	*Upper floors only  **all floors in certain block/lot							P
Attached single/family townhomes					P		P								P
Governmental buildings and uses	P	P	P	P	P	P (upper section only)		P	P	P	P	P	P	P	
Mixed use dwellings						P (upper section only)	P	P							
Agricultural uses	P	P	P	P				P	P	P	P				
Mobile home parks											P				
Retail sales and trade						P (upper section)	P	P	P						

						only)									
Financial institutions, non-drive through						P	P	P	P	P					
Offices						P	P	P	P	P	P		P	P	

\* Amended by ordinance #6-2007, adopted 03-13-07.

\*\*Amended by ordinance #07-2023, adopted \_\_\_\_\_.

NOT YET APPROVED BY COUNCIL

**BOROUGH OF FRANKLIN  
ORDINANCE NO. 08- 2023**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,  
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY  
AMENDING SECTION 119-4 OF THE BOROUGH CODE  
ENTITLED “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.**

Chapter 119-4 of the Code of the Borough of Franklin entitled “General Fees” referencing §161-42 regarding Escrow Account Deposits is hereby replaced as follows:

§ 161-42 Informal reviews: \$600

**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: July 18, 2023

**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 the 27<sup>th</sup> day of June, 2023, 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 the 18<sup>th</sup>

day of July, 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 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

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Darlene J. Tremont, Borough 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 18<sup>th</sup> day of July, 2023.

---

Darlene J. Tremont, Clerk  
Borough of Franklin

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John M. Sowden IV, Mayor

Introduced: June 27, 2023

Adopted: July 18, 2023

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X				X	
RACHEL HEATH	X					
JOSEPH LIMON	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)						