

**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  
MARCH 10, 2026**

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 11, 2026, 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 personnel committee recently met and we've made progress in the ongoing negotiations and am pleased to report that a preliminary agreement has been reached with the PBA and Neil will be drafting a MOA to formalize this agreement. In addition, the committee is still diligently working on recommendations regarding compensation for all other employees. Franklin Band's parade discussion, a meeting was scheduled with Judy Williams for tomorrow to further discuss the proposed Franklin Band's parade which is planned for May 17<sup>th</sup> and Mayor and Council is invited. Mrs. Heath commented that she distributed a photograph of Recreation's proposed plaque which will be mounted on the stone monument. The Recreation Department is actively coordinating with the Department of Public Works to finalize the placement of the 9/11 memorial at the Franklin Pond area. April 4<sup>th</sup> is the Easter Egg Hunt at the Franklin Pond, ages 0-12, April 18<sup>th</sup> is the Spring Fling and we have until March 15<sup>th</sup> to nominate a Senior of the Year, May 5<sup>th</sup> is the 5k (confirmation to follow) and May 13<sup>th</sup>-16<sup>th</sup> is the Franklin Carnival.

Mr. Skellenger had nothing to report.

Mr. Formica updated the Council on the quote for the flags for the 250<sup>th</sup> Anniversary Celebration.

Mr. Limon asked that Mrs. Heath let him know when she would like to meet to update everyone on the anniversary and asked Mr. Formica to let him know when the next meeting is.

Mrs. Carnes commented that Hello Fresh Paws has opened on Main Street and the UPS Store is open next to the T-Mobile and are accepting Amazon returns.

Mr. Snyder commented that there will be a Finance meeting on Thursday.

Mrs. Little had nothing to report.

Mr. Spidaletto commented that they are continuing to work on grants. The air conditioning unit for the meeting room has been ordered.

Mr. Powers had nothing to report.

Mayor Sowden commented that he looking at the deeds for the Oak Street Cemetery as there is Revolutionary Soldier buried there; we want to clean up that area and put a plaque up there. Mayor Sowden asked that when talking about the budget if it could possibly keep an idea in there for rails to trails funding.

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### 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 Mrs. Heath. All were in favor.

Dawne Rowe stepped forward. Ms. Rowe questioned the ordinances on the agenda for affordable housing.

Eve Zierold-Soares stepped forward. Ms. Soares asked on the status of the historical designation.

Mayor Sowden commented that the historical designation has been put to the side for now.

Ms. Soares asked if it would come back. Ms. Soares commented that she knows that the Zinc Mine Property was in litigation.

Mayor Sowden commented that it still is.

Ms. Soares asked if the new proposal can move forward while in litigation.

Mayor Sowden commented that is what we are told. Mayor Sowden commented that Jessica Caldwell is here and will be explaining the four ordinances. The planning board reviewed the ordinances on Wednesday night and did approve it.

Ms. Soares asked if the new proposal was here; were the stories reduced

Andrea Babchak stepped forward. Ms. Babchak asked if the sidewalks on Main Street will be addressed.

Mayor Sowden commented that it really gets developed by the Borough Engineers and the engineers for projects that are being worked on then they make the changes accordingly.

Ms. Babchak commented that she was under the impression that we all maintain our own sidewalks.

Mayor Sowden that it is something that we will look into.

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

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. County of Sussex resolution appointing the Clerk of the Board of County Commissioners as the custodian of core county government records.
2. Township of Hardyston Ordinance amending Chapter 185 entitled "Zoning" of the code of the Township of Hardyston to delete the existing section 185-90.1 entitled very-low-, low- and moderate-income housing and to replace it in its entirety with a new section 185-90.1 entitled "affordable housing" and to make other amendments.
3. Township of Hardyston Ordinance amending chapter 185, zoning ordinance of the Township of Hardyston, to establish a new "AH-1 Affordable Housing overlay-district" for the property identified as block 67 lot 2.08 and block 67.29 lot 1 in the township.
4. Township of Hardyston Ordinance amending Chapter 185, Zoning Ordinance of the Township of Hardyston, to establish a new "AH-2 Affordable Housing Overlay-District" for the property identified as Block 67 Lot 16.03 and Block 67.05 Lot 1 in the Township.

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5. Township of Hardyston Ordinance adopting certain amendments to the Redevelopment Plan Identified as the Route 94 Redevelopment Plan for Block 16 Lot 8.01 and Block 14 Lot 24.01.

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

1. Police Department Report – December 2025
2. Police Department Report – January 2026
3. Water/Sewer Division Report – February 2026
4. Permit Activity Report – February 2026
5. Permit List – February 2026
6. COH Report – February 2026
7. Road Department Report – February 2026

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

1. None filed.

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

1. Payment of bills for the meeting of March 10, 2026.

Mr. Skellenger made a motion to approve the consent agenda of March 10, 2026. 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**

Mrs. Heath made a motion to approve the regular and executive session meeting minutes for February 24, 2026. (Absent: Mrs. Carnes) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Formica, Heath, Limon, Skellenger, Snyder

Nays: None Absent: None Abstentions: Carnes

**Resolution 2026-40**

Mr. Snyder made a motion adopt Resolution 2026-40 authorizing a person to person and place to place transfer of plenary retail consumption liquor license 1906-33-011-008 from Koz's Korner Inc to 76 NJ 23 Food Service LLC. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2026-41**

Mr. Limon made a motion to adopt Resolution 2026-41 recommending to the New Jersey Department of Transportation the award of a state aid project for the improvements to Master Street, Warren Street and Green Street. Seconded by Mr. Formica.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Resolution 2026-42**

Mr. Formica made a motion to adopt Resolution 2026-42 to join the Somerset County Cooperative Pricing System. Seconded by Mr. Skellenger.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

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At this time, Jessica Caldwell, Planner, gave some background information on the ordinances that follow.

### Adoption of Ordinance 02-2026

Mr. Limon made a motion to adopt Ordinance 02-2026 entitled "AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 161, ENTITLED "LAND DEVELOPMENT", MOST NOTABLY SECTION 161-33, ENTITLED, "HMF – HOSPITAL MULTIFAMILY ZONE". Seconded by Mrs. Heath.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 02-2026, Mr. Formica made the motion to open the meeting to the public for Ordinance 02-2026. Seconded by Mrs. Heath. All were in favor.

Dawne Rowe stepped forward. Ms. Rowe asked if Zinctown is part of the group that is originally disputing this particular ordinance.

Ms. Caldwell commented that they disputed the Housing Element and Fair Share Plan.

Ms. Rowe commented that this says 20% slopes, correct.

Ms. Caldwell commented that she believes so; it says no disturbance on slopes in excess of 20%.

Ms. Rowe commented that there was some discussion years ago and 20% is a lot higher than some of the slope disturbance that we were discussing on Munsonhurst Road. IF you are going to disturb a 20% slope, what does that look like.

Ms. Caldwell commented that the way the ordinance is written, may be a little confusing, but the only things being added are in the bold and brackets; so the 20% disturbance is already in the ordinance.

Judy Williams stepped forward. Mrs. Williams commented that she has major concerns about the changes. The changes were reduced to 6 units per acre and it is being raised to 10 units per acre. Mrs. Williams commented on the traffic impact this development could have on the town and the projection of possible students in the school. Mrs. Williams read through the ordinance and she feels that it is a very large project for that piece of property. She is very concerned for not only what she just mentioned but there could be an issue with fire response.

Eve Zierold-Soares stepped forward. Ms. Soares commented that existing vegetation shall be preserved. How many trees will have to be removed?

Dawne Rowe stepped forward. Ms. Rowe commented that there was discussion about putting an access road out to Route 23 through the back of the property.

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 for Ordinance 02-2026. Seconded by Mrs. Carnes. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

### Adoption of Ordinance 03-2026

Mr. Formica made a motion to adopt Ordinance 03-2026 entitled "AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 161, ENTITLED "LAND DEVELOPMENT", MOST NOTABLY SECTION 161-57, ENTITLED "AFFORDABLE HOUSING". Seconded by Mrs. Carnes

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 03-2026, Mrs. Heath made the motion to open the meeting to the public for Ordinance 03-2026. Seconded by Mr. Skellenger. All were in favor.

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Joanne Tatka stepped forward. Ms. Tatka asked what the median income is.

Ms. Caldwell spoke regarding the median income and how it is configured.

Ms. Tatka commented that she saw where builders can make payments in lieu of construction and it goes into a municipal affordable housing trust fund. Ms. Tatka asked if this is what happened with Miner's Cove because back in 2023 they put up \$250,000 plus another \$9,000 compliance fee and they were supposed to buy the theater and put two affordable housing units there but she doesn't think that happened. Does that mean that this money went into this trust fund and who takes care of that.

Mayor Sowden commented that yes, that is where the money went and that Michelle the CFO does.

Ms. Tatka asked if someone buys an affordable housing unit and then sells it they get a certain amount over what they paid for it 95% has to go into that trust fund.

Ms. Caldwell commented that is correct.

Ms. Tatka asked if they are proposing to blast on the hospital property. Did you find any water yet?

Ms. Caldwell commented that the median income for region 1 for a one-person household is \$89,100, 80% of the median income is considered moderate which is \$71,280, low income is 50% of that which is \$44,550 and very low is 30% of that which is \$26,730.

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 for Ordinance 03-2026. Seconded by Mrs. Carnes. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Adoption of Ordinance 04-2026**

Mr. Skellenger made a motion to adopt Ordinance 04-2026 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE 390 RUTHERFORD AVENUE REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ.". Seconded by Mr. Formica.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 04-2026, Mr. Formica made the motion to open the meeting to the public for Ordinance 04-2026. Seconded by Mrs. Heath. All were in favor.

Ms. Joanne Takta stepped forward. Ms. Tatka asked if this was still 4 stories or has it been decreased to 3 stories.

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 04-2026. Seconded by Mrs. Carnes. All were in favor.

Upon roll call vote:

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

Nays: None Absent: None Abstentions: None

**Adoption of Ordinance 05-2026**

Mrs. Heath made a motion to adopt Ordinance 05-2026 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, NEW JERSEY, ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE ZINC MINE REDEVELOPMENT AREA, PURSUANT TO THE LOCAL

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REDEVELOPMENT AND HOUSING, N.J.S.A.40A:12A-1, ET. SEQ.”. Seconded by Mr. Formica.

Prior to final roll Mayor Sowden requested a motion to open the meeting to the public for Ordinance 05-2026, Mrs. Heath made the motion to open the meeting to the public for Ordinance 05-2026. Seconded by Mr. Skellenger. All were in favor.

Andrea Babchak stepped forward. Ms. Babchack asked if this area is being cleaned up by the NJDEP.

Eve Zierold-Soares stepped forward. Ms. Soares questioned the number of units per acre.

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 for Ordinance 05-2026. Seconded by Mr. Formica. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: Limon Absent: None Abstentions: None

**Child Abuse Prevention Month Proclamation**

Mrs. Heath made a motion to adopt the Proclamation proclaiming April as Child Abuse Prevention Month. 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 Katherine Herrera, 69 Bluffs Court, Hamburg, 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

**EXECUTIVE SESSION**

There was no executive session.

**MISCELLANEOUS COMMENTS**

Mr. Skellenger commented that someone from the town can reach out to the County and file an application for funding from open space for rails to trails.

Mr. Snyder asked if there were any updates on the old Hess Station on Route 23.

Mayor Sowden asked about the tractor trailers parked across from the Franklin Diner.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mr. Skellenger made a motion to adjourn the meeting at 8:07p.m., seconded by Mr. Snyder. All were in favor.

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John M. Sowden IV, Mayor

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Colleen L. Little, Municipal Clerk