

**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
JANUARY 28, 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

Mr. Michael Christensen stepped forward to discuss his Eagle Scout Project. Mr. Christensen thanked Mayor Sowden for emailing him the names for the Eagle Scout Project. Mr. Christensen requested a change in the timeline of his project. Mr. Christensen commented that he has a deadline of May 19, 2025. Mr. Christensen asked if he could make the structure of the project and add the names later on. Mr. Christensen needs the approval of the beneficiary for any changes. Mr. Christensen needs permission to say that the structure is the project.

The consensus of the Governing Body was to approve the change in the project.

Ms. Jessica Caldwell provided the Governing Body with some background for the resolution on Affordable Housing.

Historic Designation

Pete Olieman, Van Cleef Engineering stepped forward. Mr. Olieman commented that a result of the reconstruction of the Franklin Via Duct, a wetlands permit was needed and one of the conditions of a wetlands permit is that you cannot have an adverse effect on a historic district or potential historic district. Mr. Olieman commented that they had Tom Jones evaluate the area around the bridge, the bridge itself and eventually most of the Borough to see exactly what was potential and that led to a condition of the permit relating to the historic district. Replacing the bridge had an adverse impact on the historic district/potential historic district. In remediation for that we introduced elements into the bridge to make it more compatible with the district.

Mr. Tom Jones, Historic Preservationist, stepped forward. Mr. Jones commented that through the decades of his career in doing section 106 compliance throughout the Mid-Atlantic states and other parts of the Country, its rare when a potential historic district meets all the national register criteria. Franklin did do that which was determined by the New Jersey State Historic Preservation Office. Mr. Jones commented that what he suggests here; is that there is something extremely unique and valuable and could add to the economic health of the community and the area by increasing tourism.

Mr. Matt Sinke, County of Sussex Assistant Engineer, stepped forward. Mr. Sinke explained the process to submit the Historic Register Nomination Application.

Mrs. Heath asked if this was just for the bridge.

Ms. Jessica Caldwell stepped forward. Ms. Caldwell commented on the various layers of the districts create. There is essentially three layers, Federal Designation, State Designation and a local designation. In her opinion, the Federal and State Designations, essentially, are very similar and create the same type of requirements and overlays. The State and Federal Designation would essentially designate the

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area but would not create local requirements. When it kicks in, in terms of any kind of regulatory review, is essentially similar to what happened when the viaduct was put in where you got a section 106 review, which is an environmental impact statement type of review. As far as Federal or State district it does not impact a local homeowner. As far as benefits go, there is eligibility to apply for grants (both State and Federal) and also eligibility to use federal tax credits for improvements to properties within the district. There are some incentives and ability to access funding for projects within a State or Federal designated Historic District.

Mr. Jones commented that it is not unusual for the general public to not be clear; just getting listed on the national register does not restrict their private property rights.

Ms. Caldwell commented that the planning board did review this and passed a resolution in December supporting the designation.

Mr. Formica asked how do you get out the historical designation, if you so choose to.

Mr. Jones commented that the resource disappears.

Mrs. Carnes asked what if a particular property owner did not want to be involved in this designation, is there a way they can opt out of it.

Mr. Oliemen commented that for the national register there is no restrictions. It is when a local ordinance is developed based on adopting the master plan element then it would go through that process.

Mr. Jones commented to further answer your question, if Franklin wants to pursue this. Very important in the process is input from the property owners within the boundaries of the historic district. A letter must go out asking their opinion if they would like to be listed on the national register. That is taken into very serious consideration in Trenton. If the majority of the residents do not want to be listed on the national register there had been precedence where the state historic preservation offices around the country are gone.

Ms. Caldwell commented that under the section 106 review it states that it is required if it is a historic or eligible to be a historic district. So, if this is submitted to the State Historic Preservation Office in Trenton, does that not get triggered either way.

Mr. Sinke commented that regardless of the action by this Council, we package up the nomination package and send it to the NJ State Review Board. NJ State Review Board and State Historic Preservation Office review the nomination and they may give us comments back we would then have to address and then they will decide how to move forward with it. If they decide that they are going to move forward with it, there will be a process whereby all property owners will need to be notified within the potential district.

Mr. John Christiano, Planning Board Chairman, stepped forward. Mr. Christiano commented that the Planning Board held their meeting on December 4, 2024 to review the proposal and ultimately voted in favor of it but not until after we heard from the gentlemen from Van Cleef Engineering and Mr. Jones. The members of the Planning Board saw a very specific value in the presentation that was given. Part of it was tax incentives that are available to the home owners if they want to restore their home to a historic exterior. There are also grants available. Again, nobody being under any obligation to do this but if they decided to go ahead there is money to be found. One thing that raised Mr. Christiano's eyebrow was when Mr. Jones mentioned the possibility of Franklin becoming a UNESCO (United Nations Educational Scientific and Cultural Organization) site. Things that are designated UNESCO heritage sites are pyramids of Egypt, the Eiffle Tower, Notre Dame and Roman ruins in Rome. If you are designated a UNESCO site you are playing with the big boys, you have world wide recognition of who you are and what happened. Franklin checks off a lot of the boxes for an internationally recognized site. There are no obligations to any homeowners here.

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Mr. Formica commented that he feels there needs to be a little bit more clarification regarding the State and National Register not impacting homeowners however it does expend the area that will be deemed under historic which can then be determined by the Planning Board and the Historical Commission.

Mr. Christiano commented that his understanding is that the map is not an optimized map and if there are areas here that we, as a town, decide really do not belong in there we have the authority to reduce the designated area.

Mr. Jones commented that you can negotiate with the State Historic Preservation Office.

Mr. Christiano asked if the agenda for tonight's meeting was published and if the question of Historic Designation.

Mayor Sowden commented that the agenda was posted and that a presentation was on the agenda for the Historic Preservation.

Mr. Christiano commented that what he would recommend is, we could go two ways with it, you could have a referendum where the town actually votes on it or we announce a public meeting where the question can be put before the public.

Mr. Formica asked why this was not done for the Planning Board. It was a last minute email that went out right before Thanksgiving that stated you were going to do a presentation, apologized for the last minute notice that we were going to have a presentation and workshop meeting which was not advertised as far as the workshop meeting or what was going to be on the agenda. It was presented and voted on without only specific audience that were somehow told about it but the general public that was affected by it and now here we are at a second meeting with a second presentation and the people that live in this area were still not notified.

Mr. Christiano commented that first of all the vote we took was a recommendation it was not an action. It was not an action to designation this area. It was a recommendation that we agreed to and we agreed to send it to the Council where the ultimate vote would take place. The ultimate vote did not take place with the Planning Board. So, whether the Borough was aware of it or the public was aware of it or not is really material since we had no control over the final vote.

Mr. Formica commented that it is one of the steps in the process, is a recommendation from the Planning Board, a recommendation from the Historic Commission to go before the Council and the Council would then vote to either adopt the designation or not.

Mrs. Carnes commented that if a person receives a letter at their house, they are more to apt to respond to it as opposed to whether it is placed on social meeting.

Mr. Formica commented that if we are going to move forward with anything the public needs to be notified.

Mr. Phil Crabb, Chairman of the Historic Committee stepped forward. Mr. Crabb commented that it is highly remarkable that Franklin has met all 4 criteria. Whether we do our historical designation or not, we are going to be subject to historical review with regards to any major capital project that we do here.

Mr. Matt Sinke commented that the requirement from the County's perspective is to prepare this application and submit it to the State. State Historic Preservation Office website has more information on the application process.

Mayor Sowden commented that he realizes the seriousness of this and he wants everyone to have the time to absorb this information to make the right decision. This is why he is not saying anything about a resolution tonight, I just want to educate the Council to get them up to speed so that they are aware of what they are working on and what they may vote for or not. That was the intention of this meeting.

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COMMITTEE REPORTS

Mrs. Heath commented that she did not attend the Reorganization of the Recreation Committee however, Bobbi Formica is the Chairperson and Fred Babcock is Co-Chair. February 1st is the casino bus trip; April 19th is the Egg Hunt and May 3rd is the Spring Fling and they looking into a possible comedy night. Mrs. Heath commented that the Rifle Club received the outstanding club award.

Mr. Skellenger commented that the Mobile Unit from the Motor Vehicle Commission will be in Franklin on March 29, 2025. They will be doing real id, registration renewal, duplicate titles and handicapped placards. Appointments will open up a month before.

Mr. Formica commented that the Ordinance Committee met along with Zoning and the Court to discuss adding additional sign throughout the Borough for snow and parking ordinance. We also discussed modifying the sign ordinance to allow digital signs. Mr. Formica spoke with Jesse and he ordered the water coolers and they will be installed soon.

Mr. Limon commented that we are at the final stages of the public works contract. There was a public works meeting and discussed some items. There was a historic committee meeting and the chairman swore in a few members on the board. Mr. Limon wants to let everyone know that it was 100% support on the historical designation.

Mrs. Carnes had nothing to report.

Mr. Snyder commented that he spoke to CFO Michelle briefly about setting up a time to meet.

Administrator Spidaletto commented that we will be voting on the 2025 Local Recreation Grant. Sent an email out regarding infrastructure upgrades for JCP&L and this information is posted to the website.

Ms. Little had nothing to report.

Ms. Hooker had nothing to report.

Mayor Sowden had nothing to report.

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. Skellenger. All were in favor.

Ms. Dawne Rowe stepped forward. Ms. Rowe questioned the Historic Designation for property owners.

Mr. John Christiano stepped forward. Mr. Christiano commented that when the vote came up before the Planning Board to recommend the Historic Designation, I voted in favor of it even though I do not live in the designated area. Mr. Christiano asked if his vote is nullified.

Mrs. Virginia Littell stepped forward. Mrs. Littell commented that you as elected to sit on the Council, you represent, not just where you live, you represent everyone that lives in this municipality. We have something here that is so unique and so fabulous and to say that people will not be announcing it in a letter, you get letters for everything from a municipality. Mrs. Littell believes that it is so important for the future of our municipality, in a global perspective. Mrs. Littell commented that she is so excited that the governing body who have been elected by all of us in this municipality are going to have the opportunity to embrace something that is so unique in the world.

Mrs. Judy Williams stepped forward. Mrs. Williams commented that this is incredible that we qualify and that we have it. Mrs. Williams commented that if we talk about homeownership and talk about people, do you know how many homes and

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properties and apartments are owned by people who do not live in Franklin. Mrs. Williams commented that she would be offended if they had a say where I live.

Ms. Renee Zierold stepped forward. Ms. Zierold commented that she was a teacher in Franklin for nearly 20 years. She is here to speak for the children. Ms. Zierold commented that she is so proud of this town. Ms. Zierold commented that this is a wonderful opportunity to recognize the people who built it and are building into the future. Ms. Zierold asked to please consider this in a positive note.

Mr. Donald DeVore stepped forward. Mr. DeVore commented that when this comes around again and everyone has been notified and if a large congregation of people come and receive a negative cast from the Governing Body it does not stand a chance.

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. Carnes. All were in favor.

Mayor Sowden commented that he has grown up in Franklin and his family goes back to about 1906 in this town and one thing he wants to make clear, it is a great disrespect by not taking the time to understand this concept and develop it because there was a lot of great people in this town. In growing up here, I would not have wanted to live any other place in the world. Mayor Sowden would like that to continue on.

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. Sandyston Township resolution urging Sussex County Board of County Commissioners to authorize a public referendum to appear on November 4, 2025 general election ballot seeking voter approval to continue Sussex County Farmland Preservation, Recreation and Open Space Trust Fund for an additional 10-year time period.
2. County of Sussex resolution reappointing Dr. William Truran as Sussex County Historian for term expiring December 31, 2025.
3. Stillwater Township resolution for the continuation of Sussex County Farmland Preservation, Recreation and Open Space Trust Fund.
4. Lafayette Township resolution accepting the Department of Community Affairs (DCA) Calculation for the fourth round affordable housing present need and prospective need obligations.
5. Thank You note from a resident regarding the installation of concrete pillars and chains across the back of Franklin Pond.
6. Borough of Hamburg resolution urging Sussex County Board of County Commissioners to authorize a public referendum to appear on November 4, 2025 general election ballot seeking voter approval to continue Sussex County Farmland Preservation, Recreation and Open Space Trust Fund for an additional 10-year time period.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Permit Summary Report – December 2024
2. Construction Permit Activity Report – December 2024
3. Construction Permit List – December 2024
4. COH Report – December 2024
5. County Board of Health Report – December 2024
6. Police Department Report – December 2024
7. Water & Sewer Operations Report – January 6 – January 10

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Resolution 2025-22 – authorizing a budget transfer in the amount of \$9,065.00

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2. Payment of bills for the meeting of January 28, 2025.

Mr. Limon made a motion to approve the consent agenda of January 28, 2025. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Heath

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mrs. Heath made a motion to approve the reorganization meeting minutes for January 7, 2025. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of the Minutes

Mr. Skellenger made a motion to approve the regular meeting minutes for January 14, 2025. (Absent: None) Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2025-20

Mr. Formica made a motion to adopt Resolution 2025-20 authorizing the submission and execution of a grant agreement to the New Jersey Department of Community Affairs in the amount of \$150,000. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2025-21

Mr. Formica made a motion to adopt Resolution 2025-21 refining the Department of Community of Affairs (DCA) calculation for the fourth round affordable housing prospective need obligations and accepting the DCA's calculation of the present need rehabilitation. Seconded by Mrs. Heath.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Adoption of Ordinance 01-2025

Mr. Snyder made a motion to adopt Ordinance 01-2025 entitled "BOROUGH OF FRANKLIN SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2025 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) Seconded by Mr. Skellenger.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for comments regarding Ordinance 01-2025. Mrs. Heath made a motion to open the meeting to the public for Ordinance 01-2025, seconded by Mr. Formica. 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 for Ordinance 01-2025. Seconded by Mrs. Carnes. All were in favor.

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Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Congregate Nutrition Program Shared Services Agreement

Mrs. Heath made a motion to approve the Shared Service Agreement between the County of Sussex and the Borough of Franklin for the Franklin Congregate Nutrition Programs from January 1, 2025 to December 31, 2025 in the amount of \$27,700.00.

Seconded by Mr. Skellenger.

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

Mr. Skellenger made a motion to approve the application for membership of William J. VanTassel Jr., 28 Nestor Street, Franklin, as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief.

Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Peddlers Permit Application

Mrs. Carnes made a motion to approve the peddler permit submitted by Curtis Pandorf – Hot Dog Truck located at 76 Route 23, Franklin. Seconded by Mr. Skellenger.

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

Mrs. Heath thanked everyone for coming out this evening.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 8:56p.m., seconded by Mrs. Heath. All were in favor.

John M. Sowden IV, Mayor

Colleen L. Little, Municipal Clerk