

JOINT MEETING AGENDA
FOR THE MAYOR AND COUNCIL AND PLANNING BOARD MEETING
BOROUGH OF FRANKLIN,
HELD AT THE MUNICIPAL BUILDING, 46 MAIN STREET
FRANKLIN, NEW JERSEY AT 7:00 P.M. ON
SEPTEMBER 12, 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**
Rails to Trails presentation.
- 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 August 15, 2023. (Absent: None)
2. **Franklin Band** to approve their request to use the Senior Center on Sunday, September 17, 2023 from 2-4pm.
3. **Mayoral Appointment**
Mayor Sowden will make 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.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING SEPTEMBER 12, 2023

4. American Legion Post 132 Request 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. Resolution #2023-114 authorizing a refund of an escrow in the amount of \$500.00 for a road opening permit.
10. 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.
11. Statewide Insurance Fund Indemnity & Trust Agreement authorizing the Borough of Franklin continuing membership until January 1, 2027.
12. Adoption of 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”.

Mayor Sowden will request a motion to open the meeting to the public for ordinance 09-2023

13. Introduction 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”.

Public Hearing to be held on September 26, 2023.

14. Introduction 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”.

Public Hearing to be held on September 26, 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.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING SEPTEMBER 12, 2023

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

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

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

Be further advised this Resolution shall take effect immediately.

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

**MINUTES OF THE MEETING OF THE
MAYOR AND COUNCIL
OF THE BOROUGH OF FRANKLIN
HELD AT THE FRANKLIN MUNICIPAL BUILDING
46 MAIN STREET, FRANKLIN, NJ
AUGUST 15, 2023**

This meeting is being held in person adhering to the CDC guidelines and through a virtual meeting platform called ZOOM. The public who attended through ZOOM has been notified and instructed on how to join the meeting and participate during the public session.

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

Absent: None

Mayor Sowden led the assembly in the flag salute.

Mr. Snyder requested a moment of silence for the passing of a former mayor and his uncle, Ray Hyde, who passed away yesterday morning at 108 years old.

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

Patti Carnes, Franklin Borough Recreation committee, announced the 2023 Royal Court for Franklin. The winners of the 2023 Royal Court are as follows: Princess Emily Drown, Little Miss Franklin Mia Sanchez, Junior Miss Franklin Lily Parker and Miss Franklin Chrystine Mowles. At the Queen of the Fair pageant, Miss Franklin was one of the finalists.

COMMITTEE REPORTS

Mr. Limon had nothing to report.

Mr. Postas commented that there are a couple of agenda items; one regarding the Hemlock Drive sidewalks and the other is that they will be starting the paving projects.

Mr. Snyder commented that there are personnel items on the agenda.

Mrs. Heath commented that the Recreation Committee has been very busy. There were concerts in the park held in July and August. National Night Out was a huge success; special thanks to the Franklin, Hamburg and Ogdensburg Police Departments, the Franklin Fire Department and the Walkkill Valley First Aid Squad. The 9/11 Ceremony is coming up.

Mr. Skellenger commented that National Night Out great.

Mr. Formica commented that the ordinance committee met and would like to meet again soon. There was a meeting with a roofing company in regards to the Borough Hall roof and gutters. The gutters are an issue because they are so close to the electric lines. JCP&L will need to be involved to come up with a solution to address the wires prior to any work being able to be done.

Mr. Ursin had nothing to report.

Mrs. Tremont commented that Planet Networks installed fiber at the municipal building and are working on the installations at the water/sewer building, first aid squad and fire department. They are scheduled to come on August 24th to install at the police station. Negotiations have begun with Hardyston in regards to the shared services construction agreement and the municipal court.

MAYOR & COUNCIL MEETING MINUTES AUGUST 15, 2023

Mayor Sowden commented that there was a meeting with the hydrogeologist in regards to the new well which would be on the back side of Lehigh Street. Mayor Sowden provided an update on the right of way agreement with T-Mobil. The roofing company that we met with was very knowledgeable.

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. Snyder. All were in favor.

Joanne Tatka stepped forward. Ms. Tatka questioned the purchase of the trucks and plows for the DPW and asked where the redevelopment area was.

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. Limon. 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 the Township of Montague dated July 17, 2023 to the Sierra Club New Jersey Chapter in re: Delaware Water Gap National Recreation Area.
2. Email from Phillip Crabb dated July 31, 2023 in re: Franklin Mineral Museum Mitchell Park Event held on July 29, 2023.
3. Letter from the Township of Hampton dated July 27, 2023 to the Sierra Club New Jersey Chapter in re: Delaware Water Gap National Recreation Area.
4. Resolution from the County of Sussex re: amendments to the Sussex County resolution establishing county roads as through streets.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. County Board of Health Report – June 2023
2. DPW Report – July 3, 2023 – July 7, 2023
3. DPW Report – July 10, 2023 – July 14, 2023
4. Construction Permit Activity Report – July 2023
5. Permit List – July 2023
6. COH Report – July 2023
7. Municipal Court Report – July 2023
8. Police Department Report – July 2023

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution 2023-100 to authorize the Borough Clerk to renew the following liquor licenses for the 2022-2023 licensing term.
1906-33-011-005 Kozs Korner, Inc. Inactive/Pocket
2. Resolution #2023-101 to authorize a refund of a raffle application fee in the amount of \$20.00.
3. Resolution #2023-102 to authorize a refund of a food handling license application fee in the amount of \$225.00.
4. Payment of bills for the meeting of August 15, 2023.

Mr. Limon made a motion to approve the consent agenda of August 15, 2023. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

OLD BUSINESS

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

MAYOR & COUNCIL MEETING MINUTES AUGUST 15, 2023

NEW BUSINESS

Approval of the Minutes

Mr. Skellenger made a motion to approve the executive session meeting minutes for July 18, 2023. (Absent: Heath) Seconded by Mr. Postas.

Upon roll call vote:

Ayes: Formica, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Heath

Approval of the Minutes

Mr. Postas made a motion to approve the regular meeting minutes for July 18, 2023. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-103

Mr. Formica made a motion to adopt resolution 2023-103 to authorize the Planning Board to conduct a preliminary investigation of conditions of Block 605 Lot 5 to determine if such area meets the criteria to be declared an area in need of redevelopment. Seconded by Mr. Skellenger

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-104

Mr. Snyder made a motion to adopt resolution 2023-104 to authorize hiring a full-time laborer in the Department of Public Works at the step 1-probationary rate of \$19.18 per hour as per the DPW Contract, effective September 1, 2023. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: Postas Absent: None Abstentions: None

Resolution #2023-105

Mr. Skellenger made a motion adopt resolution 2023-105 to approve attendance at the annual New Jersey State League of Municipalities conference. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2023-106

Mrs. Heath made a motion to adopt resolution 2023-106 to authorize the award of non-fair and open contracts for professional services to Van Cleef Engineering not to exceed \$60,000. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: Postas Absent: None Abstentions: None

Resolution #2023-107

Mr. Formica made a motion to adopt resolution 2023-107 to approve awarding a contract for the Hemlock Drive Sidewalks and Curb project. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Limon, Postas, Skellenger, Snyder

Nays: None Absent: None Abstentions: Heath

MAYOR & COUNCIL MEETING MINUTES AUGUST 15, 2023

Introduction of Ordinance #09-2023

Mr. Postas made a motion to introduce 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. Formica.

Mayor Sowden announced that the public hearing will be held on September 12, 2023.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Cub Scout Pack 90 Revised Request

Mr. Limon made a motion to the approve the request from Cub Scout Pack 90 for approval to change their approved Annual Soap Box Derby from Sunday, July 16, 2023 to now be held on Sunday, September 24, 2023 from 1:00 p.m. to 4:00 p.m.
Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointment.

Crossing Guard Status Change

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

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

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

ADDENDUM

Mayoral Appointment

Mayor Sowden made the following appointment.

Crossing Guard Hire

John Panso as substitute crossing guards at the rate of \$15.36/hr. effective September 1, 2023, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

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

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mr. Formica commented on the crossing guard shortage.

MAYOR & COUNCIL MEETING MINUTES AUGUST 15, 2023

Mr. Snyder commented that the zoning officer's hours need to be adjusted. Driveway issues are being addressed with the zoning officer. The maintenance at Borough Hall is not acceptable; there are weeds growing in between the sidewalks.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Limon made a motion to adjourn the meeting at 7:34p.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 #2023-110

AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES TO FRENCH & PARRELLO ASSOCIATES

WHEREAS there exists a need for engagement of engineering services for the Borough of Franklin as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS the purchasing agent has determined and certified in writing that the value of the acquisition will exceed the original amount, due to the addition of an additional water source project;

WHEREAS, the anticipated term of the following contract is for January 1, 2023 to December 31, 2023;

WHEREAS, French & Parrello Associates has previously submitted a proposal indicating they will provide the professional services described below for the stated price said proposal; and

WHEREAS, French & Parrello Associates has previously submitted a Business Entity Disclosure Certification which certifies that the following individuals have not made any reportable contributions to a political or candidate committee in the Borough of Franklin in the previous year, and that the contract will prohibit the following individuals and firms from making any reportable contributions through the term of the contract, and

WHEREAS, the CFO has determined that a reasonable estimate of the Maximum Value of this Contract should be raised to not to exceed \$30,000, at this time.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin, authorizes the Mayor to enter into a contract with the French & Parrello Associates as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value for the following individuals and firms have been previously placed on file with resolution #2023-01, and

BE IT FURTHER RESOLVED that French & Parrello Associates is awarded a contract for providing the professional services for the Borough of Franklin, as indicated to French & Parrello Associates for providing engineering services for the year 2023, dated January 1 to December 31, in the amount of \$140.00 per hour.

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 September 12, 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 #2023-111

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

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

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

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

WHEREAS, Uhl & Associates has submitted an agreement indicating they will provide hydrogeologic drilling services as per the cost schedule outlined in the August 2, 2023 proposal;

WHEREAS, Uhl & Associates services to be provided as described herein will not exceed an amount of \$30,000.00;

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

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C. 5:34-5.1 ET SEQ, I, Michelle LaStarza, CFO, Borough of Franklin, hereby certify to the Clerk, Mayor, and Council, that there are adequate funds available.

Michelle LaStarza, CFO

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

CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting of the said Governing Body held at 7:00 PM on September 12, 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 #2023-112

AUTHORIZING THE AWARD OF A REQUIRED DISCLOSURE CONTRACT WITH J. ORLINGER DRILLING FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Franklin Department of Public Works has a need a well drilling services, and J. Orlinger Drilling of 41 Clove Road, Sussex, 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. Orlinger Drilling of 41 Clove Road, Sussex, NJ has supplied a quote for:

- Well drilling services not to exceed \$35,000.00

WHEREAS quotes were received from William Stothoff Company and Samuel Stothoff Company

WHEREAS J. Orlinger Drilling 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. Orlinger Drilling has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that the entity has not made any reportable contributions to a candidate in the Borough of Franklin in the previous year and that the contract will prohibit the entity from making any reportable contributions through the term of the agreement, and

WHEREAS, the Purchasing Agent has recommended the contract be awarded in the amount of not to exceed \$35,000.00 and,

WHEREAS the Chief Financial Officer certifies the availability of funds and that the funds shall not exceed \$35,000.00

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 well drilling services in the amount not to exceed \$35,000.00 to J. Orlinger Drilling of 41 Clove Road, Sussex, NJ
2. That the cost for the services aforesaid shall not exceed \$35,000.00
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. Orlinger Drilling
41 Clove Road, Sussex, 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 12th day of September 2023.

Darlene J. Tremont, Municipal Clerk

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

NOT YET APPROVED BY COUNCIL

Borough of Franklin, County of Sussex

Resolution #2023-113

AUTHORIZING THE AWARD OF A REQUIRED DISCLOSURE CONTRACT WITH STATE LINE FIRE AND SAFETY FOR THE FRANKLIN FIRE DEPARTMENT

WHEREAS, the Franklin Fire Department has a need for extrication tools, and State Line Fire and Safety of 50 Park Ridge Ave. Park Ridge 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, State Line Fire and Safety of 50 Park Ridge Ave. Park Ridge NJ has supplied a quote for:

- Extrication tools not to exceed \$29,000.00

WHEREAS quotes were received from Municipal Emergency Services and Mid Atlantic Fire and Air

WHEREAS State Line Fire and Safety 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, State Line Fire and Safety has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that the entity has not made any reportable contributions to a candidate in the Borough of Franklin in the previous year and that the contract will prohibit the entity from making any reportable contributions through the term of the agreement, and

WHEREAS, the Purchasing Agent has recommended the contract be awarded in the amount of not to exceed \$29,000.00 and,

WHEREAS the Chief Financial Officer certifies the availability of funds and that the funds shall not exceed \$29,000.00

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 well drilling services in the amount not to exceed \$29,000.00 to State Line Fire and Safety of 50 Park Ridge Ave. Park Ridge NJ
2. That the cost for the services aforesaid shall not exceed \$29,000.00
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. State Line Fire and Safety
50 Park Ridge Ave. Park Ridge 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 12th day of September 2023.

Darlene J. Tremont, Municipal Clerk

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

NOT YET APPROVED BY COUNCIL

Borough of Franklin, County of Sussex

Resolution #2023-114

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING A REFUND OF AN ESCROW FOR A ROAD OPENING PERMIT

WHEREAS, Frank Cicerale made an application for a road opening permit in 2022;

WHEREAS, Mr. Cicerale was required to post the sum of \$500.00 as an escrow;

WHEREAS, the Borough professionals all agree that the escrow is no longer needed and can be refunded;

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

NOW THEREFORE IT BE RESOLVED that the sum of \$500.00 from the road opening escrow fund be returned to Frank Cicerale related to the project on Block 18 Lot 1.02 in the Township of Hardyston.

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 September 12, 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 #2023-115

STATEWIDE INSURANCE FUND

RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, FRANKLIN BOROUGH ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2024** terminating on **January 1, 2027** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) :

Workers' Compensation & Employer's Liability	X
Comprehensive General Liability	X
Automobile Liability and Physical Damage	X
Public Officials and Employment Practices Liability	X
Property	X
Inland Marine Boiler and Machinery	X
Crime-Faithful Performance and Fidelity	X
Pollution Liability	X
Cyber Liability	X
Non Owned Aircraft	X

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Name of Member Entity:

Borough of Franklin

ATTEST:

By: _____

John M. Sowden, IV

Print Name

Title: Mayor

Darlene J. Tremont, Clerk

This Resolution agreed to the 12th day of September, 2023_____, by a vote of:

_____ Affirmative _____ Abstain _____ Negative _____ Absent

NOT YET APPROVED BY COUNCIL

**BOROUGH OF FRANKLIN
COUNTY OF SUSSEX
ORDINANCE #09-2023**

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

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

Section 1. Franklin Borough Water Sewer Department has a need for two Ford 350 Pick Up Trucks with Plows; and,

Section 2. The Franklin Borough Water Sewer Department has requested that Franklin Borough purchase the essential equipment and has provided a quote for the purchase utilizing New Jersey State Contract T-2959 and will be funded from the capital improvement fund and shall not exceed \$128,844; and,

Section 3. The Borough hereby certifies that it has adopted a capital budget and the capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital budget, a revised capital budget has been filed with the Division of Local Government Services.

Section 4. This Ordinance shall take effect immediately upon adoption 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 12, 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 August 15, 2023, at 7:00 PM 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 12, 2023, at 7:00 PM, or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

 Darlene J. Tremont
 Borough 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 12th day of September, 2023.

 Darlene J. Tremont, Municipal Clerk

 John M. Sowden IV, Mayor

Introduced: August 15, 2023

Adopted: September 12, 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				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. 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:

Adopted:

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:

Adopted: