

**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**  
**JUNE 28, 2022**

---

- A. **Mayor Sowden** will call the meeting to order; Clerk will call the roll.
- B. **Mayor Sowden** will invite all present to salute the flag.
- C. **Mayor Sowden** will state that "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall, and printed in the New Jersey Herald/Sunday New Jersey Herald on January 7, 2022, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**  
Thomas Edward Jones, Historic Preservation Planning  
Jessica Caldwell, PP, AICP, LEED GA, J. Caldwell & Associates, LLC
- 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 June 14, 2022. (Absent: Limon) *(motion needed)*
  2. **Resolution #2022-64** to approve establishing salaries for certain employees of Franklin Borough for the Year 2022. *(motion needed)*
  3. **Resolution #2022-65** to approve establishing salaries for certain part time employees of Franklin Borough for the Year 2022. *(motion needed)*

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING JUNE 28, 2022**

4. Resolution #2022-66 to authorize a grant application to the New Jersey Department of Transportation for the Taylor Rd., Kane Rd., and Sgt. Dennis F. Premock Rd. Project. *(motion needed)*
5. Resolution #2022-67 to approve awarding a contract to Primepoint, LLC for payroll services contingent upon final review of insurance requirements by Franklin Borough’s Risk Manager. (Contract included in Council Packets) *(motion needed)*
6. Adoption of Ordinance #10-2022 entitled “BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$1,345,083 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$1,159,883 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. *(motion needed)*

**Prior to final roll call Mayor Sowden will open the meeting to the public for any comments regarding Ordinance 10-2022.**

7. Introduction of Ordinance #11-2022 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 184 REGARDING NOISE”. *(motion needed)*

**Public hearing will be held on July 19, 2022.**

Introduction of Ordinance #12-2022 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTIONS 56-1 THROUGH 56-5 REGARDING EMPLOYMENT PRACTICES”. *(motion needed)*

**Public hearing will be held on July 19, 2022.**

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.

# Borough of Franklin, County of Sussex

## Resolution #2022-64

### RESOLUTION ESTABLISHING SALARIES FOR CERTAIN EMPLOYEES OF FRANKLIN BOROUGH FOR THE YEAR 2022

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

WHEREAS, the salary ranges for Franklin Borough employees have been established by Ordinance 07-2022 adopted on May 24, 2022; and

WHEREAS, the funding necessary to pay the salaries as established by ordinance has been appropriated in the 2022 Municipal Budget adopted on May 24, 2022; and

WHEREAS, the Personnel Committee has reviewed the salaries for certain employees and unanimously recommends the following salaries; and

BE IT RESOLVED by the Governing Body of the Borough of Franklin, that the following named persons be paid the salaries and/or hourly rates indicated:

BE IT FURTHER RESOLVED these rates shall be retroactive to January 1, 2022:

| Name                | Position                   | 2022 Rate    |
|---------------------|----------------------------|--------------|
| Darlene J. Tremont  | Municipal Clerk            | \$86,239.72  |
| Darlene J. Tremont  | Registrar                  | \$ 2,197.46  |
| Colleen Little      | Deputy Clerk               | \$49,791.94  |
| Colleen Little      | Deputy Registrar           | \$ 1,623.65  |
| Corry Chrobak       | Treasurer                  | \$52,731.73  |
| Andrew Bernath      | Administrator/CFO/QPA      | \$120,000.00 |
| Scott Holzhauer     | Tax Assessor               | \$43,021.40  |
| Lori Mitchener      | Court Administrator        | \$80,000.00  |
| Michelle Babcock    | PB/Zoning Secretary        | \$40,000.00  |
| Susan Brush-Babcock | Recreation/ Court Clerk    | \$27,846.00  |
| Wendy Burge         | Administrative Assistant   | \$47,550.69  |
| Diana Falica        | Sewer Collector/ Tax Clerk | \$40,800.00  |

# Borough of Franklin, County of Sussex

## Resolution #2022-64

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

---

Andrew K. Bernath, CFO/QPA

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting of said Governing Body held on June 28, 2022.

---

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 #2022-65

### RESOLUTION ESTABLISHING SALARIES FOR CERTAIN PART TIME EMPLOYEES OF FRANKLIN BOROUGH FOR THE YEAR 2022

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

WHEREAS, the salary ranges for Franklin Borough employees have been established by Ordinance 07-2022 adopted on May 24, 2022; and

WHEREAS, the funding necessary to pay the salaries as established by ordinance has been appropriated in the 2022 Municipal Budget, adopted on May 24, 2022; and

WHEREAS, the Personnel Committee has reviewed the salaries for certain non-contracted employees and unanimously recommends the following rates of pay; and

BE IT RESOLVED by the Governing Body of the Borough of Franklin, that the following named persons be paid the hourly rates indicated:

BE IT FURTHER RESOLVED these rates shall be retroactive to January 1, 2022:

| Name               | Position            | 2022 Salary/Hourly Rate |
|--------------------|---------------------|-------------------------|
| John Sowden        | Mayor               | \$3,845.40/ Yr.         |
| Concetto Formica   | Council Member      | \$1,921.68/ Yr.         |
| Stephen Skellenger | Council Member      | \$1,921.68/ Yr.         |
| Joe Limon          | Council Member      | \$1,921.68/ Yr.         |
| John Postas        | Council Member      | \$1,921.68/ Yr.         |
| Rachel Heath       | Council Member      | \$1,921.68/ Yr.         |
| Gilbert Snyder     | Council Member      | \$1,921.68/ Yr.         |
| Lynn Warr Prtorich | Head Crossing Guard | \$16.07/ Hr.            |
| Rebecca Babcock    | Head Crossing Guard | \$16.07/ Hr.            |
| Rose Breidenstein  | Crossing Guard      | \$15.02/ Hr.            |
| Kathleen Clohessey | Crossing Guard      | \$15.02/ Hr.            |
| Lisa Conte         | Crossing Guard      | \$15.02/ Hr.            |
| Ann Grabkowski     | Crossing Guard      | \$15.02/ Hr.            |
| Marie Hughes       | Crossing Guard      | \$15.02/ Hr.            |
| April Kunz-Oleksy  | Crossing Guard      | \$15.02/ Hr.            |
| Cathy Martinez     | Crossing Guard      | \$15.02/ Hr.            |

|                       |                     |              |
|-----------------------|---------------------|--------------|
| Marie Pallotta        | Crossing Guard      | \$15.02/ Hr. |
| Mary Payton           | Crossing Guard      | \$15.02/ Hr. |
| Cara Ross             | Crossing Guard      | \$15.02/ Hr. |
| Amanda Tassillo       | Crossing Guard      | \$15.02/ Hr. |
| Rachel VanDyk         | Crossing Guard      | \$15.02/ Hr. |
| Margaret Wellenheider | Crossing Guard      | \$15.02/ Hr. |
| Anna Fischer          | Nutrition Center    | \$17.00/ Hr. |
| Barbara Truran        | Nutrition Center    | \$13.00/ Hr. |
| Lyta Soto             | Nutrition Center    | \$13.00/ Hr. |
| Sandra Cowan          | Finance             | \$17.00/ Hr. |
| Christine Nostray     | Tax Assessment/DPW  | \$18.36/ Hr. |
| Frederick Babcock     | Buildings & Grounds | \$16.32/ Hr. |
|                       |                     |              |

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

\_\_\_\_\_  
Andrew K. Bernath, CFO/QPA

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting of said Governing Body held on June 28, 2022 at 7:00PM.

\_\_\_\_\_  
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 #2022-66

### RESOLUTION OF THE BOROUGH COMMITTEE OF THE BOROUGH OF FRANKLIN AUTHORIZING A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE TAYLOR ROAD, KANE ROAD, & SGT. DENNIS F. PREMOCK ROAD PROJECT

WHEREAS, Franklin Borough is submitting a grant application to the New Jersey Department of Transportation for a project to pave a portion of Taylor Road, Kane Road, & Sgt. Dennis F. Premock Road; and

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

BE IT RESOLVED that the Borough Engineer is hereby authorized to submit an electronic grant application identified as MA-2023-Taylor Road, Kane Road, & Sgt.Prem-00434 to the New Jersey Department of Transportation on behalf of the Borough of Franklin.

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

Adopted:

Attest:

BOROUGH OF FRANKLIN,  
IN THE COUNTY OF SUSSEX

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

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

CERTIFICATION: I, Darlene J. Tremont, Borough Clerk of the Borough of Franklin do hereby certify the forgoing resolution was duly adopted by the Borough Committee at the Regular Meeting held on June 28, 2022.

\_\_\_\_\_  
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 #2022-67

### Resolution Awarding Payroll Services Contract

**WHEREAS**, the Borough has requested proposals for payroll processing services; and

**WHEREAS**, proposals for the Township Payroll Processing Services were received, and

**WHEREAS**, two (2) proposals were submitted from:

|   |   |
|---|---|
| Prime Point LLC<br>2 Springside Road<br>Westampton, New Jersey, 08060 | Action Data Services<br>17 Sherwood Lane<br>Fairfield, NJ 07004 |
|---|---|

; and

**WHEREAS**, the two (2) proposals were reviewed by the CFO and payroll department staff; and

**WHEREAS**, recommendation the award of Payroll Processing Services to, Primepoint LLC, 2 Springside Rd., Westampton, NJ 08060 as the most advantageous vendor, price and other factors considered (N.J.A.C. 5:34-4.3(D)), as a data processing contract consistent with N.J.S.A 40A:11-15(5) for a term of seven (7) years; and

**WHEREAS**, Andrew Bernath, Chief Financial Officer for the Borough of Franklin has certified that free and unencumbered funds are available for this purpose in accounts/line items:

Finance Administration OE- Payroll Services: 01-201-20-130-037

Water/Sewer Operat. OE Water - Payroll Services- 09-201-55-502-037

Water/Sewer Operat. OE Sewer - Payroll Services- 09-201-55-503-037

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Franklin that the award of the contract for the Payroll Processing Services be awarded to Primepoint LLC, pursuant to the terms of their proposal submitted on May 31st, 2022, for a term of seven (7) years consistent with N.J..A 40A:11-15(5) contingent upon final review of insurance requirements by Franklin Borough's Risk Manager.



**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 June 28, 2022

\_\_\_\_\_  
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  
ORDINANCE NUMBER 10-2022**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,345,083 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$1,159,883 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Franklin, in the County of Sussex, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,345,083, which sum is inclusive of a grant from the New Jersey Department of Transportation in the amount of \$141,000 (the "Grant") and the amount of \$44,200 as the down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is allocated for the Water/Sewer Utility improvements (as set forth in Section 3(a)(i) herein), as the Water/Sewer Utility of the Borough of self-liquidating, and no down payment is allocated for the Maple Road improvements (as set forth in Section 3(a)(ii) herein) as said improvement will be funded, in part, by the Grant.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the said \$1,345,083 appropriation not provided for by application

hereunder of the Grant and down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,159,883 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,159,883 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

| <u>Description</u>   | <u>Appropriation</u>               | <u>Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|--|------------------------------------|----------------------|---------------------|--------------------|
| (i) <u>Water/Sewer Utility</u> – Improvements To An Existing Elevated Water Storage Tank Located At 19 Highpoint Circle (Block 709, Lot 53) In The Borough, Such Improvements To Include, But Not Be Limited To, As Applicable, Interior And Exterior Tank Coating, And Improvements To And/Or Replacement Of Grouting And Sealants, Batten Access Tubes, Screens And Splash Pads, Condensate With Overflow, Manhole, Roof Vents, Gaskets, Studs, Handrails, Ladders, Inlet And Distribution Pipe Expansion Joints, Insulation, Lighting, Light Covers, Nameplate And Site Restoration | \$839,685                          | \$839,685            | \$0                 | 20 years           |
| (ii) <u>Maple Road Improvements</u> – Including, But Not Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement Using Flexible Pavement As Defined Under The Local Bond Law And, Where Necessary, The Repairing And/Or Installation Of Associated Curbs, Curb Ramps, Sidewalks And Driveway Aprons, Resetting Utility Castings, Associated Drainage Work And Improvements, Roadway Painting, Landscaping And Aesthetic Improvements;   | \$238,408<br>(including the Grant) | \$97,408             | \$0                 | 20 years           |
| (iii) <u>Various Roadway Improvements</u> – Improvements To Various Roadways In and Throughout the Borough Including, But Not Limited To, Pvt. Joseph Aucho Drive, Ginter Street, Lozaw Road, McCann Street, Mabie Street and John   | \$247,790                          | \$222,790            | \$44,200            | 20 years           |

| <u>Description</u>   | <u>Appropriation</u> | <u>Authorization</u> | <u>Down Payment</u>                    | <u>Useful Life</u> |
|--|----------------------|----------------------|--|--------------------|
| Wilton Street, Such Improvements To Include, But Not Be Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement Using Flexible Pavement As Defined Under The Local Bond Law And, Where Necessary, The Repairing And/Or Installation Of Associated Curbs, Curb Ramps, Sidewalks And Driveway Aprons, Resetting Utility Castings, Associated Drainage Work And Improvements, Roadway Painting, Landscaping, Aesthetic Improvements and Traffic Control; And |                      |                      |  |                    |
| <b>(iv) Fire Department</b> – Acquisition and Installation, As Applicable, Of Various Communication Equipment For Fire Vehicles Including, But Not Limited To Radios, Computers And Other Miscellaneous Equipment.   | \$19,200             | \$0                  | \$19,200<br>(Capital Improvement Fund) | N/A                |
| <b>TOTALS</b>  | <u>\$1,345,083</u>   | <u>\$1,159,883</u>   | <u>\$44,200</u>                        |                    |

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,159,883.

(c) The aggregate estimated cost of said improvements or purposes is \$1,345,083, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$141,000 and the down payment available for said purposes in the amount of \$44,200.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

**SECTION 4.** Except for the Grant, in the event the United States of America, the State of New Jersey, the County of Sussex or a private entity make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be

received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Sussex or a private entity. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Sussex or a private entity, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Borough and is available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,159,883 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$269,016 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**SECTION 10.** The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING**

**DATED: June 14, 2022**

---

**DARLENE J. TREMONT,**  
Clerk of the Borough of Franklin

**ADOPTED ON SECOND READING**

**DATED: June 28, 2022**

---

**DARLENE J. TREMONT,**  
Clerk of the Borough of Franklin

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

---

**JOHN M. SOWDEN, IV,**  
Mayor of the Borough of Franklin

NOT YET APPROVED BY COUNCIL



**BOROUGH OF FRANKLIN**

**ORDINANCE No. 11-2022**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY  
OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING  
CHAPTER 184 REGARDING NOISE**

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.** Chapter 184 of the Code is hereby replaced as follows:

**Chapter 184. Noise**

**§ 184-1. Land noise prohibited.**

It shall be unlawful for any person in any public or private place to make, or allow to be made, continued unnecessary, loud, or unusual noise which annoys, disturbs, or injures the quiet, comfort, repose, health, peace, or safety of others within the limits of the Borough of Franklin.

**§ 184-2. Unlawful acts.**

The following acts are declared to be in violation of this chapter, but such enumerations shall not be deemed to be exclusive:

A. The operation of any instrument, speaker, machine, or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner exceeding the standard set forth in Section E.

B. Yelling, shouting, whistling or singing between the hours of 10:00 p.m. and 7:00 a.m. or exceeding the standard set forth in Section E.

C. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the Borough, except as a danger warning, the sounding of any such device for any unnecessary and unreasonable period of time, the use of any horn, whistle, or other device operated by engine exhaust.

D. The causing of any noise on any street adjacent to a school, institution of learning, church or public office building while the same are in use, or adjacent to a hospital, medical office or clinic, which interferes with the workings of such institutions or which disturbs the occupants in such buildings.

E. The sound level standards for this Ordinance shall be as set forth and applied in N.J.S.A. 13:16-1 et seq. and N.J.A.C. 7:29.

**§ 184-3. Exceptions.**

The provisions of this chapter shall not apply to:

A. The emission of sound for the purpose of alerting persons to the existence of an emergency.

B. The emission of sound at any regularly operated outdoor commercial recreational facility for the conduct of its usual business, as long as such activity takes place during the hours of 7:00 a.m. and 10:00 p.m. so long as it does not exceed the standard set forth in Section 183-3 E.

C. Noise from celebrations or events sponsored by the Borough of Franklin, public or parochial schools, or houses of worship.

D. Noise from athletic events, celebrations, concerts or dances held at borough Park, if approved and/or sanctioned or authorized by the Borough Council or Recreation Committee.

**§ 184-4. Violations and penalties.**

Any person violating any provision of this chapter shall be subject to the penalties set forth in Section 1-15.

**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 June 28, 2022, 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 July 19, 2022, 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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
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<br>COUNCIL PRESIDENT |      |       |         |        |      |     |
| RACHEL HEATH                          |      |       |         |        |      |     |
| JOSEPH LIMON                          |      |       |         |        |      |     |
| JOHN POSTAS                           |      |       |         |        |      |     |
| STEPHEN SKELLENGER                    |      |       |         |        |      |     |
| GILBERT SNYDER                        |      |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(Tie Only)        |      |       |         |        |      |     |

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

**BOROUGH OF FRANKLIN**

**ORDINANCE No. 12-2022**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTIONS 56-1 THROUGH 56-5 REGARDING EMPLOYMENT PRACTICES**

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 56 of the Code is hereby replaced as follows:

**§ 56-1. Employment practices.**

A. The Borough Council shall have the authority to:

1. Approve the hiring of any Department Head;
2. Approve the creation of any new position;
3. Authorize adequate funds in the budget for each existing position or position to be filled.

B. Whenever a vacancy exists (or a new position is created), notice shall be posted in the Borough Hall and the appropriate public forum for at least 10 days to allow applications.

C. All applications received shall be reviewed by the personnel committee, appropriate department head and Borough Administrator.

D. The Borough Council may interview personally the applicants for Department Head Positions who appear to be best qualified and most desirable for the position and select the one to be appointed.

E. The Borough Administrator shall hire all employees, for positions approved and funded, except for Department Heads and Police Officers.

F. All hiring for Police Officers shall be approved by the Borough Council with a written resolution setting forth the interview, review and hiring process.

G. All new employees will receive a copy of the Borough of Franklin's Employee Handbook and shall sign an acknowledgement.

H. Except when statutory requirements direct otherwise, all new employees (or old employees transferred to new or other job positions) shall be considered probationary for a minimum period of three months.

I. All veterans, as defined by N.J.S.A. 11A:5-1 shall be afforded a preference in hiring, provided that the veteran and nonveteran are equally qualified in all measurable criteria for the position.

J. All residents of the Borough of Franklin shall be afforded a preference in hiring, provided the resident and the nonresident are equally qualified in all measurable criteria for the position.

K. No person who is related to a Borough elected office holder or department head shall be employed by the Borough, except for employment in a part-time seasonal or per diem position. A relation for the purpose of this section is defined as brother, sister, husband, wife, life partner, son, daughter, ward, son-

in-law, daughter-in-law, brother-in-law, sister-in-law, father, mother, father-in-law, mother-in-law, grandmother, grandfather, grandson and granddaughter.

L. Whenever it is practical to do so, promotions shall be made from within the ranks of the Borough staff. Promotions from within the ranks shall be based on merit, character, qualifications and work habits, as determined by review of all available facts.

M. Supervisors shall be responsible for on the job instructions, as well as for providing guidance for all persons under their leadership.

N. Recommendations for promotions or transfers shall be signed by the supervisor and forwarded to the Borough Administrator or Borough Council for consideration and action.

**SECTION II.**

Subsections 56-2 and 56-5 are hereby deleted and reserved for future use.

**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.

**SECTION V**

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 June 28, 2022, 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 July 19, 2022, 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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
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<br>COUNCIL PRESIDENT |      |       |         |        |      |     |
| RACHEL HEATH                          |      |       |         |        |      |     |
| JOSEPH LIMON                          |      |       |         |        |      |     |
| JOHN POSTAS                           |      |       |         |        |      |     |
| STEPHEN SKELLENGER                    |      |       |         |        |      |     |
| GILBERT SNYDER                        |      |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(Tie Only)        |      |       |         |        |      |     |

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