

**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  
JUNE 11, 2024**

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

Absent: None

Mayor Sowden led the assembly in the flag salute. Mayor Sowden requested a moment of silence for Robert Dabinett, former councilman, who recently passed away.

Mayor Sowden stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall and printed in the New Jersey Herald/Sunday New Jersey Herald on January 7, 2024, and posted on the Borough website, which adequate notice has been certified by the Clerk."

**PRESENTATIONS**

There were no presentations for tonight's meeting.

**COMMITTEE REPORTS**

Mrs. Heath commented that the recreation bus trip to the casino is almost sold out, the Yankee game bus trip scheduled for September 28, 2024 is half sold out, Miss Franklin pageant is June 28, 2024 at the Senior Center at 7pm, there will be a pond side market before Franklinite at 12pm on June 29, 2024, National Night out is August 6, 2024 and fishing derby is October 12, 2024 at 8am.

Mr. Skellenger had nothing to report.

Mr. Formica commented that the Franklin Borough received a \$77,000 local recreation improvement grant and the Fire Department received a rescue plan fire fighter grant in the amount of \$60,000.

Mr. Limon commented that the road and buildings and grounds subcommittee will be having a meeting soon. We received a road mower quote and street sweeper quote.

Mr. Snyder had nothing to report.

Mrs. Tremont had nothing to report.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

**OPEN PUBLIC SESSION**

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

Mrs. Joanne Tatka stepped forward. Mrs. Tatka asked if there was any comment on the police accident from two weeks ago. Mrs. Tatka commented about the purchasing of 2 new Tahoe's for the Police department, the police department promotion and asked if the new police officer is a Franklin resident.

Mr. Leonard Helmstetter stepped forward. Mr. Helmstetter asked about the property maintenance ordinance and how it is being enforced.

Ms. Rene Zierold stepped forward. Ms. Zierold commented on the proposed development of 500 units on Main Street, how would the development effect the environment and what kind of an impact would it have on the asphalt, what impact would this development have on the landfill, how would this development affect the

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capacity of the wells and how would this development affect the sewer system. Ms. Zierold commented that she has walked the trails around this property.

Ms. Lori Fowley stepped forward. Ms. Fowley commented that her concern is not just the environment. Ms. Fowley's concern is the size of the development. The schools could potentially be overcrowded. Will we need more police, fire and EMT's as well additional equipment. Please take these concerns into consideration when making decisions.

Mr. Michael Walters stepped forward. Mr. Walters commented that his concerns are about the increase in schools. Mr. Walters commented that our wells cannot handle a 500-unit apartment complex and the sewer wouldn't be able to handle the size. There are sink holes in the property that may make development hard. Please consider these issues.

Ms. Brittany McFatrige stepped forward. Ms. McFatrige commented that the property by her house is nice and doesn't want to see it go.

Mr. Tom Prol stepped forward. Mr. Prol commented that he is the attorney for the developer. Mr. Prol stated that there is no pending development application nor is there 500 units, there is only the adoption of a redevelopment plan. There are environmental issues on the property and clean up would have to be done on the property and that is regulated by DEP. Mr. Prol commented that there are broken buildings and contamination of the property. Mr. Prol addressed questions brought up from those in attendance. Mr. Prol commented that there is a lot of capacity for sewer and traffic will be considered. The stormwater pertaining to Zinc Mine property will also be considered.

Nicole stepped forward. Nicole commented that she is concerned about the walking children to and from school.

Ms. Eve Soares stepped forward. Ms. Soares commented that she was not putting out misinformation, she was just trying to get the word out about this possible project.

Ms. Lori Fowley stepped forward. Ms. Fowley commented on the redevelopment plan, is the rendering on the plan the possible development.

Mr. Leonard Helmstetter stepped forward. Mr. Helmstetter asked who pays for cleanup.

Mr. Ursin commented that the town does not own the property and any clean up would be between the property owner or the developer. Mr. Ursin explained the tax issues.

Ms. Elaina Hall stepped forward. Ms. Hall commented that this is a cute town and this development would ruin the beautiful town.

Mr. Don DeVore stepped forward. Mr. DeVore commented that there seems to be some miscommunication, and nothing is a secret here.

Mayor Sowden explained how residents can get information on the town.

Mr. Tom Fowley stepped forward. Mr. Fowley asked if information can be placed on the bulletin board that is by the pond.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka questioned the redevelopment plan and if there will be public meetings and hearings in the future. Mrs. Tatka questioned the cleanup of the Zinc Mine site and asked if the DEP was involved with the cleanup.

Mr. John Christiano stepped forward. Mr. Christiano, Chairman of the Planning Board, commented that the redevelopment category that this property falls under takes away a lot of the approval authority from the planning board. Mr. Christiano

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asked Mr. Ursin for clarification on the tax abatement, whether it's a pilot program or something else. The taxes that do come into the municipality go to the municipality, they do not go to the county or the school.

Mr. Ursin commented that is something that would need to be negotiated.

Mr. Christiano presented old plans from the site and referred to old buildings to be preserved.

There being no one else present who wished to address the Governing Body, Mr. Snyder made a motion to close the meeting to the public, seconded by Mr. Skellenger. 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. Township of Frankford resolution opposing the proposal by the Delaware River National Park and Lenape Preserve alliance to change the designation of Delaware Water Gap National Recreation area to a National Park and Preserve.
2. Township of Frankford resolution supporting assembly resolution AR133 and Senate Resolution SR93 opposing all proposals to change the designation of the Delaware Water Gap National Recreation Area to National Park and Preserve, including proposal by the Delaware river National Park and Lenape Preserve Alliance.
3. County of Sussex resolution in re: amendments to the Sussex County Resolution establishing county roads as through streets.
4. Montague Township resolution opposing the proposal by the Delaware River National Park and Lenape Preserve alliance to change the designation of Delaware Water Gap National Recreation area to a National Park and Preserve.
5. Montague Township resolution supporting assembly resolution AR133 and Senate Resolution SR93 opposing all proposals to change the designation of the Delaware Water Gap National Recreation Area to National Park and Preserve, including proposal by the Delaware river National Park and Lenape Preserve Alliance.

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

1. DPW Report – April 22, 2024 – April 26, 2024
2. DPW Report - April 29, 2024 – May 3, 2024
3. DPW Report – May 6, 2024 – May 10, 2024
4. DPW Report – May 13, 2024 – May 17, 2024
5. DPW Report – May 20, 2024 – May 24, 2024
6. Municipal Court Report – May 2024
7. Zoning Report – March – May 2024

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

1. None filed.

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

1. Resolution #2024-75 to authorize the Borough Clerk to renew the following liquor licenses for the 2024-2025 licensing term.

1906-32-013-009	Franklin 897 LLC.	ShopRite Wines and Spirits
1906-33-014-006	Six Gee Corp. Irish Cottage Inn	
1906-33-010-008	Franklin Grill & Tavern, LLC	Brick & Brew
1906-33-008-010	Stone Hill Recreation SPE LLC	Bear Den Grill, Black Bear
1906-33-009-012	Franklin Silver Ducat II, LLC	
1906-44-006-006	MINDIP LLC.	The Right Bottle
1906-44-003-010	Jersey Innovative Investments LLC	Wine Grand
1906-44-007-007	WC Franklin LLC	
1906-31-015-001	Sgt Francis M. Glynn Post	
1906-31-017-001	Wallkill Golf Cub	

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2. Payment of bills for the meeting of June 11, 2024.

Mr. Skellenger made a motion to approve the consent agenda of June 11, 2024. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: None

**OLD BUSINESS**

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

**NEW BUSINESS**

**Appointment of Council Vacancy**

Mr. Snyder explained the process as to how we were presented with the names.

Mr. George Drossel stepped forward. Mr. Drossel has been a resident of Franklin Borough for 41 years and he read his letter of interest.

Mrs. Patricia Carnes stepped forward. Mrs. Carnes has been a resident of Franklin Borough for 15 years. Mrs. Carnes explained her experience, both personal and in town. Mrs. Carnes is a member of the EDC and chairperson of the recreation committee.

Mr. James Affinito stepped forward. Mr. Affinito explained his history and current experience. Mr. Affinito has been a resident of Franklin for 3 years. Mr. Affinito is currently the president of the Wallkill Valley First Aid Squad, and he is a member of the recreation committee and the planning board.

Mr. Snyder asked all the candidates if they would have the time to commit to being a council person.

Mayor Sowden commented there is a motion in order to fill a vacant council seat in the Borough of Franklin. (Letter from Virginia N. Littell, Municipal Chairman, Republican County Committee included in council packets)

Mr. Skellenger made a motion to nominate Patricia Carnes to fill a vacant council seat in the Borough of Franklin. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger

Nays: None Absent: None Abstentions: Snyder

At this time, Mrs. Tremont administered the oath of office to Patricia Carnes.

Mrs. Carnes took her place at the dais.

**Resolution #2024-71**

Mr. Snyder made a motion to adopt Resolution 2024-71 to approve certifying the Franklin Borough Governing Body has reviewed the 2023 Audit comments and recommendations as required by N.J.A.C. 5:30-6.5. Seconded by Mr. Skellenger.

Mr. Ray Sarinelli stepped forward. Mr. Sarinelli commented that what you have is the audit, which is the closure of the 2023 year from a financial perspective. The current fund (general operating fund) balance in the beginning of the year was roughly \$2.6 million and there was \$745,000 used to balance the budget in 2023 and then \$1.3 million was generated leaving a fund balance of \$3.177 million or an increase of \$564,000. The cannabis tax was instrumental in aiding to the increase. The grants operated normally during the year, most importantly ARP funds were appropriated for water sewer improvements. The Water Sewer fund balance increased from roughly \$2.6 million to \$2.665 million. Good to see good collection rates. Mr. Sarinelli went over the recommendations of the audit; segregation of

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duties, internal controls, CFO turnover, water sewer fund reconciliation wasn't done in a timely manner. The water sewer fund reconciliations have already started to be addressed.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Carnes

**Resolution #2024-72**

Mr. Snyder made a motion to adopt resolution 2024-72 to accept and approve for filing the corrective action plan for the Audit Report year 2023 prepared and filed by the Borough's Chief Financial Officer. (Corrective Action Plan attached) Seconded by Mr. Skellenger

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Carnes

**Approval of the Minutes**

Mr. Limon made a motion to approve the regular meeting minutes for May 28, 2024. (Absent: None) Seconded by Mr. Skellenger

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Carnes

**Resolution #2024-62**

Mr. Skellenger made a motion to adopt resolution 2024-62 authorizing through NJ State Contract a purchase for two 2024 Chevrolet Tahoe PPV from Gentilini Motors. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-63**

Mr. Skellenger made a motion to adopt resolution 2024-63 authorizing through NJ State Contract for two Police Vehicle Technology, Cameras and Mobile data terminal upfits. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-64**

Mr. Limon made a motion to adopt resolution 2024-64 authorizing a refund for a disabled veteran in the amount of \$2,238.33 for Block 608 Lot 40. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-65**

Mr. Limon made a motion to adopt resolution 2024-65 authorizing a refund for a disabled veteran in the amount of \$1,379.00 for Block 1403 Lot 1. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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**Resolution #2024-66**

Mrs. Heath made a motion to adopt resolution 2024-66 authorizing the hiring of a part-time Senior Center attendant at the rate of \$15.50 per hour not to exceed an average of 25 hours per week. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-67**

Mr. Formica made a motion to adopt resolution 2024-67 authorizing the hiring of a seasonal laborer for maintenance in the Department of Public Works at the rate of \$16.50 per hour up to 25 hours per week. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-68**

Mr. Limon made a motion to adopt resolution 2024-68 supporting RevolutionNJ. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-69**

Mr. Formica made a motion to adopt resolution 2024-69 authorizing a purchase through the ESCNJ Cooperative Contract for a Kubota M5 4WD Ultra Grand Cab Tractor in the amount not to exceed \$145,100.00. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-70**

Mr. Skellenger made a motion to adopt resolution 2024-70 regarding police department promotion (Letter of recommendation from Chief Cugliari included in council packet) Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-73**

Mr. Limon made a motion to adopt resolution 2024-73 authorizing a purchase through the ESCNJ Cooperative Contract for a Bandit Intimidator 15XP Woodchipper in the amount not to exceed \$81,500.00. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution #2024-74**

Mrs. Heath made a motion to adopt resolution 2024-74 to hire a new Borough of Franklin Police Officer. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Adoption of Ordinance 10-2024**

Mr. Snyder made a motion to adopt ordinance 10-2024 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW

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JERSEY AMENDING SECTION 119-4, GENERAL FEES.” Seconded by Mr. Formica.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 10-2024. Mr. Formica made a motion to open the meeting to the public for Ordinance 10-2024. Seconded by Mr. Skellenger. All were in favor.

There being no one present who wished to address the governing body, Mr. Skellenger made a motion to close the meeting to the public. Seconded by Mr. Snyder. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Adoption of Ordinance 11-2024**

Mr. Formica made a motion to adopt ordinance 11-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE “120 NJSH ROUTE 23” REDEVELOPMENT PLAN PREPARED BY J. CALDWELL ASSOCIATES DATED NOVEMBER 25, 2023. Seconded by Mrs. Heath.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 11-2024. Mrs. Heath made a motion to open the meeting to the public for Ordinance 11-2024. Seconded by Mr. Skellenger. All were in favor.

Mr. Michael Raperto stepped forward. Mr. Raperto asked if there is a developer and how does this help the developer.

Mr. Ursin explained why a redevelopment plan is done and the costs to the Borough.

There being no one present who wished to address the governing body, Mr. Snyder made a motion to close the meeting to the public. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Discussion on the Historic Preservation Plan**

At this time a discussion was held on the Historic Preservation Plan.

Mayor Sowden commented that this plan does discuss the zinc site.

**Adoption of Ordinance 12-2024**

Mr. Formica made a motion to adopt ordinance 12-2024 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY ADOPTING THE “ZINC MINE” REDEVELOPMENT PLAN PREPARED BY J. CALDWELL & ASSOCIATES DATED MARCH 11, 2024.” Seconded by Mrs. Heath.

Prior to final roll call Mayor Sowden requested a motion to open to the meeting to the public for Ordinance 12-2024. Mr. Formica made a motion to open the meeting to the public for Ordinance 12-2024. Seconded by Mr. Skellenger. All were in favor.

Mrs. Judy Williams stepped forward. Mrs. Williams commented she is asking again to incorporate the buildings (change house, officers building, etc.) into the plan.

Ms. Barbara McGrath stepped forward. Ms. McGrath commented that her mother was a founding member of the Franklin Historical Society. Ms. McGrath asked to please consider keeping the buildings.

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There being no one present who wished to address the governing body, Mr. Skellenger made a motion to close the meeting to the public. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

**Approval of NJ State Firemen's Association Membership Application**

Mr. Skellenger made a motion to approve the application for membership of Cole Weekley, 27 Cummins Street, Franklin, as Firematic member to the Franklin Fire Department as endorsed by Michael Raperto, Franklin Fire Department Chief. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

**Mayoral Appointment**

Mayor Sowden made the following appointment.

Sarah Kieselmann-McGreeby – Recreation Committee Member to a 3-yr. term ending 12/31/2024. As recommended by the Recreation Committee.

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

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**EXECUTIVE SESSION**

There was no executive session.

**MISCELLANEOUS COMMENTS**

Mr. Skellenger commented that the NJMVC has openings for both part-time and full-time.

Mrs. Heath commented that all minutes are posted on the website and the calendar has meeting dates.

Mr. Snyder commented that the old JCP&L building across from Brick and Brew needs to have the lawn mowed.

Mrs. Carnes thanked everyone, and she is looking forward to working with everyone.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:54p.m., seconded by Mr. Skellenger. All were in favor.

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John M. Sowden IV, Mayor

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Darlene J. Tremont, Municipal Clerk