

**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
SEPTEMBER 9, 2025**

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: Mrs. Carnes, Mr. Formica, Mrs. Heath, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Limon

Mayor Sowden led the assembly in the flag salute.

Mayor Sowden stated "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et sequentes. It has been properly advertised by posting in Borough Hall and printed in the New Jersey Herald/Sunday New Jersey Herald on January 12, 2025, 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. Carnes had nothing to report.

Mr. Snyder had nothing to report.

Mrs. Heath commented that the 9/11 ceremony will be held Thursday at 7:30pm. The Yankee Bus trip is scheduled for 9/27 and there is still 15 tickets available. The sip and paint party is scheduled for November 8th. The girl scouts townwide garage sale is September 20th.

Mr. Skellenger commented that the Motor Vehicle Mobile Unit will be coming back to Franklin on October 7th. Services that will be offered are real id, license renewal, registration renewal/replacement and duplicate title and registrations. Appointments will open on September 23rd at 11am, you can visit www.njmvc.gov and toward the bottom you will see a place where you can schedule the appointments.

Mr. Formica commented that football is coming back to the pond this Saturday. There is a new score board and he thanked the DPW for installing the score board. There are chairs for the pavilion.

Mrs. Little had nothing to report.

Mr. Spidaletto requested that the Council table Resolution 2025-78, Sussex County Hazard Mitigation Plan, until the next meeting as we are waiting to receive more information from Tetra Tech, the company that handles this plan. Mr. Spidaletto commented that he spoke to the engineer prior to this meeting and he advised that he is going to schedule the Geo-technical engineer to come out to look at High Street and make a determination within the next week or two on what is going on with that roadway and the sink hole. Also, on tonight's agenda is a resolution concerning the rehabilitation of Well-B; we had a similar situation in 2022 where we had to rehab this well. It is not putting out the water that it once did; so this is important for us to get this resolution through and then we can put out to bid and hopefully address the situation going forward. Mr. Spidaletto has a meeting tomorrow with Mr. Formica in regards to some grants. Mr. Spidaletto commented that he was able to stop by the senior picnic this past week.

Mr. Windels had nothing to report.

Mayor Sowden had nothing to report.

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

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 Mrs. Heath. All were in favor.

Ms. Renee Zierold stepped forward. Ms. Zierold commented that Dunn Row is the primary means of ingress and egress to her property. Ms. Zierold commented that about a week ago the residents of Catlin Road received an undated hand delivered letter stating that snow removal would no longer be provided on Dunn Row. As part of that letter it says, we have maintained these areas for many years with the honest respect in being helpful to our residents and not having the information that this was not Borough property. Ms. Zierold asked if she could know the date and the location of the meeting of which Catlin Road residents were invited so they could share the information and provided information before this arbitrary decision was made. Was there a meeting ever offered to have the residents explain the situation or bring anything forward.

Mayor Sowden commented that there was just a general discussion at a Council Meeting.

Ms. Zierold commented that there was never an opportunity for the residents to come and offer information. Ms. Zierold asked what is the name of the street that Concetta Towers uses as the main entrance to their building.

Mayor Sowden commented that Concetta Towers uses Catlin Road as the main entrance.

Ms. Zierold commented that there is no entrance on Catlin Road for Concetta Towers, it is a cement wall.

Mayor Sowden that they use Dunn Row.

Ms. Zierold asked if a deed is a legal document.

Mr. Windels responded that yes, a deed is a legal document.

Ms. Zierold commented that since no information was requested from the Catlin Road residents, she was asked to represent the homeowners on our street unanimously. Ms. Zierold read from a deed from a resident and it states that excepting from the described lot a right of way 13 ½ feet wide as conveyed by the NJ Zinc Company to the Borough of Franklin by deed dated February 20, 1936. Ms. Zierold read from more deeds of other property owners on the street with the same mention of the deed dated February 20, 1936. Ms. Zierold commented that we expect the town in good faith and past practice to continue plowing Dunn Row as it has done for the past over 70 years.

Ms. Pat Morris stepped forward. Ms. Morris voiced her concerns regarding the plowing of the roads behind Master Street.

Mr. Sam Belott stepped forward. Mr. Belott read a letter that he sent to Mr. Spidaletto. Mr. Belott asked that the town block top the access road by Master Street.

Ms. Donna Zeuner stepped forward. Ms. Zeuner asked that the town still plow the street.

Ms. Pamela Belott stepped forward. Ms. Belott voiced her concerns regarding the plowing of the access road by Master Street. Ms. Belott asked the council to reconsider the plowing of the street.

Ms. Shelby Hicks stepped forward. Ms. Hicks voiced concerns regarding the plowing of Dunn Row. Ms. Hicks commented that when she purchased her home one of the selling points was that the town would maintain Dunn Row; we were told and have documentation in our deed and survey that the Borough not only purchased the road but also would maintain Dunn Row behind our properties. We

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

ask that the town take responsibility for maintaining Dunn Row just as it has in the past; this is not only about fairness but also about ensuring access to emergency responders and protecting the safety of everyone who depends on it.

Ms. Joanne Tatka stepped forward. Ms. Tatka asked that when employees are being hired at higher rates, why are the names not included in the resolutions.

Mr. Spidaletto commented that because a lot of times these employees are coming with experience and they are at other positions and they did not have the opportunity to inform their employer of the potential of accepting a job.

Ms. Tatka thanked the Council for the gazebo chairs. Ms. Tatka questioned the purchase of new police vehicle when the police have a Humvee they can use.

Mr. Spidaletto commented that this vehicle fits into the vehicle plan that was established by the Council.

Ms. Tatka questioned the need for the Humvee.

Mr. Spidaletto commented that he will reach out to the police chief to inquire the need.

Ms. Tatka asked why three people resigned from the Recreation Committee.

Mayor Sowden commented that the resignations were for personal reasons.

Ms. Tatka asked if Mr. Formica was sponsoring a private fishing derby.

Mr. Spidaletto commented that the fishing derby is for the Borough.

Ms. Tatka questioned the purpose of the curfew and camping ordinances.

Ms. Renee Zierold stepped forward. Ms. Zierold commented that she is feeling unsettled and would like to know what is next.

Ms. Dawne Rowe stepped forward. Ms. Rowe asked if reference checks are done when hiring employees. Ms. Rowe commented that the 9/11 tribute is very meek and moving and applaud the town for continuing to do the event.

Mr. Windels explained the Borough's position in regards to the plowing of the access road. Mr. Windels commented that it is our belief that the access road there is not Borough owned property as such because it is a private road, the Borough is not at liberty to expend public resources in order to maintain it. The position of the Borough as of today is that the Borough is not the owner of that road and therefore, they cannot put any public resources into maintaining it.

Ms. Courtney Fisher stepped forward. Ms. Fisher commented that she and Ms. Zierold went to the Sussex County Hall of Records and looked through the deeds. Ms. Fisher feels that the town should prove to the residents that they do not own the road.

Mayor Sowden commented that the roadway was put there because the front road was a railroad bed and they use to run trains from Main Street, Franklin over to the open cut where the Mineral museum is. There had to be some kind of access alongside the tracks for the people to get in and out of there house and that is why the road was put there. Mayor Sowden commented that he is not in favor of it but he has to do what the attorneys and insurance companies tells us and the liabilities that come with it. Mayor Sowden feels that we should do a little more research and see what we can do.

There being no one else present who wished to address the Governing Body, Mrs. Heath made a motion to close the meeting to the public, seconded by Mr. Skellenger. All were in favor.

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

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. Resignation from Concetto Formica from the Recreation Committee.
2. Resignation from Patti Carnes from the Recreation Committee.
3. Resignation from Bobbi Formica from the Recreation Committee.
4. Letter dated August 15, 2025 from The Center for Prevention and Counseling to Mayor and Council in regards to the Changing Face of Addiction walk.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. County Board of Health Report – July 2025
2. Road Department Report – August 4th – August 28th
3. Permit Activity Report – August 2025
4. Permit List – August 2025
5. COH Report – August 2025
6. Police Department Report – August 2025

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application to operate a Tattoo Parlor in the Borough of Franklin located at 418 Rte. 23N, trade name Moonlight Tattoo LLC.
2. Application for use of the Senior Center from Maureen Hubbard for Wallkill Valley Girl Scouts 90 on various dates beginning September 8, 2025 through June 22, 2026 as per the attached schedule and to waive the associated fees.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of September 9, 2025.

Mrs. Heath made a motion to approve the consent agenda of September 9, 2025. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Carnes, Heath, Snyder

Nays: None Absent: Limon Abstentions: Formica, Skellenger

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for August 12, 2025. (Absent: Limon, Snyder) Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon Abstentions: Snyder

Resolution 2025-78

Mr. Skellenger made a motion to table Resolution 2025-78, until the next meeting, adopting the 2025 Sussex County Hazard Mitigation Plan. Seconded by Mrs. Heath.

Upon roll call vote to table:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2025-79

Mr. Snyder made a motion to adopt Resolution 2025-79 authorizing advertisement and solicitation of bids for solid waste collection. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

Resolution 2025-80

Mrs. Heath made a motion to adopt Resolution 2025-80 authorizing a refund for raffle application fee to Wynona's House in the amount of \$20.00. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Resolution 2025-81

Mr. Skellenger made a motion to adopt Resolution 2025-81 authorizing advertisement and solicitation of bids for the rehabilitation of Municipal Water Utility Well B. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance 11-2025

Mrs. Carnes made a motion to adopt Ordinance 11-2025 entitled "CAPITAL ORDINANCE PROVIDING FOR PURCHASE OF A SILVERADO 1500 PICKUP TRUCK FOR THE POLICE DEPARTMENT, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$95,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND FOR THE COST THEREOF". Seconded by Mr. Formica.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public. Mr. Skellenger made a motion to open the meeting to public for Ordinance 11-2025, seconded by Mrs. Carnes. All were in favor.

There being no one present who wished to address the Governing Body regarding Ordinance 11-2025, Mr. Snyder made a motion to close the meeting to the public. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance 12-2025

Mr. Formica made a motion to **reject** Ordinance 12-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 108, ENTITLED "CURFEWS". Seconded by Mr. Skellenger.

Upon roll call vote to reject:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Adoption of Ordinance 13-2025

Mr. Formica made a motion to **reject** Ordinance 13-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 101, ENTITLED "CAMPING ON PUBLIC PROPERTY". Seconded by Mr. Skellenger.

Upon roll call vote to reject:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance 14-2025

Mr. Skellenger made a motion to introduce Ordinance 14-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN CONFORMING PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES". Seconded by Mr. Formica.

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

Mayor Sowden announce that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance 15-2025

Mrs. Heath made a motion to introduce Ordinance 15-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN NON-CONFORMING PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance 16-2025

Mr. Formica made a motion to introduce Ordinance 16-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 108, ENTITLED "CURFEWS". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Introduction of Ordinance 17-2025

Mr. Formica made a motion to introduce Ordinance 17-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 101, ENTITLED "CAMPING ON PUBLIC PROPERTY". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Discharge of Mortgage

Mr. Snyder made a motion to confirm the Discharge of Mortgage dated September 1, 1999, for Shirley Montross, 263 Munsonhurst Road, Franklin, in the amount of \$10,000.00. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Peddler Permit Application

Mrs. Heath made a motion to approve the peddler permit submitted by Domenico Papaleo for the solicitation of solar panels. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

Approval of NJ State Firemen's Association Membership Application

Mrs. Carnes made a motion to approve the application for membership of Michael J. Kortenhaus as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mrs. Carnes made a motion to approve the application for membership of Derek Babcock as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Approve Special Event Permit Application

Mr. Skellenger made a motion to approve a special event permit for Concetto Formica to conduct a fishing derby on October 18, 2025 at the Franklin Pond. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: Formica

Mayoral Appointment

Mayor Sowden made the following appointment.

Recreation Committee

Jennifer Torres, Member (3-yr. unexpired term) Expires 12/31/2025

Christine Affinito, Member (3-yr. unexpired term) Expires 12/31/2025

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

Mrs. Heath commented that it is nice to see a young man coming up through the ranks of the fire department and becoming an official fireman and congratulations to all of the fire department members who supported him. Thanked everyone who came out to the meeting.

Mayor Sowden asked about the vehicle auction.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mrs. Heath made a motion to adjourn the meeting at 7:57 p.m., seconded by Mr. Snyder. All were in favor.

John M. Sowden IV, Mayor

Colleen L. Little, Municipal Clerk