

**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  
OCTOBER 14, 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. Limon, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: None

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**

At this time the Mayor and Council presented the Wallkill Valley Girl Scouts with a certificate recognizing their donation of funds to a resident of Franklin Borough who lost their home due to a fire.

**COMMITTEE REPORTS**

Mrs. Heath commented that there are still seats available for the Windcreek Bus trip. October 25<sup>th</sup> is the Halloween Parade at 12pm and then 1pm is the PTO Trunk or Treat and at 5pm-8pm there is a party at fireman's park. The Recreation Committee donated 15 \$10.00 Wal-Mart Gifts for the fishing derby. The Franklin Fire Department is looking to have a Holiday Parade.

Mr. Limon commented that there was a public works meeting on October 8, 2025. There was a personnel meeting where we discussed the contract with the PBA and looking into health benefits with a Morris County Coop.

Mrs. Carnes commented that she attended the Eagle Scout Ceremony for Michael Christensen on Saturday and she presented him with a plaque from the Governing Body.

Mr. Snyder commented that with talking with the CFO, she informed that everything is fine with the finances of the town.

Mr. Skellenger commented that the mobile unit from Motor Vehicle that was at the pond at Tuesday went well.

Mr. Formica commented that DPW met with Buildings and Grounds and the engineers and discussed paving; because it is getting so late in the year he thinks they are going to wait until the spring. A couple questions on the sidewalk grant had to be redone; that looks like it is all cleared up so we can go out to bid on that shortly. The preliminary report on the sinkhole; looks to be concentrated in that one area and looks to be wide but only five feet deep which means that our DPW can work on it without having to outsource it. October 18<sup>th</sup> is the fishing derby, 7am is registration and the kids will start fishing at 8am. We have a few sponsors as of right now a local resident in town who is donating 30 fishing lures, Postas Barber Shop donated towards prizes and Braen Quarry is covering the cost of the fish and buying breakfast.

Mrs. Little commented that the 3<sup>rd</sup> quarter Cannabis Tax amount is \$284,664.55.

Mr. Spidaletto commented that we are in that time again where we are getting ready for the budget season and accumulating information from department heads on capital needs. Mr. Spidaletto commented that on the agenda this evening is a resolution in regards to the water meter project.

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Mr. Ursin commented that during the last couple of council meetings there have been discussions about private roads and whether or not they would be plowed in the winter. In the past two weeks Mr. Ursin has worked with the Borough Engineer, who did quite a bit of work plotting out the deed from the NJ Zinc Company and his conclusion that he has shared, pretty conclusively, is that the right out of way that is commonly called Dunn Road. That is a right of way that was deeded to the Borough of Franklin back then and it has never been dedicated as a roadway or been improved as a roadway. Typically, you would want roads that you are going to own and maintain and plow to be up to standards and dedicated as roadways. It is in the Council's prerogative to decide that because Dunn Road is a deeded right of way to the Borough of Franklin, if the Council chose you could direct that the DPW continue to plow and maintain Dunn Road.

Mrs. Heath made a motion to direct the DPW to continue to plow and maintain Dunn Road. Seconded by Mr. Skellenger.

Mr. Formica asked if a notation could be made on the tax map that way if anyone in the future looks at it they have the information available to them.

Mr. Ursin commented that the tax map should really be updated because the way the tax map is currently depicted as if it is not connected to the municipal road system.

Mayor Sowden commented that Dunn Road has a sewer and water line through it that goes out to Catlin Road and is also the access way to Concetto Towers if off that right of way. Mayor Sowden commented that the Borough took responsibility and ran those sewer lines back in 1988. So that is something that we should continue on and he also feels that in reviewing the deeds on the other pieces of property; the Borough of Franklin has looked them over for years and taken care of them and that we continue to do what we have been doing over the last 50 plus years.

Mr. Ursin commented that the motion and second that is on the table is with respect to continuing maintenance and plowing of Dunn Road.

Mayor Sowden commented that the front yards of the houses along Master Street are steep and he feels that the Borough has taken care of the access road by Master Street for years and should continue to do so.

Mr. Ursin commented that he followed up with the engineer and they spent a lot of time today examining that road and they conclude that it is not a publicly owned road. Mr. Ursin commented that the Borough should not maintain privately owned property.

Mrs. Heath commented that we have been doing it for 60 years and she doesn't see how we can put the brakes on now.

Mayor Sowden commented that the people have elected us to do the right thing for the Borough of Franklin and he feels the right thing to do is to treat this as our alley way and to continue to maintain it.

Mrs. Heath asked if special specifications were needed to make it an alley way.

Mr. Ursin commented that you can call it whatever you want, you do not own it; you do not have permission to be on it.

Mr. Snyder commented that there could still be liability problems.

Mr. Ursin commented that the problem is, if you take the logic that you have been doing something for 50 years and you discover that it was wrong and you don't fix it then that is going to apply to a lot of things. If the Council feels strongly about it, the next step would be to try and figure out who owns it and whether or not you could get permission or transferred to the Borough; that's a little more involved. There has been a very detailed study of the title of it.

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Mr. Limon commented that we are voting on Dunn Road and will investigate that further as needed.

Mr. Ursin commented that you could direct that we make more efforts to try to find out who owns it.

Upon roll call vote to maintain and plow Dunn Road:

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

Nays: None Absent: None Abstentions: None

Mr. Ursin commented that on the other road, the discussion was to whether or not you want to make the effort, it will incur some costs, in going back to identify the owner to try to analyze this problem a little bit further.

Mr. Limon commented that if it figures out that it is ours, we just continue doing what we have been doing.

Mr. Ursin commented that it is highly unlikely to be yours at this point. We have gone far enough that he's pretty confident that you are not going to find that it is yours but I also do not know whose it is. Mr. Ursin feels that if you directed, we would engage a title searcher to go back through the records further than we can go and try to determine the owner and at that point he can give options to the Council.

The consensus of the Council was to engage in a title searcher to go back through records to try to determine the owner of the service road.

Mayor Sowden commented that he received a letter on October 9<sup>th</sup>, the Department of Transportation is again talking about revitalizing local freight impact fund for roads.

### **OPEN PUBLIC SESSION**

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

Ms. Pat Morris stepped forward. Ms. Morris commented that when you look at a map you are looking at flat land; you're not looking at a topographical map. When Mr. Spidaletto delivered the letter, the top of his truck when he parked on Master Street would be even with her cellar floor. She has two retaining walls in front of her property; she does not have a driveway to Master Street no body of the five houses has a driveway to Master Street. If you do not snow plow, Ms. Morris will be locked in her house.

Ms. Renee Zierold stepped forward. Ms. Zierold acknowledged all the work that was done and thanked the Council for being open minded and kind and looking at the reality of the situation.

Ms. Dawne Rowe stepped forward. Ms. Rowe stated that it is very commendable on the work that was done to rectify one problem and little more work to do. Ms. Rowe commented that she reads the minutes and asked why the answers to the questions asked by the public are not included in the minutes. If you want to continue to build as is frequently in front of this council, what does that mean for the wells and water in this town. Ms. Rowe voiced concerns regarding loud exhausts and back firing from vehicles. Ms. Rowe congratulated the Girl Scouts.

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 Mrs. Carnes. 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. 2025 Certification of Equalized Valuations

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

1. County Board of Health Report – August 2025
2. Water/Sewer Division Report – August 2025
3. Police Department Report – August 2025
4. Permit Summary Report – September 2025
5. Permit List – September 2025
6. COH Report – September 2025
7. Municipal Court Report – September 2025

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

1. None filed.

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

1. Payment of bills for the meeting of October 14, 2025.

Mr. Limon made a motion to approve the consent agenda of October 14, 2025.  
Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Limon, Snyder

Nays: None Absent: None Abstentions: 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 September 23, 2025. (Absent: None) Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2025-83**

Mr. Limon made a motion to adopt Resolution 2025-83 authorizing the award of non-fair and open contracts for professional services for engineering services. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2025-84**

Mr. Limon made a motion to adopt Resolution 2025-84 authorizing the purchase of a 2026 Ford F-350 Regular Cab 4x4 from a NJ State Contract Vendor. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Adoption of Ordinance 18-2025**

Mr. Formica made a motion to adopt Ordinance 18-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SECTION 230, ENTITLED 'SOLID WASTE'". Seconded by Mrs. Heath.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for ordinance 18-2025. Mr. Skellenger made a motion to open the meeting to the public for Ordinance 18-2025, seconded by Mrs. Carnes. All were in favor.

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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 for Ordinance 18-2025, seconded by Mrs. Carnes. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Peddler Permit Application**

Mrs. Carnes made a motion to approve the peddler permit submitted by Ryan Devine for the solicitation of solar panels. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Mayoral Appointment**

Mayor Sowden will make the following appointment.

**Crossing Guard Hire**

Kim Siccardi as substitute crossing guard at the rate of \$16.18/hr. effective October 16, 2025, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

**Auction of Borough Owned Properties**

Mr. Ursin commented that the Borough has passed two ordinances indicating that municipally owned properties are no longer needed for public purposes the auction and sales are made strictly according to the terms of the ordinances. If someone is a successful bidder tonight, they will provide their name and address to the clerk at the conclusion of the meeting and any deposit due would be due by Thursday at the close of business or the results of the auction will be considered void.

| Block | Lot | Minimum Bid |
|-------|-----|-------------|
| 102   | 6   | \$4,300.00  |
| 802   | 6   | \$2,750.00  |
| 2101  | 1   | \$3,600.00  |

Mr. Ursin commented that he recommends that the Council make a motion to conclude the auction for Ordinance 15-2025 with no bids received. These can always be renewed and placed up for auction again if adjoining property owners indicate an interest in purchasing the properties.

Mr. Formica made a motion to conclude the auction for Ordinance 15-2025 with no bids received. Seconded by Mr. Skellenger. All were in favor.

| Block | Lot | Minimum Bid |
|-------|-----|-------------|
| 703   | 2   | \$2,800.00  |
| 908   | 24  | \$5,750.00  |
| 1005  | 1   | \$8,100.00  |

Mr. Ursin commented that he recommends that the Council make a motion to conclude the auction for Ordinance 14-2025 with no bids received. These can always be renewed and placed up for auction again.

Mr. Skellenger made a motion to conclude the auction for Ordinance 14-2025 with no bids received. Seconded by Mr. Formica. All were in favor.

**EXECUTIVE SESSION**

There was no executive session.

**MISCELLANEOUS COMMENTS**

There were no miscellaneous comments.

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**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 7:52p.m., seconded by Mr. Skellenger. All were in favor.

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John M. Sowden IV, Mayor

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Colleen L. Little, Municipal Clerk