

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
MARCH 11, 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:**

1. Eagle Scout Project

- I. **NEW BUSINESS:**

1. **Approval of the Minutes** for the regular meeting minutes and executive session meeting minutes for February 25, 2025. (Absent: None)
2. **Resolution 2025-29** amending Resolution 2024-81 approving the renewal of liquor license #1906-33-004-008.
3. **Resolution 2025-30** to approve the Governor's Council on alcoholism and drug abuse fiscal grant cycle FY2026.
4. **Resolution 2025-31** authorizing compliance with the United States Equal Employment Opportunity Commission's enforcement guidance

REGULAR AGENDA – MAYOR AND COUNCIL MEETING , 2025

on the consideration of arrest and conviction in employment decisions under Title VIII of the Civil Rights Act of 1964.

5. Resolution 2025-32 authorize a refund for peddler permit fee in the amount of \$720.00.
6. Child Abuse Prevention Month Proclamation to adopt the Proclamation proclaiming April as Child Abuse Prevention Month.

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
FEBRUARY 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

At this time Councilwoman Heath and Council President Skellenger presented Franklin Revolver and Rifle Association a proclamation for being selected as the 2024 NRA Outstanding Club Award winner.

COMMITTEE REPORTS

Mrs. Heath commented that she and Mr. Spidaletto attended the Chamber of Commerce Meeting today that was held in the Conference Room at Borough Hall.

Mr. Skellenger commented that all the appointments for Real ID all filled for the Mobile Unit; there are other appointments available for registration renewals, duplicate titles and one other thing that they have availability for. Mr. Skellenger emailed the director to try to get one more date for us.

Mr. Formica commented that he met with Neil on Monday with the grant writer to go over the AARP grant that we are looking into for picnic benches and seating. We are trying to finalize this grant by Friday.

Mr. Limon commented that there was a personnel and negotiations meeting and we are very close on the contract with the public works employees. There was a Historic Committee meeting and we discussed the state and national historic designation for the Zinc Site.

Mrs. Carnes had nothing to report.

Mr. Snyder commented that he met with the CFO and she informed that she doesn't have anything yet to go forward with the budget.

Mrs. Little had nothing to report.

Mr. Spidaletto commented that the CFO has been working with the auditors. The affordable housing numbers have been reported. The grant writers have been active since we brought them on; we have applied for 6 grants so far (Assistance to Firefighters grant, Local Freight Impact Fund, Local Recreational Improvement Grant, Firehouse Subs Foundation, AARP and T-Mobile Hometown grant). We just received correspondence from the County regarding the NJ State Plan Update Cross Acceptance Process.

Mr. Ursin suggested to consider designating the County to serve as our negotiating entity for this process.

Mr. Formica made a motion to have the County represent us and pass the sample resolution. Seconded by Mr. Skellenger.

MAYOR & COUNCIL MEETING MINUTES FEBRUARY 25, 2025

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mr. Ursin had nothing to report.

Mayor Sowden congratulated the Franklin Revolver and Rifle Association. Mayor Sowden commented to the discussion that Councilman Limon brought up regarding the Historic Committee meeting the other night and how we were looking at the map and it shows a lot of Franklin. The discussion was, all of the people that are on that committee knows Franklin and it was a very historic and great place to grow up. All that area has documentation. To have everything documented, it just seems that it is such a shame that we are looking at this and we are being afraid of the Historic Designation.

OPEN PUBLIC SESSION

Mr. Skellenger 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. Joanne Tatka stepped forward. Ms. Takta asked about the total amount collected for the cannabis.

Mayor Sowden commented that the total amount collected was \$1,837,294.08.

Ms. Tatka asked with the money collected from the cannabis tax and we have been getting reassessed, why did go with the 3.5% cap rather than the 2% that is allowed.

Mr. Ursin commented that the CAP bank that was recently passed does not mean that they are going for a 3.5% increase. That only means that the state puts caps on how much you can increase each year. So the CAP bank allows us that. If our CAP is 3.5% this year, we only raise taxes 2%, it allows us to take the 1.5% they do not use and use it in a future year in case there is an emergency. It allows us to preserve some of the CAP to be used in future years in case of an emergency.

Ms. Tatka commented she was reading that they have been finding dead geese in different places because of the bird flu, was that affected in Franklin. Ms. Tatka questioned the Certified Recycling Professional agreement that was on the agenda. Ms. Tatka asked about the grant qualification that Councilman Limon mentioned and asked if that meant if something could have a Historic Designation and be available to apply for grants. Ms. Tatka asked why it has not been done all these years for the church/schoolhouse.

Mayor Sowden commented that we do not want to declare it historic.

Ms. Dawne Rowe stepped forward. Ms. Rowe congratulated the Franklin Revolver and Rifle Association. Ms. Rowe suggested to publicize the grants so that the public knows.

Ms. Tatka commented on the amount of salt being used on the roads.

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.

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 Vernon Resolution supporting publishing legal notices on official Government Websites.
2. Township of Vernon Resolution in support of referendum for 10 years extension of Sussex County Farmland Preservation, Recreation and Open Space Trust Fund.

MAYOR & COUNCIL MEETING MINUTES FEBRUARY 25, 2025

3. Township of Sparta Ordinance entitled comprehensive land management code to amend portions of section 18-4.31a entitled "planned commercial economic development zone (pced)".

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Construction Permit Activity Report – January 2025
2. Permit List – January 2025
3. COH Report – January 2025
4. Water/Sewer Division Report – February 3 – February 7
5. Police Department Report – January 2025
6. County Board of Health Report – January 2025
7. Water/Sewer Division Report – February 10 – February 14

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. None filed.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of February 25, 2025.

Mr. Skellenger made a motion to approve the consent agenda of February 25, 2025. Seconded by Mrs. Heath.

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

Mr. Skellenger made a motion to approve the regular meeting minutes for February 11, 2025. (Absent: Mr. Limon, Mayor Sowden) Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: None Abstentions: Limon

Agreement for Certified Recycling Professional

Mrs. Heath made a motion to approve the agreement between the Borough of Franklin and SCMUA to retain the services of SCMUA for a Certified Recycling Professional that will be responsible for executing the mandatory annual 2024 municipal recycling tonnage report in the amount of \$300.00 annually. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution #2025-27

Mr. Limon made a motion to adopt Resolution 2025-27 to approve authorizing the Borough's Certified Recycling Professional to submit the 2024 recycling tonnage grant application to NJ Department of Environmental Protection. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Discussion on Historic Preservation Committee

Mayor Sowden commented that in Section 10-11 Membership Terms and Meetings of the Historic Preservation Committee Ordinance, it says that persons who are residents of the municipality, we have these people who are past residents of the municipality who are still very interested in the history of the Borough. What he was

MAYOR & COUNCIL MEETING MINUTES FEBRUARY 25, 2025

hoping to do was to remove the residency requirement from the Committee classification.

Mr. Ursin commented that an amendment to the ordinance would need to be done.

Councilwoman Heath commented that you would think we could as Franklin residents be part of the committee rather than people that live out of town. How can we have people that do not live in Franklin voting for or being in favor of zoning or would these people be exempt.

Mr. Ursin asked if the people that are being considered would fit into class b membership.

Mayor Sowden commented that he is appointing the members as class b members.

Mr. Formica asked if we should remove number four.

Mayor Sowden commented that he would like the alternate members to fall under any category.

Mr. Ursin commented that under number 5 it should read that alternate members shall meet the qualifications of one of the classes and shall be designated as alternate 1 and alternate 2. If the council is interested in that amendment, you can introduce it tonight or you could ask me to draft it and put it on the agenda.

The consensus of the Council was to have the attorney draft the ordinance for the Council to review.

Mayoral Appointment

Mayor Sowden made the following appointment to the Historic Preservation Committee.

Historic Preservation Committee

Rebecca DeMaio, Class B Member (2-yr. unexpired term) Expires 12/31/2026

Peddlers Permit Application

Mr. Formica made a motion to approve the peddler permit application submitted by Carol Zofrea for the sale of ice cream. Seconded by Mr. Snyder.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

EXECUTIVE SESSION

Mayor Sowden commented that the executive session was held prior to the meeting from 6:45pm-7pm.

MISCELLANEOUS COMMENTS

Mr. Skellenger commented that Councilman Formica always points out the grants we get and apply for.

Mrs. Heath congratulated the Franklin Revolver and Rifle Association.

ADJOURNMENT

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 7:54p.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 #2025-29

**RESOLUTION OF THE GOVERNING BODY
OF THE BOROUGH OF FRANKLIN
AMENDING RESOLUTION 2024-81
APPROVING THE RENEWAL OF
LIQUOR LICENSE 1906-33-004-008**

WHEREAS, the Borough of Franklin Council adopted Resolution 2024-81 on June 25, 2024;

WHEREAS, Resolution 2024-81 approved the renewal of a liquor license for the 2024-2025 licensing year;

WHEREAS, Resolution 2024-81 approved Plenary Retail Consumption License No. 1906-33-004-008, Coyote Cocina Mexicana , for renewal;

WHEREAS, Resolution 2024-81 incorrectly stated the legal entity name and location of premise;

WHEREAS, the Borough Council now adopts this Resolution to correct the error;

NOW THEREFORE IT BE RESOLVED as follows:

1. Resolution 2024-81 is hereby amended to reflect the premise address of 116 Route 23, Franklin NJ 07416 and the legal entity name of Coyote Cocina Mexicana LLC.
2. A copy of this amending Resolution shall be served on the license holder and a copy shall be sent to the Division of Alcoholic Beverage Control.

CERTIFICATION: I, Colleen L. Little, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a meeting of said Governing Body held on March 11, 2025.

Colleen L. Little, Municipal 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 #2025-31

March 11, 2025

“Resolution Authorizing Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Borough of Franklin Council hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Council of the Borough of Franklin at a regular meeting of said Governing Body conducted on Tuesday, March 11, 2025.

Colleen L. Little, Municipal 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 #2025-30

Governor's Council on Substance Use Disorder
Fiscal Grant Cycle October 2020-June 2026

WHEREAS, the Governor's Council on Substance Use Disorder (GCSUD) established the Municipal Alliances for the Prevention of Substance Use Disorder in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent substance use disorder in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Franklin, County of Sussex, State of New Jersey recognizes that substance use disorder is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent substance use disorder in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Substance Use Disorder through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Franklin, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Walkill Valley Municipal Alliance grant for fiscal year 2026 in the amount of:

GCSUD GRANT FUND	\$ 5358.00
Cash Match	\$ 1339.50
In-Kind	\$ 4018.50
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
John M. Sowden, IV, Mayor

CERTIFICATION

I, Colleen L. Little, Municipal 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 duly authorized by the Borough Council on this 11th day of March, 2025.

Colleen L. Little, Municipal Clerk

Borough of Franklin, County of Sussex

Resolution #2025-32

AUTHORIZE A REFUND FOR PEDDLER PERMIT FEE

WHEREAS, Rasmussen Operations paid for 12 peddler permit applications and only 4 of the applicants completed the total application process.

WHEREAS, Rasmussen Operations has sent an email requesting the return of the entire amount submitted for the peddler permits due to the company not coming to Franklin Borough to solicit for fiber optic internet.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin, that the Chief Financial Officer is hereby authorized to refund Rasmussen Operations the amount of \$720.00 for the payment of 8 peddler permit applications that did not follow through with the background check.

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted by the Mayor and Council of the Borough of Franklin in a meeting held in the Franklin Municipal Building at 46 Main Street at 7:00 PM on March 11, 2025.

Colleen L. Little, Municipal 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

Child Abuse Prevention Month Proclamation

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

WHEREAS, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior;

WHEREAS, the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community;

NOW THEREFORE, be it resolved that the Borough of Franklin does proclaim April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

CERTIFICATION: I, Colleen L. Little, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Proclamation adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a regular meeting held on March 11, 2025.

Colleen L. Little, Municipal Clerk

John M. Sowden IV, Mayor