

**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**  
**SEPTEMBER 24, 2024**

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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 7, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**  
Michael Christensen – Eagle Scout project
- 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:**
1. **Discussion on 100 Main Street**
- I. **NEW BUSINESS:**
1. **Discussion on Rutherford Culvert Headwall**
  2. **Approval of the Minutes** for the regular meeting minutes for September 10, 2024. (Absent: None)
  3. **Discussion on Ordinance 16-2024**
  4. **Resolution 2024-102** authorizing the removal of a water/sewer overbill on Block 2101 Lot 14.
  5. **Resolution 2024-103** authorizing the removal of a water/sewer overbill on Block 1501 Lot 1.

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING SEPTEMBER 24, 2024**

6. Resolution 2024-104 authorizing a salary adjustment for the certified finance officer
7. Adoption of Ordinance 17-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 250, TREES.”

**Prior to final roll call Mayor Sowden will request a motion to open the meeting to the public for Ordinance 17-2024.**

8. Introduction of Ordinance 18-2024 entitled “SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY.”

**Mayor Sowden will announce that the final reading will be on October 8, 2024.**

9. Discussion of Administrator Position
10. Authorization for the Mayor and Clerk to execute a contract for the position of Administrator.
11. Discussion on Grant Writer
12. Discussion on High Street and Parker Street stop sign.

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,

- Contract Negotiations

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  
SEPTEMBER 10, 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: Mrs. Carnes (via phone), Mr. Formica, Mrs. Heath, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Limon

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**

Jeff Stevens, Executive Vice President and General Manager of Iparametrics addressed the governing body regarding what his company can offer with regards to grant writing services.

**COMMITTEE REPORTS**

Mrs. Carnes commented that the EDC met. The pond side market is still moving ahead for the last Saturday in September from 10am-2pm. We are trying to find interest and funding for next year.

Mrs. Heath thanked the Council for their support during her recuperation. We met with a potential candidate for the position of Administrator.

Mr. Skellenger had nothing to report.

Mr. Formica commented that public safety met last week with the fire department and discussed capital purchases for 2025.

Mr. Snyder commented that there were quite a few personnel meetings to discuss staffing concerns upon Darlene's retirement. We will be advertising for DPW vacant positions. There was a grievance filed by an employee that was let go.

Mrs. Tremont commented that the Hemlock Drive work has started, and Catlin and Junction will begin after Hemlock is finished.

Mr. Ursin had nothing to report.

Mayor Sowden commented that he received an email regarding the rate increase for medical insurance for 2025. Corkhill Road by the Riverview Barn has water issues as well as ice issues. French and Parrello has been requested to get prices on drainage for that area. The cost would be approximately \$150,000; we could put this into next year's budget. This is an old problem that's never been addressed.

Mr. Formica asked why this wasn't included in Braen report.

Mrs. Heath commented that additional information is needed.

Mr. Ursin commented that an investigation should be considered.

Mrs. Heath made a motion to authorize the borough engineer to give a more detailed report on the water issues on Cork Hill Road. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 10, 2024**

**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.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka questioned the wording of resolution 2024-101. Mrs. Tatka welcomed Rachel Heath back.

There being no one else present who wished to address the Governing Body, Mr. Skellenger 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. Borough of Hamburg Ordinance 15-2024 re: amending Chapter 215 Zoning.
2. Township of Montague resolution opposing proposed legislation bypassing local zoning for home-based businesses.

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

1. DPW Report – July 15 – July 19
2. DPW Report – July 22 – July 26
3. DPW Report – July 29 – August 2
4. DPW Report – August 5 – August 9
5. Police Department Report – July 2024
6. County Board of Health report – July 2024
7. Zoning Department Report – June, July & August

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

1. None filed.

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

1. Payment of bills for the meeting of September 10, 2024.

Mrs. Heath made a motion to approve the consent agenda of September 10, 2024. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Snyder

Nays: None Absent: Limon Abstentions: Skellenger

**OLD BUSINESS**

Geese – Mr. Formica commented that it is not an easy fix to get rid of the geese. The most effective way is a gradual deterrence of their nests. Our DPW could be trained on how to deter the geese. Nothing can be done until April. We could include in next year budget for this service at a cost of approximately \$4,000-\$7,000. The company that was reached out to was very receptive and helpful. Scaring the geese only helps for a short period of time.

Mr. Snyder commented that he will try to get information at the annual conference.

**NEW BUSINESS**

**Approval of the Minutes**

Mr. Skellenger made a motion to approve the regular meeting minutes for August 13, 2024. (Absent: None) Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**Resolution 2024-97**

Mr. Skellenger made a motion to adopt resolution 2024-97 requesting approval of items of revenue and appropriation NJSA 40A:4-87. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

**MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 10, 2024**

Nays: None Absent: Limon Abstentions: None

Resolution 2024-98

Mr. Formica made a motion to adopt resolution 2024-98 authorizing the mayor and clerk to sign certificate 2024-016. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2024-99

Mr. Snyder made a motion to adopt resolution 2024-99 authorizing a refund of an escrow for road opening permits. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2024-100

Mr. Snyder made a motion to adopt resolution 2024-100 authorizing the qualified purchasing agent to receive certain bids in accord with N.J.A.C. 5:34-5.1, E-Procurement. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2024-101

Mr. Skellenger made a motion to adopt resolution 2024-101 authorizing a procurement through the ESCNJ Cooperative contract for Basketball Court repairs and improvements at a cost not to exceed \$70,400, conditioned upon confirmation that Franklin Borough is a member in ESCNJ. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance 14-2024

Mr. Formica a motion to adopt Ordinance 14-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING CHAPTER 161, LAND DEVELOPMENT, TO ADD THE 520 ROUTE 23 INCLUSIONARY ZONE." Seconded by Mr. Skellenger.

Mr. Ursin commented that the Planning board has reviewed the application after our referral for consistency determination and the Planning Board issued a letter dated September 9, 2024 stating that they found consistency and also made a series of recommendations with respect to the ordinance.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 14-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 14-2024. Seconded by Mrs. Heath. All were in favor.

Mrs. Joann Tatka stepped forward. Mrs. Tatka asked if this is for 500 units.

Mr. Ursin commented that this is a change in the zoning ordinance.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close to the public Ordinance 14-2024. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance 15-2024

Mr. Skellenger made a motion to adopt Ordinance 15-2024 entitled "CAPITAL ORDINANCE PROVIDING FOR PURCHASE OF ALCOTEST SYSTEM, BY AND IN

**MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 10, 2024**

THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$22,823.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND FOR THE COST THEREOF.” Seconded by Mr. Formica.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 15-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 15-2024. Seconded by Mrs. Heath. All were in favor.

There being no one present who wished to address the Governing Body, Mr. Skellenger made a motion to close to the public Ordinance 15-2024. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mr. Formica made a motion to open the meeting to the public for Ordinance 14-2024. Seconded by Mr. Snyder. All were in favor.

Michael Silvert, Attorney for Imperatore Sussex Partnership stepped forward. Mr. Silvert thanked the council for the passage of this ordinance.

Mr. Skellenger made a motion to open the meeting to the public for Ordinance 14-2024. Seconded by Mr. Formica. All were in favor.

**Adoption of Ordinance 16-2024**

Mrs. Heath made a motion to adopt Ordinance 16-2024 entitled “AN ORDINANCE BY THE BOROUGH OF FRANKLIN AMENDING THE BOROUGH OF CODE OF ORDINANCES TO MODIFY CHAPTER 5 REGARDING THE PUBLIC WORKS DEPARTMENT.” Seconded by Mr. Formica.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 16-2024. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 16-2024. Seconded by Mrs. Heath. All were in favor.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka asked for clarification on the separation.

Mrs. Heath commented that the current structure isn't working and we are losing a lot of employees.

Mr. Formica explained this is the first step towards fully separating the department.

There being no one else present who wished to address the Governing Body, Mr. Skellenger made a motion to close to the public Ordinance 16-2024. Seconded by Mrs. Heath. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**Introduction of Ordinance 17-2024**

Mr. Formica made a motion to introduce Ordinance 17-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 245, TREES. Seconded by Mrs. Heath.

Mr. Formica asked what is being modified.

Mr. Ursin commented that when the original ordinance was passed versus the model ordinance that was provided by the State, the council decided that instead of having a chart of tree replacements that you were going to simplify your ordinance and have it be a one to one tree replacement and when we were making that edit, we didn't realize in other sections made reference back to the chart. So, all we are doing in this ordinance is deleting the references to the chart.

Mayor Sowden commented that the final reading will be held on September 24, 2024.

**MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 10, 2024**

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**DPW Salary Step Increase**

Mr. Snyder made a motion to approve a DPW salary step increase for Ray Smith to Grade Step 12 \$34.01/hr., as per the DPW contract, effective September 1, 2024 as recommended by Brian VanDenBroek, DPW Director. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**DPW Salary Step Increase**

Mr. Snyder made a motion to approve a DPW salary step increase for Grady VanEk to Grade Step 2 \$20.20/hr., as per the DPW contract, effective September 1, 2024 as recommended by Brian VanDenBroek, DPW Director. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**Discussion on the Municipal Lot at 100 Main Street**

Mayor Sowden commented that this is in reference to the report from French and Parrello on the site. They did testing/core sampling at that site and found an old outhouse area that was filled in with debris and there was not much stability in that area hence the sink hole. The cost to remediate this is approximately \$150,000. The Mayor asked for comments from the council as to what they would like to do.

Mr. Formica asked if there is a way to get a second opinion.

Mr. Skellenger asked if Stefanie Williams could come to the next meeting to discuss this matter.

**Discussion on new crosswalk on County Route 631/Franklin Avenue**

Mr. Formica made a motion to authorize the Borough Engineer to draw up concept plans for sidewalks from Buckwheat Road to new cross walk including the cross walk. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**MISCELLANEOUS COMMENTS**

Mr. Snyder asked about the status of the tree removal by Jehovah Witness building. Mr. Snyder reached out to Captain Geddis to inquire if there have been any accidents on Route 23 by the new restaurant and asked about the number of accidents that have occurred at the 4-way stop at Main and Junction.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 8:28p.m., seconded by Mrs. Heath. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk

# Borough of Franklin, County of Sussex

## Resolution #2024-102

**WHEREAS**, on property 136 Wildcat Road, also known as Block 2101, Lot 14 and owned by Empire Properties, LLC for which the water/sewer account #3114 shall be removed;

**WHEREAS**, it has been determined by water technician Ray that there is no longer a meter for this account.

**WHEREAS**, it has been determined that this caused an error in billing resulting in an overbill in the amount of \$278.83 for the 3<sup>rd</sup> quarter 2024.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and council of the Borough of Franklin that the Water/Sewer Collector be authorized to remove the overbilling from the account and be relieved of collecting same as well as remove the account from billing.

**CERTIFICATION:** I, Darlene J. Tremont, hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Mayor and Council of the Borough of Franklin at a meeting held in the Franklin Municipal Building at 46 Main Street at 7:00 PM on the date of September 24th, 2024.

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Darlene J. Tremont, Municipal Clerk

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



# Borough of Franklin, County of Sussex

## Resolution #2024-103

**WHEREAS**, on property 111 Route 23, also known as Block 1501, Lot 1 and owned by Dennis Frazier for which the meter reading was entered incorrectly by the technician;

**WHEREAS**, it has been determined that this caused an overbilling in the amount of \$3,965.24 for the 3rd quarter 2024 bill.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and council of the Borough of Franklin that the Water/Sewer Collector be authorized to remove the overbilling from the account and be relieved of collecting same.

**CERTIFICATION:** I, Darlene J. Tremont, hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Mayor and Council of the Borough of Franklin at a meeting held in the Franklin Municipal Building at 46 Main Street at 7:00 PM on the date of September 24th, 2024.

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Darlene J. Tremont, Municipal Clerk

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

# Borough of Franklin, County of Sussex

## Resolution #2024-104

### RESOLUTION OF THE GOVERNING BODY AUTHORIZING A SALARY ADJUSTMENT FOR THE CERTIFIED FINANCE OFFICER (CFO)

**WHEREAS**, Franklin Borough is a municipal employer with part time and full time staff; and

**WHEREAS**, Michelle LaStarza is currently serving as part time CFO; and

**WHEREAS**, Michelle LaStarza is not eligible to receive medical insurance benefits from Franklin Borough; and

**WHEREAS**, the Personnel Committee believes it is justified to increase the CFO's compensation to help offset her private medical insurance costs; and

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Franklin that effective October 1, 2024 Michelle LaStarza's salary as part time CFO will be increased to \$56.88 per hour to help offset her medical insurance costs.

**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 said Governing Body held on September 24, 2024.

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

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

**BOROUGH OF FRANKLIN  
ORDINANCE NO. 17-2024**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX,  
AND STATE OF NEW JERSEY MODIFYING CHAPTER 245, TREES**

**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.**

Sections 245-3 and 245-4 are hereby replaced as follows:

§ 245-3 Tree Replacement Requirements

- A. Replant one (1) tree with a minimum tree caliper of 1.5” for each tree removed.
- B. Replacement tree(s) shall:
  - 1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed;
  - 2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;
  - 3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
  - 4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.
- C. Replacement Alternatives. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
  - a. Plant replacement trees in a separate area(s) approved by the municipality.
  - b. Pay a fee of \$100.00 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

§ 245-4 Exemptions. All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption.

- A. Residents who remove less than four (4) trees per acre larger than a tree caliper of 1.5” within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees are removed in July 2023, the ‘count’ resets to zero in July 2028. However, if 1 tree is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;

- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

**SECTION II.** Chapter 245, Trees, is moved in its entirety to Chapter 250 to maintain alphabetical order.

**SECTION III.** Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.

**SECTION IV.** This Ordinance shall take effect immediately upon (1) adoption; and (2) publication in accordance with the laws of the State of New Jersey.

ATTEST:

**BOROUGH OF FRANKLIN**

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

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

DATED: September 24, 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 September 10, 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 September 24, 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 24<sup>th</sup> day of September, 2024.

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

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

Introduced: September 10, 2024

Adopted: September 24, 2024

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

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

**BOROUGH OF FRANKLIN  
COUNTY OF SUSSEX**

**ORDINANCE NO. 18-2024**

**SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS  
AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX  
AND STATE OF NEW JERSEY**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Franklin, in the County of Sussex, New Jersey, that the following shall constitute the annual salary range for the various Borough Officers and Employees named.

**SECTION 1.**

Based on contractual obligations and negotiated agreements, the Borough of Franklin shall pay its employees for services rendered at a level within the range shown below:

<b><u>POSITION</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
Mayor (P/T)	\$5,000	\$7,000
Councilman (P/T)	\$1,500	\$7,000
Borough Administrator	\$85,000	\$135,000
Municipal Clerk	\$50,000	\$95,000
Deputy Municipal Clerk	\$40,000	\$75,000
Certified Municipal Court Administrator	\$70,000	\$110,000
Deputy Court Administrator	\$40,000	\$80,000
CFO (P/T)	\$50,000	\$90,000
Treasurer	\$70,000	\$110,000
Municipal Court Magistrate (P/T)	\$21,000	\$60,000
Alternate Municipal Court Magistrate (P/T)	\$350.00/ct. session	\$500.00/ct. session
Certified Public Works Manager (Contract)	\$120,000	\$160,000
Public Works Supervisor (Contract)	\$80,000	\$110,000
Public Works Foreman	\$60,000	\$90,000
Public Works Mechanic	\$60,000	\$90,000
Public Works Laborer	\$40,000	\$80,000
Zoning Officer (P/T)	\$35.00/hr	\$45.00/hr
Tax Collector	\$23,000	\$60,000
Water & Sewer/Tax Collector	\$23,000	\$60,000
Planning/Zoning Secretary	\$40,000	\$60,000
Tax Assessor (P/T)	\$30,000	\$60,000
Chief of Police (Contract)	\$120,000	\$190,000
Police Captain (Contract)	\$110,000	\$180,000
Police Lieutenant	\$100,000	\$170,000
Police Sergeant	\$90,000	\$160,000
Patrol Officer	\$46,000	\$150,000
Police Recruit	\$ -	\$45,000
Detective Stipend	5% of Annual Salary	5% of Annual Salary
Police Matron (P/T)	\$22.00/hr	\$30.00/hr
Emergency Management Coordinator (P/T)	\$1,500	\$3,500
Board of Health Secretary (P/T)	\$1,300	\$3,000
Registrar	\$1,500	\$5,000
Deputy Registrar	\$1,000	\$4,000
Recreation Secretary (P/T)	\$1,300	\$3,000

Police Secretary/Records Clerk	\$35,000	\$55,000
Crossing Guards (P/T)	\$15.13/hr	\$20.00/hr
Head Crossing Guard (P/T)	\$16.00/hr	\$25.00/hr
Court Attendants (P/T)	\$100.00/ct. session	\$150.00/ct. session
Violations Clerk (P/T)	\$15.13/hr	\$25.00/hr
Deputy Court Administrator (P/T)	\$15.13/hr	\$45.00/hr
Accounting Assistant	\$20.00/hr	\$35.00/hr
Administrative Assistant	\$20.00/hr	\$30.00/hr
Finance Clerk	\$15.13/hr	\$25.00/hr
Clerk (P/T)	\$15.13/hr	\$25.00/hr
Senior Center Attendant (P/T)	\$15.13/hr	\$20.00/hr
Senior Center – Safe Serv (P/T)	\$15.13/hr	\$20.00/hr
Custodian	\$16.00/hr	\$20.00/hr

**SECTION 2.**

The salaries and wages fixed by this Ordinance shall be effective September 1, 2024. Said salaries and wages shall remain in effect until this Ordinance is amended or repealed.

**SECTION 3.**

All Borough benefits shall be provided in accordance with contractual obligations and in accordance with existing Borough Ordinances and the Personnel Manual governing municipal employee benefits.

**SECTION 4.**

Nothing in this Ordinance shall be construed as making mandatory the payment of annual salary increments to any officer or employee of the Borough of Franklin. Salary or wage increases shall be contingent upon the availability of funds.

**SECTION 5.**

The adoption of this Ordinance shall not operate to either increase or decrease the present pay of any officer or employee of the Borough of Franklin, and the salaries or compensation under the existing Ordinance shall remain in effect until any additional increments are approved by the Borough Council under this Ordinance. Specific salaries or wages established by the Borough Council may be made retroactive to September 1<sup>st</sup> of the year in which the resolution is adopted, at the Council's discretion.

**SECTION 6.**

All conflicting or inconsistent Ordinances are repealed.

ATTEST:

**BOROUGH OF FRANKLIN**

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

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

Dated:

**NOTICE**

TAKE NOTICE that the above entitled Ordinance 18-2024 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on September 24, 2024 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 October 8, 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.

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

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the \_\_\_ day of \_\_\_\_\_, 2024.

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

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

Introduced:

Adopted:

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

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