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 NOVEMBER 23, 2021

- A. <u>Mayor Sowden</u> will call the meeting to order; Clerk will call the roll.
- B. <u>Mayor Sowden</u> will invite all present to salute the flag.
- C. <u>Mayor Sowden</u> 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, 2021, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. <u>PRESENTATIONS</u> Jackie Espinoza – JCP&L
- E. <u>COMMITTEE REPORTS</u>: <u>Mayor Sowden</u> 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. <u>OPEN PUBLIC SESSION</u>: <u>Mayor Sowden</u> 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, <u>Mayor Sowden</u> will request a motion to close the meeting to the public and return to the regular order of business.

G. <u>CONSENT AGENDA</u>: <u>Mayor Sowden</u> 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

A motion is in order to approve the regular meeting minutes for November 9, 2021. (Absent: None)

2. Resolution #2021-106

A motion is in order to adopt resolution 2021-106 2021 budget transfers in the amount of \$52,000.

REGULAR AGENDA - MAYOR AND COUNCIL MEETING NOVEMBER 23, 2021

3. Resolution #2021-107

A motion is in order to adopt resolution 2021-107 confirming contract price of \$1.62600/DTH for 36 months from December 2021 through November 30, 2024 submitted by the winning bidder UGIES, LLC for the retail gas supply service through participation in the Passaic County Energy Regional Cooperative Pricing System.

4. Resolution #2021-108

A motion is in order to adopt resolution 2021-108 amending the responsibilities and compensation for the Borough Clerk.

5. Resolution #2021-109

A motion is in order to approve Resolution 2021-109 Appointing Wayne Dietz, Skylands Risk Management, Inc. Franklin Borough's Risk Management Consultant and Borough Clerk, Darlene J. Tremont as the authorized representative of the public entity is hereby authorized to execute the Risk Management Consultant's Agreement for the year 2022.

6. Risk Management Consultant's Agreement

A motion is in order to approve the 2022 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement.

7. Introduction of Ordinance #14-2021

A motion is in order to introduce ordinance 14-2021 entitled "SETTING RANGE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY.

Public Hearing will be held on December 14, 2021

8. Introduction of Ordinance #15-2021

A motion is in order to introduce ordinance 15-2021 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 259-8, SPEED LIMITS.

Public Hearing will be held on December 14, 2021

Tax Collection Department Shared Service with Wantage Township
 A motion is in order to approve the 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
 of \$31,837 for year 2022, \$32,474 for year 2023 and \$33,124 for year
 2024. (Agreement provided in Council packets)

10. Franklin Quilters request

A motion is in order to approve the Franklin Recreation Committee Sponsored, "Franklin Quilters" request to waive the fees to use the Senior Center for their meetings on the 3rd Saturday of every month for year 2022. (request and application provided in Council packets)

11. Special Event Request

A motion is in order to approve a special event request from Elaine Tizzano and Mary Burns, for their eighth annual walk in conjunction with the Center for Prevention and Counseling to be held on August 6, 2022, to bring awareness and treatment for substance use disorder contingent upon submitting a special event permit application.

12. Resolution #2021-110

A motion is in order to adopt resolution 2021-110 authorizing additional funds in the amount not to exceed \$10,000 for the temporary CFO services through Phoenix Consulting.

REGULAR AGENDA - MAYOR AND COUNCIL MEETING NOVEMBER 23, 2021

J. <u>EXECUTIVE SESSION – IF REQUESTED</u>

<u>Mayor Sowden</u> will request a motion to adopt a resolution to adjourn into Executive Session to discuss certain items excluded from the public.

THE <u>OPEN PUBLIC MEETINGS ACT</u> 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. <u>MISCELLANEOUS COMMENTS:</u> <u>Mayor Sowden</u> will allow each member of the Governing Body to offer any miscellaneous comments which they may have at this time.
- L. <u>ADJOURNMENT</u>: <u>Mayor Sowden</u> will request a motion to adjourn the meeting.

Borough of Franklin Resolution 2021-106

TRANSFER RESOLUTION

WHEREAS, the Borough of Franklin Municipal Budget requires certain modifications to cover potential expenses that occur in excess of the original budget.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin, that the following Transfer of Appropriations (2021 Municipal Budget) in accordance with N.J.S.A. 40A:4-58-59 and hereby approved.

Transfer From:		Transfer To:	
Current Fund		Current Fund	
Tax Collector, S&W	\$2,000	General Administration, QE	\$16,000
Legal Services, OE	\$7,000	Finance Administration, S&W	\$10,000
Engineering Services, OE	\$2,000	General Administration, S&W	\$3,000
Zoning Official, S&W	\$2,000	Tax Assessment Admin, S&W	\$3,000
Crossing Guards, S&W	\$9,000	DCRP-Employers Match	\$4,000
Municipal Prosecutor, OE	\$2,000	Utility Bulk Expense Telephone	\$6,000
Senior Center Staff, S&W	\$1,000	Finance Administration, OE	\$10,000
Recreation S&W	\$8,000		
Insurance-Health Benefit Waiver	\$1,000	MI	
Utility Bulk Expenses Street Lights	\$8,000	<i>Y</i>	
Municipal Court, S&W	\$10,600	Y	
	N Y		
Total	\$52,000	Total	\$52,000

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 November 23, 2021

Darlene J. Tremont, Municipal Clerk

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

BOROUGH OF FRANKLIN COUNTY OF SUSSEX RESOLUTION 2021-107

AUTHORIZING PURCHASE OF NATURAL GAS THROUGH THE PASSAIC COUNTY ENERGY REGIONAL COOPERATIVE PRICING SYSTEM (PCERCPS)

WHEREAS, the County of Passaic is the lead agency to the Passaic County Energy Regional Cooperative Pricing System, (PCERCPS); and

WHEREAS, the governing body of Franklin Borough has agreed to cooperative pricing through participation in the PCERCPS; and

WHEREAS, the PCERCPS has solicited bids via online sealed bid auction for retail natural gas supply service and named UGIES, LLC as the winning bidder; and

WHEREAS, participation in the cooperative is projected to save the Borough 35% or \$50,021.70 in natural gas costs over the term of the agreement; and

NOW THEREFORE BE IT RESOLVED, the Borough confirms the contract price of \$1.62600/DTH for the term of 36 months beginning with each meter read after November 30, 2021, from December 2021, through November 30, 2024; and

BE FURTHER RESOLVED, the administrator is authorized to execute the sales confirmation agreement for the contract period.

CERIFICATION: 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 November 23, 2021.

Darlene J. Tremont, Municipal Clerk

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

RESOLUTION NO. 2021-108

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AMENDING THE RESPONSIBILITIES AND COMPENSATION FOR THE BOROUGH CLERK

WHEREAS, Darlene Tremont is currently serving as the Borough Clerk;

WHEREAS, in the recent time period wherein the Borough was without an Administrator, Darlene Tremont has assumed a substantial amount of the Administrator's responsibilities and has been paid an additional hourly amount;

WHEREAS, the Borough Council has concluded that it is in the best interests of the Borough to hire a new CFO and divide the Administrator's responsibilities between the CFO and the Borough Clerk;

WHEREAS, Darlene Tremont has agreed to assume additional responsibilities previously performed by the Borough Administrator;

WHEREAS, the Borough Council believes it is justified to increase the Clerk's compensation commiserate with the additional responsibilities;

NOW THEREFORE IT BE RESOLVED that effective November 23, 2021 the temporary hourly stipend paid to Darlene Tremont will cease and Darlene Tremont's salary as Borough Clerk will be increased \$20,000 per year effective this date to compensate her for the additional responsibilities she will be assigned and has agreed to perform.

CERTIFICATION: I, Darlene J. Tremont, Borough 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 meeting of said Governing Body held on November 23, 2021.

Darlene J. Tremont, Borough Clerk

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

RESOLUTION 2021-109 APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, 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:
Borough of Franklin (Local Unit) hereby appoints Skylands Risk Management, Inc. its Risk Management Consultant.
 The <u>Borough Clerk, Darlene J. Tremont</u> and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2022 in the form attached hereto.
Attest: Name of Entity: Borough of Franklin
Darlene J. Tremont, Municipal Clerk John M. Sowden IV, Mayor
<u>Certification</u>
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 November 23, 2021
Darlene J. Tremont, Municipal Clerk
Witness my hand and seal of the
Borough of Franklin of Sussex County
This day of November 23, 2021

BOROUGH OF FRANKLIN COUNTY OF SUSSEX

ORDINANCE NO. 14-2021

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

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

SECTION 1.

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

<u>POSITION</u>	MINIMUM	<u>MAXIMUM</u>
Mayor (P/T)	\$3,000	\$5,000
Councilman (P/T)	\$1,500	\$3,000
Borough Administrator (Contract)	\$80,000	\$100,000
Municipal Clerk	\$60,000	\$90,000
Deputy Municipal Clerk	\$34,000	\$55,000
Certified Municipal Court Administrator	\$55,000	\$75,000
CFO/QPA	\$85,000	\$125,000
Municipal Court Magistrate (P/T)	\$20,000	\$50,000
Certified Public Works Manager (Contract)	\$80,000	\$115,000
Zoning Officer (P/T)	\$25.00/hr	\$37.00/hr
Water & Sewer/Tax Collector Asst.	\$30,000	\$50,000
Planning/Zoning Secretary	\$30,000	\$45,000
Tax Assessor (P/T)	\$30,000	\$50,000
Chief of Police (Contract)	\$105,000	\$150,000
Police Captain (Contract)	\$100,000	\$135,000
Police Matron (P/T)	\$22.00/hr	\$30.00/hr
Emergency Management Coordinator (P/T)	\$1,500	\$3,000
Board of Health Secretary (P/T)	\$1,200	\$2,000
Registrar	\$1,500	\$3,000
Deputy Registrar	\$1,000	\$3,000
Police Secretary/Records Clerk	\$20.00/hr	\$30.00/hr
Crossing Guards (P/T)	\$10.00/hr	\$20.00/hr
Head Crossing Guard (P/T)	\$15.00/hr	\$25.00/hr
Court Attendants (P/T)	\$15.00/hr	\$30.00/hr
Violations Clerk (P/T)	\$15.00/hr	\$25.00/hr
Deputy Court Administrator (P/T)	\$15.00/hr	\$45.00/hr
Accounting Assistant	\$20.00/hr	\$35.00/hr
Administrative Assistant	\$20.00/hr	\$30.00/hr
Finance Clerk	\$12.00/hr	\$25.00/hr
Clerk (P/T)	\$12.50/hr	\$20.00/hr
(0.00 (0.00 (0.00))		

Recreation Secretary	\$12.00/hr	\$20.00/hr
Senior Center Attendant (P/T)	\$12.00/hr	\$15.00/hr
Senior Center – Safe Serv (P/T)	\$15.00/hr	\$20.00/hr
Custodian	\$12.00/hr	\$20.00/hr

SECTION 2.

The salaries and wages fixed by this Ordinance shall be effective January 1, 2022. Said salaries and wages shall remain in effect until this Ordinance is amended or repealed.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

SECTION 6.

All conflicting or inconsistent Ordinances are repealed.

John M. Sowden IV, Mayor

Darlene J. Tremont, Municipal Clerk

NOTICE

TAKE NOTICE that the above entitled Ordinance 04-2021 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on November 23, 2021 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on December 14, 2021 at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.

BOROUGH OF FRANKLIN

ORDINANCE No. 15-2021

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 259-8, SPEED LIMITS

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 259-8 is hereby replaced as follows:

§ 259-8. Speed limits.

- A. The speed limits for both directions of traffic along the streets or parts thereof described below and made a part of this chapter are hereby established at the rate of speed indicated.
- B. Regulatory and warning signs shall be erected and maintained to affect the above-designated speed limits.

Name of Street	Speed Limit (mph)	Limits
County Route 517, Zone 1, both directions	30	From the municipal boundary of Ogdensburg Borough and Franklin Borough to a point 300 feet north of Fox Hill Drive
County Route 517, Zone 2. both directions	45	Between a point 300 feet north of Fox Hill Drive and State Highway 23
County Route 631, Zone 1	35	State Route 23 to Oak Street
County Route 631, Zone 2	30	Oak Street to Newton Street
County Route 631, Zone 3	35	Newton Street to the Franklin Borough - Hardyston Township corporate line
County Route 631, school zone	20	In the Immaculate Conception school zone, in Zone 2, during recess or while children are present
Cork Hill Road	25	Entire Length
Davis Road	25	From Franklin-Hardyston border to North Church Road (County Route 631)
Maple Road	25	From Wildcat Road to Corkhill Road
Ridgewood Road	15	Entire length
Scott Road	25	Entire length
Walsh Road	15	Entire length
Wildcat Road	25	From Franklin-Sparta border to Church Street (County Route 631)

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 up	oon final publication as provided by law.
ATTEST:	BOROUGH OF FRANKLIN
Darlene J. Tremont, CLERK	BY: John M. Sowden IV, MAYOR
DATED:	
<u>NO</u>	OTICE .
in accordance with the law. Said Ordinance will be consthe Borough Council to be held on December 14, 2021,	on November 23, 2021, at 7:00 p.m. and ordered published idered for final reading and adoption at a regular meeting of at 7:00 p.m., or as soon thereafter as the Borough Council Main Street, Franklin, New Jersey 07416, at which time all of said Ordinance.
	Darlene J. Tremont
	Municipal Clerk
CERTII	FICATION .
I, Darlene J. Tremont, Clerk of the Borough of Council duly adopted the foregoing Ordinance on the	of Franklin, do hereby certify that the Borough of Franklin day of, 2021.
Darlene J. Tremont, Clerk Borough of Franklin	John M. Sowden IV, Mayor
Introduced:	
Adopted:	

BOROUGH OF FRANKLIN COUNTY OF SUSSEX

RESOLUTION NO. 2021-110

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AUTHORIZING CONTRACT WITH PHOENIX CONSULTING GROUP, LLC FOR ADDITONAL PROFESSIONAL CONSULTING SERVICES

WHEREAS, on August 13, 2021, the CFO/Administrator for the Borough of Franklin ("Borough") resigned from her position; and

WHEREAS, a resolution was passed on August 27, 2021 to utilize Phoenix Consulting Group, LLC for the Temporary CFO/QPA until the new CFO starts with a not to exceed amount of \$10,000; and

WHEREAS, the Borough is interested in continuing the temporary CFO/QPA services an additional amount will be needed; and

WHEREAS, Phoenix Consulting Group, LLC submitted a proposal for professional consulting services to continue with contract negotiations at the rate of \$125 per hour; and

WHEREAS, it is estimated that the additional cost for such services will not exceed \$10,000; and

WHEREAS, the proposed cost is less than the bid threshold set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("LPCL"), and the contract consists of professional services that may be awarded without advertising and public bidding under the LPCL; and

WHEREAS, the Mayor and Council deem it to be in the best interests of the Borough to retain the services of Phoenix Consulting Group, LLC to complete contract negotiations as described above.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey authorize the Mayor and the Borough Clerk to enter into a contract with Phoenix Consulting Group, LLC not to exceed \$10,000 for professional consulting services required to continue the temporary CFO/QPA services.

BE FURTHER RESOLVED that the contract, resolution, and all other pertinent documents shall remain on filed in the Office of the Borough Clerk.

CERTIFICATION I, Darlene 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 meeting of said Governing Body held on November 23, 2021.

Darlene J. Tremont, Municipal Clerk

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