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 NOVEMBER 10, 2025

- A. Mayor Sowden will call the meeting to order; Clerk will call the roll.
- B. <u>Mayor Sowden</u> will invite all present to salute the flag.
- C. <u>Mayor Sowden</u> 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. <u>COMMITTEE REPORTS</u>: <u>Mayor Sowden</u> 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, <u>Mayor Sowden</u> will request a motion to close the meeting to the public and return to the regular order of business.

G. <u>CONSENT AGENDA</u>: <u>Mayor Sowden</u> 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. <u>OLD BUSINESS:</u>

I. NEW BUSINESS:

- 1. <u>Approval of the Minutes</u> for the regular meeting minutes for October 28, 2025. (Absent: None)
- 2. Resolution 2025-87 authorizing a stipend for recreation duties for Sandra Cowan in the amount of \$50.00 per pay check (\$1,200 annually) effective October 1, 2025.
- 3. Resolution 2025-88 authorizing a stipend for recreation duties for Colleen Little in the amount of \$50.00 per pay check (\$1,200 annually) effective October 1, 2025.
- Resolution 2025-89 authorizing through NJ State Contract a purchase for a 2025 Chevrolet Tahoe PPV from Gentilini Motors in an amount not to exceed \$77,929.59.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING NOVEMBER 10, 2025

- 5. <u>Resolution 2025-91</u> opposing legislation preempting local zoning (S-4736)
- 6. <u>Discussion on 390 Rutherford Ave Redevelopment Plan</u>

J. <u>EXECUTIVE SESSION – IF REQUESTED</u>

<u>Mayor Sowden</u> 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. <u>MISCELLANEOUS COMMENTS:</u> <u>Mayor Sowden</u> will allow each member of the Governing Body to offer any miscellaneous comments which they may have at this time.
- L. <u>ADJOURNMENT</u>: <u>Mayor Sowden</u> 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 OCTOBER 28, 2025

<u>Mayor Sowden</u> 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.

<u>Mayor Sowden</u> 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. Heath commented that the Halloween parade and trunk or treat event was a huge success.

Mr. Skellenger had nothing to report.

Mr. Formica commented that if any one has passed by the police station for the last few months, they have noticed the police put cones out and that was to try to redirect the flow of traffic coming in and going out. It seems to be working; so, the next idea was to physically change the address for the police department. Right now, it is on Cork Hill and also the senior center and that is the only address we have and its difficult for deliveries. If we change the address to George LaBance Lane, so that way the traffic will flow into that part. That part of the street would be two ways but then going from the police station up the hill would be one way, exit only, so that way the flow only goes up and it would lower the number of vehicles just passing through in front of the police department. We spoke with the engineers and the tax assessor about the change. The tax assessor said that it would just take our approval and he can start the process if we would want to move forward and change it. Then it would be a new address and number. We are looking to add two signs on Route 631 facing each direction that would say senior center/police department, so that way people know which way to go. Once they go past where the senior parking is and the dumpster is, then a sign could go there for the police department. The police chief said by making that a one way the police would always be circling through the park area and being that is the exit they would not be traveling through where children and people might be gathered.

Mr. Spidaletto commented that he spoke to the tax assessor and he was able to find the road on one of his maps, George LaBance Lane. The tax assessor would make all the proper notifications for the change.

Mayor Sowden asked if the road going up was Dave Herzenberg. He thought there was a Dave Herzenberg drive by the senior center.

Mr. Formica commented that we had the engineer there today and the road leading up to the police department, we looked at both sides about adding angled parking spots for the police personal vehicles and visitor parking.

Mr. Limon thanked Patti, Rachel, Neil and Michelle for working on the PBA contract renewal.

Mrs. Carnes had nothing to report.

Mr. Snyder had nothing to report.

Mrs. Little commented that the free rabies clinic is scheduled for November 1, 2025 from 1pm - 3pm at the Borough Garage.

Mr. Spidaletto commented that the equipment auction ended today. The paving will start Friday or Monday. The sinkhole will be addressed after the paving is complete. The next meeting is scheduled for Monday, November 10, 2025 in honor of Veterans Day. The bids are out for the well B rehab and the solid waste.

Mr. Windels had nothing to report.

Mayor Sowden had nothing to report.

OPEN PUBLIC SESSION

Mrs. Heath 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.

Mrs. Pat Morris stepped forward. Mrs. Morris asked if there were any updates on the deeds from the NJ Zinc Company to their respective houses on Master Street.

Mr. Windles commented that it is still under review.

Mr. Spidaletto commented that there should be an answer by the next meeting on November 10th.

Mrs. Joanne Tatka stepped forward. Mrs. Tatka commented that she remembers that road being named for David Herzenberg, from the entrance by the police department down to George LaBance. Mrs. Tatka commented that there used to be a sign up top that stated David Herzenberg Drive. Mrs. Tatka asked if all three wells are functioning.

Mayor Sowden commented that two are and one is being taken offline to be refurbished.

Mrs. Tatka asked if there is good water supply and if there were any problems during the drought.

Mayor Sowden commented that so far there is good water supply and nothing has been reported.

Mrs. Tatka asked if the Zinc Company project is still being planned for a planning board hearing.

Mr. Windles commented that there is litigation matter involving the Zinc Company site and advised that the council would not reflect on the matter.

Mrs. Tatka asked if any of the projected developments in town tried to drill their own wells or are they depending on the town.

Mayor Sowden commented that they are working in conjunction with the town.

Mrs. Tatka asked if anything has been found yet.

Mayor Sowden commented that we have hired water engineers and water geologists to review certain parts of the town and some of the property owners that want to develop in those areas are trying to come to the table and allow us to drill on their property and see what kinds of yields we are going to get.

Mrs. Tatka asked if the town has to drill for the water or can the developers drill for their own water.

Mayor Sowden commented that the way it is set up right now is that the town is doing the drilling.

Mrs. Tatka asked if the town has to provide water to everyone that is coming into the town. Mrs. Tatka asked if Zoe Heath is a resident of Franklin.

Ms. Dawne Rowe stepped forward. Ms. Rowe commented that all three wells are functioning but one is being refurbished. Ms. Rowe commented that the food banks are running low. Ms. Rowe asked if the council has given any thought of doing a food drive.

Mrs. Heath commented that today was the Hardyston/Franklin Chamber meeting and Mrs. Heath brought up that the food banks are running low. The boy scouts are having a food drive next Tuesday and they are going to give some of the food to us that goes to Wallkill High School and then also the YMCA approached Mrs. Heath about putting boxes there for donations of food.

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. Heath. All were in favor.

CONSENT AGENDA

<u>Mayor Sowden</u> 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. FY 2026 Proposed Rate Schedule Effective December 1, 2025 from SCMUA.
- 2. 3rd Quarter Sewage Flows
- 3. Borough of Ogdensburg Ordinance 10-2025 amending Chapter 30 "Land Development.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

- 1. Water/Sewer Division Report September 2025
- 2. County Board of Health 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 28, 2025.

Mrs. Heath made a motion to approve the consent agenda of October 28, 2025. Seconded by Mr. Skellenger.

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 October 14, 2025. (Absent: None) Seconded by Mrs. Carnes

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Approval of the Minutes

Mr. Snyder made a motion to approve the executive session meeting minutes from September 23, 2025. (Absent: None) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Resolution 2025-85

Mr. Skellenger made a motion to adopt Resolution 2025-85 approving the Franklin Fire Department Coin Toss Fundraisers for the year 2026. Seconded by Mrs. Carnes

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder Nays: None Absent: None Abstentions: Limon

Resolution 2025-86

Mr. Formica made a motion to adopt Resolution 2025-86 approving an area in need of redevelopment designation and authorizing the Planner to draft a Redevelopment Plan for 263 Route 23. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

2025 Best Practices Inventory

Mr. Snyder made a motion to accept the 2025 best practices inventory prepared by the CFO and Administrator and Clerk as required by the Division of Local Government Services. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

DPW Salary Step Increase

Mr. Limon made a motion to approve a DPW salary step increase for Andrew Burd to Grade Step 11 \$37.21/hr., as per the DPW contract, effective November 1, 2025 as recommended by Jesse Bogart, Road Supervisor. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

DPW Salary Step Increase

Mr. Limon made a motion to approve a DPW salary step increase for Matt Kuperus to Grade Step 9 \$31.47/hr., as per the DPW contract, effective October 31, 2025 as recommended by Jesse Bogart, Road Supervisor. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Franklin Quilters Request

Mrs. Heath made a motion to approve the Franklin Recreation Committee Sponsored, "Franklin Quilters" request to waive the fees and to use the Senior Center for their meetings on the 3rd Saturday of every month for year 2026. (Recreation approved sponsorship at its October 16, 2025 meeting) Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

Mayoral Appointment

Mayor Sowden made the following appointment.

Recreation Committee

Zoe Heath, Member (3-yr. unexpired term) Expires 12/31/2026

EXECUTIVE SESSION

There was no executive session.

MISCELLANEOUS COMMENTS

There were no miscellaneous comments.

<u>ADJOURNMENT</u>

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 7:30p.m., seconded by Mr. Snyder. All were in favor.

	John M. Sowden IV, Mayor
Colleen L. Little, Municipal Clerk	_

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING A STIPEND FOR RECREATION DUTIES

WHEREAS, Sandra Cowan is currently serving as the Deputy Clerk for Franklin Borough; and

WHEREAS, the Personnel Committee is recommending a stipend for Sandra Cowan for additional responsibilities for the Recreation Committee in the amount of \$50.00 per paycheck (\$1,200.00 annually) effective October 1, 2025;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin authorizes a stipend for Sandra Cowan in the amount of \$50.00 per paycheck (\$1,200.00 annually) effective October 1, 2025.

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 at a meeting held on November 10, 2025 at 7:00PM.

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

MAYØR SOWDEN (Tie Only)

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN AUTHORIZING A STIPEND FOR RECREATION DUTIES

WHEREAS, Colleen Little is currently serving as the Municipal Clerk for Franklin Borough; and

WHEREAS, the Personnel Committee is recommending a stipend for Colleen Little for additional responsibilities for the Recreation Committee in the amount of \$50.00 per paycheck (\$1,200.00 annually) effective October 1, 2025;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Franklin authorizes a stipend for Colleen Little in the amount of \$50.00 per paycheck (\$1,200.00 annually) effective October 1, 2025.

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 at a meeting held on November 10, 2025 at 7:00PM.

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)				

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THROUGH NJ STATE CONTRACT A PURCHASE FOR A 2025 CHEVROLET TAHOE PPV FROM GENTILINI MOTORS

WHEREAS the Borough of Franklin may, by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services as per N.J.S.A. 40A:11-11, under the New Jersey State Contract #21-FLEET-01485; and

WHEREAS the Borough Police Department has the need on a timely basis to purchase goods and services utilizing the New Jersey State Contract, #21-FLEET-01485, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

WHEREAS the Borough intends to enter into a contract for procurement of a 2025 Chevrolet Tahoe 4WD 4dr PPV from Gentilini Motors, an authorized vendor under NJ State Contract #21-FLEET-01485; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount not to exceed \$77,924.59 are available in the general capital fund and

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

- 1. That the Police Department hereby is authorized to procure a 2025 Chevrolet Tahoe 4WD 4dr PPV from Gentilini Motors, an authorized vendor under NJ State Contract #21-FLEET-01485.
- 2. That the Chief Financial Officer has certified the amount not to exceed \$77,924.59
- 3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Chief Financial Officer
 - B. Purchasing Agent
 - C. Chief of Police
 - D. Gentilini Motors
 2703 Fire Road
 Egg Harbor Township, NJ 08234

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 regular meeting held on November 10, 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)				

OPPOSING LEGISLATION PREEMPTING LOCAL ZONING (S-4736)

WHEREAS, municipalities are required to establish a Municipal Master Plan with a combination of mandatory and optional elements including Goals and Objectives, Land Use, Circulation, Housing, Community Facilities, Downtown Economic Development, Historic Preservation, and Sustainability; and

WHEREAS, municipalities are also required to reexamine the Municipal Master Plan every 10 years to ensure that the master plan meets the community needs and is relevant as communities, evolve, grow, and change; and

WHEREAS, municipalities complete this effort at great cost and community input to ensure their community has a roadmap for growth; and

WHEREAS, a municipality is best suited to plan for and understand their community's needs, the existing infrastructure to address the municipality's public safety, health, traffic, and character and the ability to expand such infrastructure for desired growth; and

WHEREAS, there are many mechanisms for exceptions and variances to the local planning process; and

WHEREAS, municipalities have been diligently working to comply with the changes outlined in the passage of A-4/S-50 in 2024 that made substantial changes to the 4th Round of Affordable Housing obligations; and

WHEREAS, affordable housing construction has generally comprised between 10 - 20 % of a total development, but municipalities will end up constructing far more units during this current round of affordable housing; and

WHEREAS, recent legislative proposals that preempt the planning process by permitting the conversion of underutilized properties into mixed used developments, reducing the number of parking spaces required for new developments near transit, making Accessory Dwelling Units permissible, and most recently, legislation that enhances the ability of religious and nonprofit organizations to convert certain property to inclusionary developments with affordable housing undermine the careful planning process outlined in the Municipal Land Use Law; and

WHEREAS, this proposal, S-4736 is particularly egregious because the required percentage of affordable housing units is only 20% with the remaining 80% at market rate making it more challenging for municipalities to meet their 4th Round Affordable Housing obligations; and

WHEREAS, this legislation bypasses local planning for increased density and height, regardless of a municipality's ability to ensure safety; and

WHEREAS, a worthy project could, and should participate in the local planning and zoning process to engage with the public; and



WHEREAS, S-4736 permits the bypassing of the local planning process which is an egregious assault on municipal autonomy and local decision making.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Franklin Borough urges the legislature to defeat S-4736 and similar legislation that denies local autonomy in land use planning and ignores the well thought out master plan; and

BE IT FURTHER RESOLVED, that a copy of this resolution is forwarded to the Senator Parker Space, Assemblymember Dawn Fantasia, Assemblymember Michael Inganamort, Governor Phil Murphy, Governor-Elect Mikie Sherrill, all Sussex County Municipalities and the New Jersey State League of Municipalities.

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 regular meeting held on November 10, 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			Y	
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)		X		