

**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  
JUNE 9, 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: Mr. Formica, Mrs. Heath, Mr. Limon, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mrs. Carnes

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.

Mayor Sowden requested a moment of silence for Mr. Jim Marino, who was a former councilman, who passed away on May 22, 2025.

**COMMITTEE REPORTS**

Mr. Limon commented that he has nothing to report on personnel. We are looking to hire summer help. He attended the public works meeting with Concetto, Rachel and Neil.

Mr. Snyder had nothing to report.

Mrs. Heath commented that on June 18<sup>th</sup> through June 22<sup>nd</sup> is the Carnival, Wednesday through Friday 6pm-10pm, Saturday & Sunday 3pm – 10pm. June 20<sup>th</sup> is the Miss Franklin Pageant, June 28<sup>th</sup> is Franklinite from 3pm-9pm, September 27<sup>th</sup> is the Yankee game bus trip and November 15<sup>th</sup> is a trip to Windcreek Casino. Thanked the recreation department for all the great events.

Mr. Skellenger commented that he is waiting on a document from the tax assessor in regards to the real estate property auction.

Mr. Formica commented that public utilities met before the meeting and discussed the paving schedule for this year. We are also looking into this parking lot and the municipal parking lot. The engineer is going to take a better look at the report that French and Parrello did regarding the spot that was sinking to see how to address it. Depending on the depth will depend on if our DPW can do the work if it will need to be subbed out; if we need to sub it out, that will determine if it gets on the paving schedule for this year. Repair the drain at the pavilion across from the firehouse and also the drain by the pond.

Mayor Sowden commented that he noticed the lights at the pond seem to be leaning and was wondering if anything can be done with that.

Mr. Formica commented that we are looking into a couple grants to replace all the poles at the pond and adding lights to the softball field.

Mrs. Little had nothing to report.

Mr. Spidaletto commented that New Jersey is out of drought conditions.

Mr. Ursin had nothing to report.

Mayor Sowden had nothing to report.

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### **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. Snyder. All were in favor.

Mr. Ursin commented that most of the people in the public are probably hear to comment on item number 6, which is the Zinc Mine redevelopment plan. Mr. Ursin wanted to let the public know that we will hold a public comment period for that ordinance only when we get to number 6.

There being no one 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**

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. Hampton Township Resolution calling for the restoration of energy taxes to municipalities.
2. Borough of Hamburg Resolution calling for the restoration of energy taxes to municipalities.

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

1. Road Department Report – May 26 – May 30
2. COH Report – May 2025
3. Permit List – May 2025
4. Permit Activity Report – May 2025

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

1. None filed.

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

1. Payment of bills for the meeting of June 9, 2025.

Mrs. Heath made a motion to approve the consent agenda of June 9, 2025. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Snyder

Nays: None Absent: Carnes Abstentions: Skellenger

### **OLD BUSINESS**

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

### **NEW BUSINESS**

#### **Approval of the Minutes**

Mr. Skellenger made a motion to approve the regular meeting minutes for May 27, 2025. (Absent: None) Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Carnes Abstentions: None

#### **Resolution 2025-53**

Mr. Formica made a motion to adopt Resolution 2025-53 authorizing the Planning Board to conduct a preliminary investigation of conditions of Block 1010, Lot 11 and Block 1401, Lot 3 to determine if such area meets the criteria to be declared a non-condemnation area in need of redevelopment. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Carnes Abstentions: None

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### **Resolution 2025-54**

Mr. Limon made a motion to adopt Resolution 2025-54 establishing salaries for certain employees of Franklin Borough for the year 2025. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Carnes Abstentions: None

### **Resolution 2025-55**

Mr. Snyder made a motion to adopt Resolution 2025-55 authorizing an agreement with the Township of Lafayette pursuant to the uniform shared services and consolidation act concerning the services of a certified tax collector. Seconded by Mr. Limon.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Carnes Abstentions: None

### **Resolution 2025-56**

Mr. Formica made a motion to adopt Resolution 2025-56 NJ Department of Community Affairs LEAP Implementation Grant resolution for FY2025. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Carnes Abstentions: None

### **Adoption of Ordinance 05-2025**

Mr. Skellenger made a motion to adopt Ordinance 05-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY ADOPTING AN AMENDED "ZINC MINE" REDEVELOPMENT PLAN PREPARED BY J. CALDWELL & ASSOCIATES DATED MARCH 11, 2024 (AS REVISED MAY 31, 2024 AND APRIL 17, 2024). Seconded by Mrs. Heath.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public for Ordinance 05-2025. Mrs. Heath made a motion to open the meeting to the public for Ordinance 05-2025. Seconded by Mr. Formica. All were in favor.

Mr. Tom Prol stepped forward and provided a handout for the council. Mr. Prol is from Sills, Cummins and Gross and is here on behalf of the contract purchaser and property owner. Mr. Prol is asking for the council to not approve the ordinance. Mr. Prol read through the hand out that he provided which was a timeline that showed the history of the property.

Ms. Laurie Foley stepped forward. Ms. Foley commented that she appreciates all the information that was provided by Mr. Prol but the things that are not being addressed here are the things that hit us home here. Many of us have lived here all of our lives, much of our lives and raised our kids here. The average median income is about \$73,000 and the average median income in Sussex County is between \$85,000 and \$90,000; these are not people who are going to rent luxury apartments or shop in upscale shops. Ms. Foley commented that she has asked a number of times, what is the up side for the town of Franklin but she sees a lot of down sides, particularly in infrastructure which no one is addressing still. How many more classrooms at the school, how many more teachers, how do we keep the children safe when walking the streets with the number of cars, how many more police will need, what about the fire truck and our roads cannot handle that traffic. What do we do now?

Mr. Robert Ernst stepped forward. Mr. Ernst thanked the gentleman that spoke earlier who addressed a lot of the concerns. Mr. Ernst commented that whatever the number of units are to be built that is a lot of extra kids to be added to the school building, traffic, the environmental concerns and there is also the historical piece.

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There is historical property there that the historical society uses such as the change house. Where is all of that going to go? Main Street has always been a talking point about redevelopment for years but he appreciates how difficult it is to redevelop something but also try to preserve and protect the history of our mining community that we teach the kids about.

Mr. Phillip Crabb stepped forward. Mr. Crabb commented that when the decision was made to turn this into a redevelopment zone; take it out of the hands of the planning board and into the hands of the Council, has anybody in that time gone to Scott and try to find out what the incremental tax revenue would be from the framework that you have set up for that redevelopment zone. Do we have any idea of what is going to be coming to us. Has anybody talked and thought about that because we know one thing, even with the numbers that Mr. Prol mention, we are going to be adding pretty close up to 1,000 people. The town is only 5,000 large now, so you are going to add 20%. Which means there will be 20% more police calls. So, what is 20% of 18 policeman, what's the cost of that. Will the tax revenue keep up with the incremental contractual obligations for those additional personnel. The schools, unless this is age restricted, could see 20% more students. With the size of the buildings, I have heard talk and I do not think that it makes sense to buy a \$1.6 or \$1.7 million dollar fire truck that would probably have a 3 year build out on it for the purpose of just a small pod of buildings. Would be something that not only would there be challenges manning it but you are going to have a \$1.7 million dollar apparatus that will be used for other towns fires. Some of the old timers here would remember that really the only time that we needed a ladder truck here was for the 1970 Rockaway Sales fire and probably the theater fire; otherwise it has been mutual aid and do we want to spend 1.7 million dollars to help other towns put their fires out. The bigger question, that he thinks need to be raised with whoever the applicant is, is why the strategy, if we have limited buildout area here in Franklin why would we want to squander it with residential and of all places why would the applicant come to Franklin, have we ever thought about that. It would be far easier to go to Lafayette Township, Frankford Township or Sparta Township where there is lots of buildout area; here we've got a very small buildout postage stamp and not only that they want to put it in a place that just happens to have three mine shafts, that do not go down vertically but go out on a 53 degree angle. There is no subsidence there but there are three shafts, there is no sewer service allocated yet, its next to an active railroad; so why are they coming here to try to make a square peg fit in that particular lot when there are so many other places, they could go that it would seem to be a lot more feasible. In Mr. Crabb's opinion, he thinks that we are soft and the reason he thinks that they may be right is Mr. Prol mentioned its been fowl there since like 1954. What is in it for Franklin? Is this the best that we can do; its not in the Planning Board's hands because you have made it a redevelopment zone its in your hands. Is this the best that we can do and he would suggest that it is not and then if you think so, that we are just mailing it in because he does not think we have to take a knee to the first developer that comes in with a bouquet of roses and if we do he feels that we are just mailing it in.

Mr. Ursin commented that he thinks it is important for the rest of the public to understand the framework in which the council is making a decision tonight because a lot of the comments on peoples minds are going to be about whether there should be a development there, what type of development should be there and about the size of the development; all those things are legitimate. The public should understand that there is plan on the property right now and its as Mr. Prol pointed out earlier some of those elements including the density and the continuation of plans that have been on that property for a long time but the particular plan that is on this property right now is a redevelopment plan and the redevelopment plan was passed and there was not a lot of activity on it for some time. Some people took a closer look at it; there was some social media on it and as a result of that at a council meeting not so long ago there were a lot of people came and spoke their minds and made points and it was up to the council whether or not to react to that. The council did react to it because they asked the planner to go back and take a second look at the redevelopment to see whether some of it should be reduced. What's before the council tonight is not a yes or no on whether development will take place on that property; that plan already exists. The only thing that is before the council tonight is whether to adopt a plan that reduces some of the availability of the

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development there. Amending the plan at this point attempts to strike a balance between what the developer wants and wants to move forward and what the council heard from the public. Tonight, the only issue before the council is whether to continue with the existing plan that allows a little bit more height and density or to attempt to reduce the height and density with this amended plan. Now its important for the public to understand a couple more things; Mr. Prol made reference to an application that has been filed with the planning board and that is a matter for the planning board. If the application was filed under the old plan before this plan gets adopted the planning board can decide whether to proceed under the old plan or under this plan that is not for the council to decide and we are not going to comment on that. The council can only control what it can control and in response to the comments it received from the public it has put forward as a proposal this plan which reduces the height and density on that property.

Mr. Crabb commented that he would suggest that even from the redevelopment responsibility point. Somebody should have had an idea to go consult with the tax assessor to have some sort of idea of what this means financially back to the borough.

Ms. Dawne Rowe stepped forward. Ms. Rowe commented that there is a lot of frustration out there because the public feels totally shut out of all of these decisions. This is a project that would have an immense impact on their home. The decision to make this a redevelopment zone snuck by without a lot of attention and without a lot of fan fare and there are members on the council that thought it was the greatest thing since sliced bread. Something can meet the requirements, it can look good on paper and yet still be a horrendously bad idea. The area under consideration is not suited to this area. The infrastructure is awful. We have had big businesses come in here. This council and town does not have the will or the actual way to do anything to rectify that. We are now stuck with a water tower that the town is responsible for painting and maintaining.

Ms. Eve Zierold-Soares stepped forward. Ms. Soares commented that she is looking ahead to the future. Ms. Soares commented that she sees the trucks come over the viaduct every day. Ms. Soares' concerns are going forward, once we establish that there are 20% more people, traffic and students; who is going to be installing additional sidewalks. Who is going to install a stop light by the viaduct and another light out on Route 23. It's a lot of traffic that we are talking about.

There being no one else present who wished to address the governing body, Mrs. Heath made a motion to close the meeting to the public for Ordinance 05-2025, seconded by Mr. Snyder. All were in favor.

Mr. Ursin gave an overview of what the council is voting on.

Mr. Limon commented that he has to admit that the council did do its work and look for an amendment because they listened to the crowd the last time. But he wanted to let everyone know that he was a no vote from the start and he wants to be consistent and he will be voting no.

Upon roll call vote:

Ayes: Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: Carnes Abstentions: None

### **Introduction of Ordinance 07-2025**

Mr. Limon made a motion to introduce Ordinance 07-2025 entitled "BOND ORDINANCE PROVIDING FOR VARIOUS 2025 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$1,378,584 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$1,161,200 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on June 24, 2025.

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Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Carnes Abstentions: None

**Introduction of Ordinance 08-2025**

Mr. Skellenger made a motion to introduce Ordinance 08-2025 entitled "CAPITAL ORDINANCE PROVIDING FOR PURCHASE OF SERVER AND PRINTER FOR THE POLICE DEPARTMENT, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$16,500.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND TO PURCHASE A NEW SERVER AND PRINTER FOR THE POLICE DEPARTMENT FOR THE COST THEREOF". Seconded by Mr. Snyder.

Mayor Sowden announced that the public hearing will be held on June 24, 2025.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: Carnes Abstentions: None

**EXECUTIVE SESSION**

There was no executive session.

**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 8:03p.m., seconded by Mr. Skellenger. All were in favor.

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John M. Sowden IV, Mayor

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Colleen L. Little, Municipal Clerk