

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
DECEMBER 16, 2025

- 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 12, 2025, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**
There are no presentations this evening.
- 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 and executive session minutes for November 25, 2025. (Absent: None)
2. **Resolution 2025-101** authorizing settlement of tax appeal litigation for real properties commonly known as 577 and 597 Route 23, identified on the municipal tax map as Block 102, Lot 2.01 (prior block 3, lot 14.03) and Block 102, Lot 3 (prior block 3, lot 4), respectively, in the Borough of Franklin, County of Sussex and State of New Jersey.
3. **Resolution 2025-102** to enter into cooperative service agreement between the Borough and United States Department of Agriculture animal and plant health inspection service in an amount not to exceed \$10,356.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING
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4. Shared Service Agreement for Deer Carcass Removal to approve the Shared Service Agreement through December 31, 2026, between Space Wild Animal Farm Inc. and the Borough of Franklin for deer carcass removal from Municipal Road rights-of-way at the rate of \$27.00 per deer.
5. Tax Collection Department Shared Service with Lafayette Township

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.

**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
NOVEMBER 25, 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

There were no presentations for tonight's meeting.

COMMITTEE REPORTS

Mr. Limon commented that there was a personnel meeting held and the PBA Contract was discussed.

Mrs. Carnes commented that an EDC Meeting was held last Thursday and there are new businesses opening soon.

Mr. Snyder commented that he enjoys doing the vouchers.

Mrs. Heath commented that the Franklin Recreation Committee will be hosting their annual tree lighting on November 29th at 5pm at the Franklin Pond. Today I attended the Franklin-Hardyston Business meeting and J.R. brought up, as you all know because Neil sent out an email, about a regionalization study of all of the five schools in the district and the results of the study will be on zoom on December 10th at 6:30pm. At the last business meeting she brought up that Grace's Food Pantry was bare. J.R. reached out to the Boy Scouts; Mrs. Heath thanked Barbara DeRenzo and the Franklin Boy Scouts and Edith Lynch, the Associate Director from YMCA, they conducted food drives and our pantry is overflowing. They are able to do Thanksgiving baskets for many people. Mrs. Heath wished everyone a Happy Thanksgiving.

Mr. Skellenger commented that he, Councilwoman Carnes and Councilwoman Heath and Councilman Limon attended the 110th Annual League of Municipalities in Atlantic City and attended some good classes.

Mr. Formica had nothing to report.

Mrs. Little had nothing to report.

Mr. Spidaletto commented that the sink hole was videoed today and it is a little bit larger than what was initially thought. Mr. Spidaletto requested an ordinance meeting to go over some of the ordinances that we have been talking about. You have committee sign ups in front of you for next year. Mr. Spidaletto provided Council with correspondence in regards to 104 Main Street and they are requesting to lease 10 parking spots.

Mr. Ursin commented that there was a closed session that started at 6:30pm and we discussed attorney client privilege matters, specifically the Affordable Housing Litigation that it currently pending.

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 25, 2025

Mr. Snyder commented that recently there was an award given to J.R. from the school; Mr. Snyder asked if as the Mayor and Council we can send a letter for his accomplishment.

Mayor Sowden commented that the Toys for Tots Train will be arriving and stopping in Franklin on Saturday December 13, 2025 between 4:45pm-4:50pm and they will be stopping on the intersection of Junction Street and Susquehanna Street.

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.

Mr. Michael Martino and Stephen Jankowski stepped forward. Mr. Martino commented that last week they were conditionally approved at 104 Main Street for a laundromat and 5 apartments (4 two bedroom apartments and 1 one bedroom apartment) one of the conditions of the approval by the town is that they find adequate parking for the building. Currently 104 Main Street does not have any parking on site; the municipal parking has been used for the parking. Mr. Martino commented that they are requesting 10 parking spaces for the apartments and 8 parking spaces for the laundry mat, which will be operational from 7am-10pm. They will also need one handicapped parking space.

Mayor Sowden commented that we will take this into consideration and Neil will lead the charge to put that all together and come up with some numbers and then see what we can do to help you.

Mr. Snyder asked how far they own out from the building.

Mr. Martino commented that they own 8 feet from the building but have to install a ramp that will take up 5 feet and that will only leave 3 feet of usable space against the building and also when you enter and exit from that part of the building it could cause some problems if cars are parked by the building.

Mr. Curtis Kitchen stepped forward. Mr. Kitchen is the President of the Wallkill Valley Youth Football League. Mr. Kitchen commented that one of the things that he noticed is that there are a lot of kids who do not participate in our sports who are getting into trouble. Mr. Kitchen is looking to set up a program to help kids within the town. Mr. Kitchen commented that he will bring some sort of a proposal to present for his program.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka asked for some clarification on Ordinance 11-2025 it had for the police department a Silverado 1500 for \$95,000 and now today I see something for a Silverado for \$74,000, is that one in the same or is this for two vehicles.

Mr. Spidaletto commented that it is one in the same.

Mrs. Tatka asked what the difference in the price is.

Mr. Spidaletto commented that the difference in the price is for equipment.

Mrs. Tatka commented that they were talking about the paved parking lot, did the town foot the bill for the whole parking lot because part of that is private property. Mrs. Tatka asked if the toilet can be fixed in the handicapped stall at the Senior Center because the seat is not held fast. Mrs. Tatka asked what the resolution is for on Cork Hill Road, is that considering fixing the road.

Mayor Sowden commented that yes, but it is trying to get a grant from the State to widen it in certain areas and heavier asphalt.

Mrs. Tatka commented that Well B is still not repaired. Are you needing to drill deeper.

Mayor Sowden commented no, what we are going to be doing is refreshing the well.

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Mrs. Pam Belott stepped forward. Mrs. Belott commented that we are trying to get plowing for our service road. We took it upon ourselves to get it paved and we are not asking for anything as far as that goes. We are asking that the town continue to plow the road.

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

Discussion on service road behind Master Street

Mayor Sowden commented that he would like to know what the Council's feelings are regarding the service road/alley way behind Master Street.

Mr. Spidaletto commented that after the last meeting he was directed to contact our engineer to find out if there was a possibility for us to take over a small portion of right of way to possibly accommodate us to continue to plow; that information was provided to the council via email. Mr. Spidaletto commented that if we want to move forward, it will take some time to complete these tasks that Mr. Vreeland listed in his report. Mr. Vreeland is going to pull and review deeds, conduct a boundary analysis, conduct field surveys, prepare easement plan and exhibit and prepare a meets and bounds description at an estimated cost of \$7,500.

Mr. Formica commented that it would be recorded.

Mr. Ursin commented that you would have to draft an easement, get some assurances on titles from each of the homeowners, each of the homeowners would have to sign it and then if all that worked, we would end up with an easement across private property.

Mr. Skellenger made a motion to authorize Mr. Vreeland to move forward with his tasks as submitted via email to Mr. Spidaletto. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mrs. Heath made a motion to continue to plow the service road by Master Street until the agreement is settled. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Heath, Limon

Nays: Formica Absent: None Abstentions: Carnes, Skellenger, Snyder

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. Letter dated November 4, 2025 from Envirotrac in regards to 272 Route 23.
2. Borough of Ogdensburg Ordinance amending Chapter 30 "Land Development"

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. County Board of Health Report – October 2025

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution 2025-92 – authorizing a budget transfer in the amount of \$12,460.
2. Payment of bills for the meeting of November 25, 2025.

Mr. Limon made a motion to approve the consent agenda of November 25, 2025. Seconded by Mr. Skellenger.

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 25, 2025

Upon roll call vote:

Ayes: Carnes, 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

Approval of the Minutes

Mrs. Carnes made a motion to approve the regular meeting minutes for November 10, 2025. (Absent: Mrs. Heath) Seconded by Mr. Skellenger

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Heath

Resolution 2025-93

Mrs. Heath made a motion to adopt Resolution 2026-93 to approve appointing Neil Spidaletto, as Fund Commissioner for the Local Unit calendar year 2026 and Colleen Little as Alternate fund commissioner for the Local Unit calendar year 2026. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2025-94

Mr. Snyder made a motion to adopt Resolution 2025-94 to approve appointing Wayne Dietz, Skylands Risk Management, Inc. Franklin Borough's Risk Management Consultant and Neil Spidaletto, Administrator, as the authorized representative of the public entity and is hereby authorized to execute the Risk Management Consultant's Agreement for the year 2026. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2025-95

Mr. Skellenger made a motion to adopt Resolution 2025-95 awarding a phone stipend to the Municipal Court Administrator in the amount of \$20.00 per pay (\$40.00 per month) effective December 1, 2025. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2025-96

Mr. Skellenger made a motion to adopt Resolution 2025-96 authorizing through the Morris County Cooperative the purchase of water meters and associated software in an amount not to exceed \$190,012.50. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2025-97

Mr. Formica made a motion to adopt Resolution 2025-97 authorizing the award of Well B Redevelopment Bid #25-01 to AC Schultes in an amount not to exceed \$86,155.00. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

MAYOR & COUNCIL MEETING MINUTES NOVEMBER 25, 2025

Resolution 2025-98

Mr. Skellenger made a motion to adopt Resolution 2025-98 authorizing through NJ State Contract a purchase for a 2025 Chevrolet Silverado from Gentilini Motors in an amount not to exceed \$74,434.86. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approve Garden State Fireworks Agreement

Mrs. Heath made a motion to enter into an agreement with Garden State Fireworks for Fireworks Display for Franklin Day, to be held on June 27, 2026, in the amount of \$14,817.00. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Hillside Estates Mobile Home Park License Renewal

Mrs. Carnes made a motion to approve the renewal of the 2026 Mobile Home Park License for Hillside Estates at Franklin, LLC. Seconded by Mr. Limon.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mrs. Heath made a motion to approve the application for membership of Richard Gunderman 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: None Abstentions: Limon

Removal of Recreation Member for lack of attendance

A letter will be sent to the Recreation member advising of their removal for lack of attendance.

ADDENDUM

Resolution #2025-99

Mr. Limon made a motion to adopt Resolution 2025-99 to approve a Grant Application and execute a grant contract with the New Jersey Department of Transportation for the Cork Hill Road Local Freight Impact Fund. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

MISCELLANEOUS COMMENTS

There were no miscellaneous comments.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Snyder made a motion to adjourn the meeting at 8:08p.m., seconded by Mrs. Carnes. All were in favor.

John M. Sowden IV, Mayor

Colleen L. Little, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2025-101

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL LITIGATION FOR REAL PROPERTIES COMMONLY KNOWN AS 577 AND 597 ROUTE 23, IDENTIFIED ON THE MUNICIPAL TAX MAP AS BLOCK 102, LOT 2.01 (PRIOR BLOCK 3, LOT 14.03) AND BLOCK 102, LOT 3 (PRIOR BLOCK 3, LOT 4), RESPECTIVELY, IN THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY

WHEREAS, Franklin Shopping Center, LLC and Franklin Shopping Plaza, LLC are prior owners (collectively, the “Owners”) in the chain of title of two (2) separately assessed properties commonly known as 577 and 597 Route 23, identified on the Official Tax Map of the Borough of Franklin (“Borough”) as Block 102, Lot 2.01 (prior Block 3, Lot 14.03) and Block 102, Lot 3 (prior Block 3, Lot 4), respectively, in the Borough of Franklin, County of Sussex, and State of New Jersey (collectively, the “Properties”); and

WHEREAS, the Owners filed real property tax appeals in the Tax Court of New Jersey contesting the tax assessments on the Properties for certain tax years under Docket Numbers 012523-2010, 012517-2010, 012203-2011 and 012526-2012; and

WHEREAS, the parties have engaged in extensive settlement negotiations involving the Tax Assessor and appraisal experts; and

WHEREAS, as a result of said negotiations, the parties have reached a global settlement agreement whereby the Owners shall withdraw the appeals filed under Docket Numbers 012517-2010, 012203-2011 and 012526-2012, in exchange for a one (1) year adjustment under Docket Number 012523-2010 as follows:

<u>Property</u>	<u>Year</u>	<u>Original Assessment</u>	<u>Proposed Settlement</u>
577 Route 23	2010	\$1,978,500	\$978,500

WHEREAS, the Tax Assessor is of the opinion that it is in the best interest of the Borough to settle these appeals as summarized above and in accordance with the terms and conditions set forth in the proposed form of stipulation of settlement attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Council, having conferred, is of the opinion that this settlement is being made in the best interest of the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Franklin, County of Sussex, and State of New Jersey, as follows:

1. The settlement of the tax appeals identified herein is hereby authorized as follows:

Borough of Franklin, County of Sussex

Resolution #2025-101

<u>Property</u>	<u>Year</u>	<u>Original Assessment</u>	<u>Proposed Settlement</u>
577 Route 23	2010	\$1,978,500	\$978,500
597 Route 23	2010	\$799,500	Appeal Withdrawn
577 Route 23	2011	\$849,700	Appeal Withdrawn
597 Route 23	2011	\$257,100	Appeal Withdrawn
577 Route 23	2012	\$570,000	Appeal Withdrawn

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
3. The Tax Collector is hereby authorized to refund the appropriate taxes in accordance with the terms of this Resolution and Stipulation of Settlement attached hereto upon entry of Final Judgment by the Tax Court.
4. The tax refund shall be made payable to “Skoloff & Wolfe, P.C., Trust Account” and delivered to Robert Giancaterino, Esq., Skoloff & Wolfe, P.C., 293 Eisenhower Parkway, Livingston, New Jersey 07039 within 120 days from the date of entry of Final Judgment.
5. This Resolution shall take effect immediately.

CERTIFICATION

I, Colleen L. Little, Borough Clerk of the Borough of Franklin, Sussex County, New Jersey do certify the above to be a true and correct copy of a resolution adopted by the governing body at a regular meeting held on Tuesday, December 16, 2025.

Colleen L. Little, Borough Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
PATRICIA CARNES				
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				

Borough of Franklin, County of Sussex

Resolution #2025-102

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN TO ENTER INTO COOPERATIVE SERVICE AGREEMENT BETWEEN THE BOROUGH AND UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE

WHEREAS, the Borough Council has determined that the Borough is in need of a plan to manage the Canada goose population in the Borough;

WHEREAS, the Borough has sought help from the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Wildlife Service (WS) to assist in a Canada goose damage management project;

WHEREAS, a Cooperative Services Agreement was presented and there was a review of the Agreement received and it covered all the needs of the Borough for the work needed to manage the Canada goose problem;

WHEREAS, the total compensation to be paid by the Borough to the USDA for the Canada goose damage management project shall not exceed \$10,356.00:

NOW THEREFORE IT BE RESOLVED by the Governing Body of the Borough of Franklin that the Borough enter into the Cooperative Services Agreement with the United States Department of Agriculture APHIS WS to perform services for the Borough in an amount not to exceed \$10,356.

CERTIFICATION

I, Colleen L. Little, Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Franklin Borough Council at a meeting held on the 16th day of December, 2025.

Colleen L. Little, Borough Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
PATRICIA CARNES				
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				