

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 26, 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 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 for September 12, 2023. (Absent: Limon)
 2. **Resolution #2023-116** authorizing refunds of field use deposits.
 3. **Resolution #2023-117** authorizing the Municipal Court to escheat interest balances in the General Account in the amount of \$74.14.
 4. **Resolution #2023-118** authorizing the Municipal Court to cancel outstanding credit card balances in the amount of \$55.62.
 5. **Resolution #2023-119** to approve appointing Wayne Dietz, Skylands Risk Management, Inc. Franklin Borough's Risk Management Consultant and Darlene J. Tremont, Municipal Clerk as the authorized

REGULAR AGENDA – MAYOR AND COUNCIL MEETING SEPTEMBER 26, 2023

representative of the public entity and is hereby authorized to execute the Risk Management Consultant's Agreement for the year 2024.

6. Risk Management Consultant's Agreement approving the 2024 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement.
7. Resolution #2023-120 to approve the amended Tax Collection Department Shared Service between Wantage Township and the Borough of Franklin beginning January 1, 2022, ending December 31, 2024 at the of cost \$15,000 for year 2024. (Agreement provided in Council packets)
8. Adoption of Ordinance #10-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-10 REGARDING YARD WASTE".

Mayor Sowden will request a motion to open the meeting to the public for ordinance 10-2023

9. Adoption of Ordinance #11-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 86-17 REGARDING PET WASTE AND WILDLIFE FEEDING".

Mayor Sowden will request a motion to open the meeting to the public for ordinance 11-2023

10. Introduction of Ordinance 12-2023 entitled "AN ODINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 60-15 REGARDING POLICE ASSIGNMENTS FOR TRAFFIC CONTROL AND OTHER EVENTS."

Mayor Sowden will announce that the public hearing of Ordinance 12-2023 will be held on October 10, 2023.

11. Introduction of Ordinance 13-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 168 REGARDING LITTER CONTROL."

Mayor Sowden will announce that the public hearing of Ordinance 13-2023 will be held on October 10, 2023.

12. Introduction of Ordinance 14-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-6 REGARDING DISPOSAL OF WASTE."

Mayor Sowden will announce that the public hearing of Ordinance 14-2023 will be held on October 10, 2023.

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 JOINT MEETING OF THE
MAYOR AND COUNCIL AND PLANNING BOARD
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
SEPTEMBER 12, 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. Postas, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Limon

The following members of the Planning Board were present: Mr. Christiano, Mr. Friend, Mr. Nidelko, Mr. Raperto (7:38pm), Mr. Suckey, Mr. Williams, and Ms. Schultz.

Absent: Mr. Estes.

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

Rails to Trails Presentation. Mr. Josh Osowski, Regional Superintendent with the Park Service, spoke regarding the rails to trails program and connection to various towns. He discussed the obstacles that they are faced with when creating the trails. There are limited funds available and the trails are maintained by volunteers.

Mr. Christiano asked if this trail was to be developed, what is the 6-month plan and what would you ask the Borough to do.

Mr. Osowski explained the clearing process of the trails. The town could apply to Green Acres for grant funding to help with the costs of clearing the trail.

Ms. Kopsco, J. Caldwell and Associates, explained how their firm can help to complete the rails to trails. Their office can assist in grant writing and do a study for feasibility.

Mr. Suckey asked if any approvals are needed.

Mrs. Heath asked if anyone has contacted Braen [Quarry].

Mayor Sowden requested a motion to open the meeting to the public for anyone with concerns regarding Rails to Trails, Mrs. Heath made the motion. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mr. Ian Sherwood stepped forward. Mr. Sherwood spoke regarding liability concerns with those rails that cross private property. Mr. Sherwood asked how the trails will be maintained and when the bull dozers will be operating.

Mr. Osowski addressed Mr. Sherwood's concerns.

MAYOR & COUNCIL AND PLANNING BOARD JOINT MEETING MINUTES
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Mr. Joe Odell stepped forward. Mr. Odell commented that he is a member of rails to trails and offered to answer any questions about them.

There being no one else present or on Zoom who wished to address the Governing Body regarding Rails to Trails, Mr. Postas made a motion to close the meeting to the public, seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

COMMITTEE REPORTS

Mr. Postas commented on the Hemlock Drive project and paving of the helipad. The approval of the well drilling contract is on the agenda tonight for approval.

Mr. Snyder had nothing to report.

Mr. Formica commented that the electrical work is done at the pond and the gazebo is in and DPW will prepare the site.

Mr. Skellenger thanked Recreation for the 9/11 memorial.

Mrs. Heath commented that the 9/11 ceremony was beautifully done. Thanked Anna from the Senior Center for the Senior Picnic that was held on September 8, 2023; it was a great celebration. October 28th is the Halloween parade and party.

Mrs. Tremont commented that Diana Falica passed her state tax collector's text and now is fully certified as a tax collector.

Mr. Ursin had nothing to report.

Mayor Sowden commented on the water tank painting status and thought the rails to trails presentation went well.

OPEN PUBLIC SESSION

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

Mrs. Joanne Tatka stepped forward. Mrs. Tatka asked for parking signs for senior citizens at the senior center and the amount received for the 2nd quarter taxes for Ascend.

Mr. Jim Williams stepped forward. Mr. Williams updated the council regarding a list of trees that he sent to JCP&L as OEM Coordinator. Mr. Williams drove through town and compiled a list of lights that are out in town.

There being no one else present or on Zoom who wished to address the Governing Body, Mr. Postas made a motion to close the meeting to the public, seconded by Mr. Snyder. 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. Ordinance from the County of Sussex amending the previously established regulations governing road opening and access permits.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. County Board of Health Report – July 2023
2. DPW Report – July 24, 2023 – July 28, 2023
3. DPW Report – July 31, 2023 – August 4, 2023
4. DPW Report – August 7, 2023 – August 11, 2023
5. DPW Report – August 14, 2023 – August 18, 2023

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APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for use of the Senior Center from Joseph Hendershot for Franklin Boy Scout Troop 90 on various dates beginning September 11, 2023 through June 17, 2024 as attached schedule and to waive the associated fees.
2. Application for use of the Senior Center from Maureen (Molly) Hubbard for Wallkill Valley Girl Scouts for various meetings and dates for the period beginning September 10, 2023 through June 15, 2024 as attached schedule and to waive the associated fees.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution #2023-108 to authorize the Borough Clerk to renew the following liquor licenses for the 2023-2024 licensing term.
1906-33-005-008 Franklin Silver Ducat II LLC, inactive/pocket license
1906-33-009-012 Franklin Silver Ducat II LLC, inactive/pocket license
2. Resolution #2023-109 to approve items of revenue and appropriation N.J.S.A. 40A:4-87 for the Local Recreation Improvement Grant in the amount of \$70,000.
3. Payment of bills for the meeting of September 12, 2023.

Mrs. Heath made a motion to approve the consent agenda of September 12, 2023. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Snyder made a motion to approve the regular meeting minutes and executive session meeting minutes for August 15, 2023. (Absent: None) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Franklin Band Senior Center Request

Mr. Postas made a motion to approve the request from the Franklin Band to use the Senior Center on Sunday, September 17, 2023 from 2-4pm. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointment.

Crossing Guard Hire

Becky Fiedler as substitute crossing guard at the rate of \$15.36/hr. effective September 16, 2023, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

Mr. Formica made a motion to confirm the mayor's appointment. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

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American Legion Post 132 Request

Mrs. Heath made a motion to waive the Municipal Pull Tab Instant Raffle License Fee in the amount of \$750.00 for the period of April 1, 2023 through March 31, 2024. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-110

Mrs. Heath made a motion to adopt Resolution 2023-110 authorizing the award of non-fair and open contracts for professional services to French & Parrello Associates for the period of January 1, 2023 to December 31, 2023, not to exceed \$30,000. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-111

Mr. Postas made a motion to adopt Resolution 2023-111 authorizing the award of a non-fair and open contract with Uhl & Associates for Hydrogeologic Drilling services for the Department of Public Works, not to exceed \$30,000. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-112

Mr. Skellenger made a motion to adopt Resolution 2023-112 authorizing the award of a required disclosure contract with J. Orlinger Drilling for the Department of Public Works, not to exceed \$35,000. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-113

Mr. Skellenger made a motion to adopt Resolution 2023-113 authorizing the award of a required disclosure contract with State Line Fire and Safety for the Franklin Fire Department, not to exceed \$29,000. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-114

Mr. Postas made a motion to adopt Resolution 2023-114 authorizing a refund of an escrow in the amount of \$500.00 for a road opening permit. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution #2023-115

Mr. Snyder made a motion to adopt Resolution 2023-115 authorizing to Join (renew) the Statewide Insurance Fund for the period of three years with the effective dates from January 1, 2024 to January 1, 2027. Seconded by Mr. Postas.

MAYOR & COUNCIL AND PLANNING BOARD JOINT MEETING MINUTES
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Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Statewide Insurance Fund Indemnity & Trust Agreement

Mr. Snyder made a motion authorizing the Borough of Franklin continuing membership until January 1, 2027. Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance #09-2023

Mrs. Heath made a motion to adopt Ordinance 09-2023 entitled "A CAPITAL ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AUTHORIZE THE PURCHASE OF TWO FORD 350 PICK UP TRUCKS FOR THE FRANKLIN BOROUGH WATER SEWER DEPARTMENT FROM THE CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$128,844". Seconded by Mr. Postas.

Mayor Sowden requested a motion to open the meeting to the public for ordinance 09-2023. Mr. Postas made a motion to open to the public Ordinance 09-2023. Seconded by Mr. Skellenger. All were in favor.

There being no one present or on ZOOM who wished to address the governing Body, Mr. Postas made a motion to close to the public Ordinance 09-2023. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance #10-2023

Mr. Formica made a motion to introduce Ordinance 10-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-10 REGARDING YARD WASTE". Seconded by Mrs. Heath.

Mayor Sowden announced that the public hearing will be held on September 26, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance #11-2023

Mr. Formica made a motion to introduce Ordinance 11-2023 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 86-17 REGARDING PET WASTE AND WILDLIFE FEEDING". Seconded by Mrs. Heath

Mayor Sowden announced that the public hearing will be held on September 26, 2023.

Upon roll call vote:

Ayes: Formica, Heath, Postas, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MAYOR & COUNCIL AND PLANNING BOARD JOINT MEETING MINUTES
SEPTEMBER 12, 2023

MISCELLANEOUS COMMENTS

Mr. Snyder asked when the street lining will be done for Taylor Road and Premock.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:33p.m., seconded by Mr. Skellenger. All were in favor.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2023-116

AUTHORIZING REFUNDS OF FIELD USE DEPOSITS

WHEREAS, NJS 40:48-2.56 allows for the collection of deposits for the use of Franklin Borough fields, and

WHEREAS, the recreation secretary has confirmed the balances due back to the organizations who paid those amounts from 2010 to 2022, and

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

NOW THEREFORE IT BE RESOLVED that the following balances be refunded:

Wallkill Valley Little League Baseball	\$1,000.00
Wallkill Valley Softball	350.00
Wallkill Valley Football and Cheer	150.00
Wallkill Valley Soccer	550.00
K9 Unlimited	200.00

CERTIFICATION

I, **Darlene J. Tremont**, Municipal Clerk of the Borough of Franklin, County of Sussex, and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey, at a regular meeting of said Council held on September 26, 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 #2023-117

WHEREAS, certain accounts within the Borough Franklin Municipal Court, with interest balances from our checking account; and

WHEREAS, it is necessary to formally escheat said balances so that the unexpended balances may be returned to each respective account balance or credited to surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin, that the following interest balance within the following checking account be escheated:

<u>Date:</u>	<u>Fund Name</u>	<u>Amount</u>	<u>Total</u>
09/13/2023	General Acct	\$74.14	\$74.14

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 in the Franklin Municipal Building at 46 Main Street at 7:00 PM on September 26, 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 #2023-118

WHEREAS, certain accounts within the Borough Franklin Municipal Court, with outstanding check balances from checks not returned or unclaimed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective account balance or credited to surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin, that the following outstanding credit card balances within the following checking account be canceled:

<u>Date:</u>	<u>Fund Name</u>	<u>Amount</u>	<u>Total</u>
09/13/2023	General Acct	\$55.62	\$55.62

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 in the Franklin Municipal Building at 46 Main Street at 7:00 PM on September 26, 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 #2023-119

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT 2024 Fund Year

WHEREAS, the Borough of Franklin hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Sussex and State of New Jersey, as follows:

1. Borough of Franklin (Local Unit) hereby appoints Skylands Risk Management, Inc. its Risk Management Consultant.
2. The Municipal Clerk, Darlene J. Tremont (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year **2024** in the form attached hereto.

Name of Entity: Borough of Franklin

Attest:

Colleen Little, Deputy Clerk

Darlene J. Tremont, Municipal Clerk

Certification

I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin County of Sussex, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on September 26, 2023.

Darlene J. Tremont, Municipal Clerk

Witness my hand and seal of the

Borough of Franklin

This day of 26th day of September 2023

STATEWIDE INSURANCE FUND
RISK MANAGEMENT CONSULTANT'S AGREEMENT

2024 Fund Year

THIS AGREEMENT entered into this 26th day of September 2023, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Borough of Franklin ("MEMBER") and Skylands Risk Management ("RISK MANAGEMENT CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.

- (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
- (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
- (h) assist in the claim settlement process, if required, by MEMBER or FUND.
- (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
- (j) comply with the obligations imposed upon Risk Managers in the FUND'S Bylaws.
- (k) act in good faith and fair dealing to the FUND.
- (l) perform other duties for the FUND as may be required from time to time by the FUND.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER'S assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
- (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
- (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND'S assessment in computing the fee set forth in 2(a).
- (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2024** to **January 1, 2025**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Darlene J. Tremont, Municipal Clerk

ATTEST:

Risk Management Consultant Corporate Officer

ATTEST:

Statewide Insurance Fund Chairperson

NOT YET APPROVED BY COUNCIL

**EXHIBIT A
STATEWIDE INSURANCE FUND**

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY: _____
Risk Management Consultant

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____ DATE: _____

Borough of Franklin, County of Sussex

Resolution #2023-120

AUTHORIZING THE AMENDMENT TO THE SHARED SERVICE AGREEMENT FOR TAX COLLECTION WITH THE TOWNSHIP OF WANTAGE

WHEREAS, the Borough of Franklin entered into a shared service agreement with the Township of Wantage for Tax Collection for 2022, 2023 and 2024; and

WHEREAS, Diana Falica, Franklin Borough Tax Collector Clerk has successfully passed her State Tax Collector exam; and

WHEREAS, it has been determined the amount of support needed from the Township of Wantage Tax Collector has decreased; and

WHEREAS, the shared service annual fee for the calendar year 2024 of the agreement be reduced to \$15,000;

NOW THEREFORE IT BE RESOLVED, by the Mayor and Council of the Borough of Franklin authorizes the amendment to the shared service agreement for tax collection with the Township of Wantage revising the 2024 annual fee to \$15,000.00 and execute the same.

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 September 26, 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 No. 10-2023

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-10 REGARDING YARD WASTE

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

SECTION I. Section 230-10 of the Code is hereby replaced as follows:

§ 230-10. Yard waste.

Yard waste, such as brush and other yard trimming including grass clippings and leaves, may not be disposed of by including it in municipal solid waste.

A. Yard waste must be disposed of in one of the following two manners:

- (1) Residents may arrange for the recycling of their yard waste by transporting it to the county-designated composting site on their own; or
- (2) Residents may place their yard waste at curbside on dates designated by the Borough of Franklin for collection by the municipality. Collection by the Borough will be according to the following schedule each year:

On the fourth Thursday of each month during the months of April through November before 7:00 a.m.

- B. Yard waste to be collected by the Borough should be bagged in biodegradable paper bags or in containers not to exceed 32 gallons. The Borough will not accept loose yard waste.
- C. Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is not allowed. The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste in the street.
- D. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.
- E. Yard Waste shall not be placed or allowed by the responsible party to accumulate closer than 10 feet from any storm drain inlet.
- F. The Borough will also accept limbs not exceeding three inches in diameter and not exceeding four feet in length which are properly bundled and tied.

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:

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 12, 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 September 26, 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.

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 ____ day of _____, 2023.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced: September 12, 2023

Adopted:

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

BOROUGH OF FRANKLIN

ORDINANCE No. 11-2023

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 86-17 REGARDING PET WASTE AND WILDLIFE FEEDING

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

SECTION I. Section 86-17 of the Code is hereby replaced as follows:

§ 86-17. Defecation.

A. Defecation on private property. No person owning or in charge of any domestic animal shall cause or allow such animal to soil, defile, defecate upon or commit any nuisance upon any private property, without the permission of the owner of the property. Any person owning or in charge of a domestic animal which soils, defiles, defecates or commits any such nuisance shall immediately remove all feces deposited by such animal in a sanitary manner.

B. Defecation on public property. No person owning or in charge of any domestic animal shall allow such animal to soil, defile, defecate upon or commit any nuisance on any place where people congregate or walk, or upon any public property. Any person owning or in charge of a domestic animal which soils, defiles, defecates or commits any such nuisance shall immediately remove all feces deposited by such animal in a sanitary manner.

C. Defecation on owner's property. No person shall permit the accumulation of domestic animal feces or urine upon his/her own property, or property occupied by him/her, to the extent that the odor may be noticeable to any adjoining property owners.

D. Disposal of defecation. All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person. Proper disposal shall mean placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal

E. Exceptions to violation. The provisions of this section shall not apply to dogs used as guides for persons who are blind, commonly known as "Seeing Eye" dogs, dogs used to assist persons with a handicap, commonly known as "service dogs," or dogs used to assist persons who are deaf, commonly known as "hearing ear dogs."

SECTION II. Section 86-18 of the Code is hereby created as follows:

§ 86-18. Wildlife Feeding Prohibited.

No person shall feed, in any public park or on any other property owned or operated by the Borough of Franklin, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

SECTION III

The Current § 86-18 and § 86-19 are hereby relocated to § 86-19 and § 86-20, respectively.

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

SECTION IV

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.

ATTEST:

BOROUGH OF FRANKLIN

Darlene J. Tremont, CLERK

BY: John M. Sowden IV, MAYOR

DATED:

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 12, 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 September 26, 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.

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 ____ day of _____, 2023.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced: September 12, 2023

Adopted:

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

BOROUGH OF FRANKLIN

ORDINANCE No. 12-2023

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 60-15 REGARDING POLICE ASSIGNMENTS FOR TRAFFIC CONTROL AND OTHER EVENTS

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that Chapter 60 of the Franklin Borough Code is amended as follows:

SECTION I

Section 60-15 of the Code of the Borough of Franklin is hereby replaced as follows:

§ 60-15 Contracted Services.

- A. Purpose. For the convenience of those persons and entities which utilize the services of off-duty law enforcement officers of the Franklin Police Department for traffic control, security or other needs, the Borough hereby establishes a policy regarding the use of said officers.
- B. Private employers or school districts may contract with the Borough for members of the Police Department to be assigned to off duty police-related employment at such times as will not interfere with the efficient performance of regularly scheduled or emergency duties for the Borough.
- C. A private vendor contracted by the police department shall be responsible for generating bills for extra-duty police services rendered.
- D. All fees for extra-duty police services will be collected by the vendor contracted by the Police Department to manage the extra-duty services and deposited with the Franklin Borough Finance Department.
- E. The total cost for extra-duty police services shall consist of a special hourly rate to be paid to officers working extra-duty assignments, a fee for the use of a police vehicle, an administrative fee charged by the Borough of Franklin, and an administrative fee charged by the private vendor contracted by the police department to manage extra-duty services.

Special Hourly Rate: The special hourly rate is paid to officers working extra-duty assignments. The rate is established by contract between the Borough and the recognized collective bargaining unit, and the Chief of Police respectively. The special hourly rate shall be paid to an employee at a rate of one hour if the employee works at least one-quarter of any hour.

Police Vehicle Fee: Payment for a police vehicle will be \$50.00 per vehicle for an eight-hour shift or any part thereof, and \$10 per vehicle for each additional hour.

Franklin Borough Administrative Fee: In addition to the special hourly rate for off-duty police and the police vehicle fee, the applicant shall submit an administrative fee equal to 15% to offset the Borough's cost for employer contributions to social security, unemployment, etc.

Contracted Vendor Administrative Fee: The Contracted Vendor Administrative Fee shall be charged by the vendor contracted to manage extra-duty services. The fee shall be 10% of the total cost with a minimum of \$5.50 per officer hour.

F. There shall be a four-hour minimum charge for all extra-duty police services hereunder. Cancellations must be received by the Franklin Borough Police Department not less than two hours prior to the scheduled start of any extra-duty job. Failure to cancel at least two hours prior to the scheduled start of any extra-duty job shall result in a four-hour minimum charge hereunder. All payments for such services shall be collected by the private vendor and paid to the Borough of Franklin.

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 VI

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

DATED:

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 26, 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 October 10, 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.

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 10th day of October, 2023.

Darlene J. Tremont, Municipal Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced:

Adopted:

BOROUGH OF FRANKLIN

ORDINANCE No. 13-2023

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 168 REGARDING LITTER CONTROL

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

SECTION I. Section 168-1 of the Code is hereby amended to add or replace (as applicable) the following definitions:

§ 168-1. Definitions.

For the purposes of this chapter, the following words shall have the following meanings:

LITTER

Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packing or construction material, but does not include the waste of the primary process of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

LITTER RECEPTACLE

A container suitable for the depositing of litter.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION II. Section 168-2 of the Code is hereby replaced as follows:

§ 168-2. Prohibited acts and regulated activities.

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

SECTION III

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

SECTION IV

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.

ATTEST:

BOROUGH OF FRANKLIN

Darlene J. Tremont, CLERK

BY: John M. Sowden IV, MAYOR

DATED:

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 26, 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 October 10, 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.

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 ____ day of _____, 2023.

Darlene J. Tremont, Clerk
Borough of Franklin

John M Sowden IV, Mayor

Introduced:

Adopted:

BOROUGH OF FRANKLIN

ORDINANCE No. 14-2023

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 230-6 REGARDING DISPOSAL OF WASTE

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

SECTION I. Section 230-6 of the Code is hereby replaced as follows:

§ 230-6. Refuse disposal.

- A. No refuse of any kind shall be imported from outside the Borough of Franklin for disposal in the Borough of Franklin. All refuse collected in the Borough of Franklin shall be disposed of at a sanitary landfill established, conducted, operated and maintained in accordance with standards established by the State Department of Environmental Protection.
- B. The spilling, dumping, or disposal of materials other than stormwater including uncontaminated ground water to the municipal separate storm sewer system operated by the Borough of Franklin is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

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:

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 26, 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 October 10, 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.

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 _____ day of _____, 2023.

Darlene J. Tremont, Clerk
Borough of Franklin

John M. Sowden IV, Mayor

Introduced:

Adopted:

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

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

MAYOR SOWDEN, IV (Tie Only)						
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NOT YET APPROVED BY COUNCIL