

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
SEPTEMBER 9, 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:**

- I. **NEW BUSINESS:**

1. **Approval of the Minutes** for the regular meeting minutes for August 12, 2025. (Absent: Limon, Snyder)
2. **Resolution 2025-78** adopting the 2025 Sussex County Hazard Mitigation Plan.
3. **Resolution 2025-79** authorizing advertisement and solicitation of bids for solid waste collection.
4. **Resolution 2025-80** authorizing a refund for raffle application fee to Wynona's House in the amount of \$20.00.
5. **Resolution 2025-81** authorizing advertisement and solicitation of bids for the rehabilitation of Municipal Water Utility Well B.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING
SEPTEMBER 9, 2025

6. Adoption of Ordinance 11-2025 entitled "CAPITAL ORDINANCE PROVIDING FOR PURCHASE OF A SILVERADO 1500 PICKUP TRUCK FOR THE POLICE DEPARTMENT, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$95,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND FOR THE COST THEREOF".

PRIOR TO FINAL ROLL CALL MAYOR SOWDEN WILL REQUEST A MOTION TO OPEN THE MEETING TO THE PUBLIC.

7. Adoption of Ordinance 12-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 108, ENTITLED "CURFEWS".

PRIOR TO FINAL ROLL CALL MAYOR SOWDEN WILL REQUEST A MOTION TO OPEN THE MEETING TO THE PUBLIC.

8. Adoption of Ordinance 13-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 101, ENTITLED "CAMPING ON PUBLIC PROPERTY".

PRIOR TO FINAL ROLL CALL MAYOR SOWDEN WILL REQUEST A MOTION TO OPEN THE MEETING TO THE PUBLIC.

9. Introduction of Ordinance 14-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN CONFORMING PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES".

Public Hearing to be held on September 23, 2025.

10. Introduction of Ordinance 15-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN NON-CONFORMING PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES".

Public Hearing to be held on September 23, 2025.

11. Introduction of Ordinance 16-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 108, ENTITLED "CURFEWS".

Public Hearing to be held on September 23, 2025.

12. Introduction of Ordinance 17-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 101, ENTITLED "CAMPING ON PUBLIC PROPERTY".

Public Hearing to be held on September 23, 2025

13. Discharge of Mortgage to confirm the Discharge of Mortgage dated September 1, 1999, for Shirley Montross, 263 Munsonhurst Road, Franklin, in the amount of \$10,000.00.

REGULAR AGENDA – MAYOR AND COUNCIL MEETING
SEPTEMBER 9, 2025

14. Peddler Permit Application to approve the peddler permit submitted by Domenico Papaleo for the solicitation of solar panels.
15. Approval of NJ State Firemen's Association Membership Application to approve the application for membership of Michael J. Kortenhaus as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief.
16. Approval of NJ State Firemen's Association Membership Application to approve the application for membership of Derek Babcock as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief.
17. Approve Special Event Permit Application to approve a special event permit for Concetto Formica to conduct a fishing derby on October 18, 2025 at the Franklin Pond.
18. Mayoral Appointment
Mayor Sowden will make the following appointment.

Recreation Committee

Jennifer Torres, Member (3-yr. unexpired term) Expires 12/31/2025
Christine Affinito, Member (3-yr. unexpired term) Expires 12/31/2025

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
AUGUST 12, 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. Skellenger, and Mayor Sowden.

Absent: Mr. Limon, Mr. Snyder

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.

COMMITTEE REPORTS

Mrs. Heath commented that National Night Out was a success. Upcoming events for Recreation, September 11th is the 9/11 Ceremony, September 27th is the Yankee Game bus trip, November 8th is a paint and sip event at the Firehouse, November 15th is a bus trip to Windcreek and November 29th is the tree lighting. Mrs. Heath commented that she had the honor of going with the Franklin Seniors to Lake Hopatcong to the boat ride.

Mr. Skellenger had nothing to report.

Mr. Formica commented that the Ordinance committee met and there are two ordinances on the agenda that were discussed. Mr. Formica also had a discussion with Jesse from DPW about the beach. Mr. Formica commented that it does not look like the swimming will be coming back so they wanted, because the weeds are starting to grow in, if they can go and rake it all out and smooth it all out one last time and plant grass seed and install a decorative guiderail along the edge.

Mrs. Carnes commented that a personnel meeting was held and those items are on the agenda for consideration tonight.

Mrs. Little had nothing to report.

Mr. Spidaletto commented that we need to address the air conditioning in the meeting room.

Mr. Ursin had nothing to report.

Mayor Sowden commented that about two to three weeks ago we met on the rails to trails program down at the Franklin Pond and walked the trail between the Franklin Pond and Wildcat Road. The State recommends that we open the trail from Maple Road to Wildcat Road as phase 1 of the project.

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. Elayna Hall stepped forward. Ms. Hall commented that she heard from a few people that the back streets in between Rutherford and Master are not going to be plowed and there are two others.

Mayor Sowden commented that we are going to have more discussion on this.

MAYOR & COUNCIL MEETING MINUTES AUGUST 12, 2025

Ms. Hall commented that the majority of people on all of those streets have their garages there and they walk through to get to their front door.

Mr. Ursin commented that we are pretty confident that it was discovered that the Borough does not own those roads.

Ms. Hall asked who owns the roads.

Mr. Ursin commented that he is unsure of who owns the roads; there is a document somewhere that says who does. But if the Borough does not own the road the Borough is not allowed to plow it.

Administrator Spidaletto commented that the notices will be coming put within a week to notify the property owners that the roads will not be plowed by the Borough due to the fact that the road is privately owned.

Ms. Joann Tatka stepped forward. Ms. Tatka questioned the resolution for the DPW phone stipend, questioned the ordinance for the police department vehicle, the fire truck purchase and Kubota Track Loader. Ms. Tatka asked if there are going to be seats put in the gazebo. Ms. Tatka commented that what ever you are doing for the geese at the pond seems to be working.

Ms. Dawne Rowe stepped forward. Ms. Rose commented that she attended the rails to trails meeting and voiced her concerns regarding the backfiring of vehicles.

Mayor Sowden asked Administrator Spidaletto to follow up with the police chief regarding Ms. Rowe's concerns about vehicles backfiring.

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. 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 authorizing the placement of a public question on the official ballot for the general election on November 4, 2025 concerning a proposition authorizing the County of Sussex to continue a trust fund to support farmland preservation, recreation and open space programs, pursuant to N.J.S.A. 40:12-15.1, et seq.
2. 2nd quarter sewage flows from the SCMUA.
3. Township of Hardyston Ordinance amending article III, supplementary zone district regulations, of chapter 185, Zoning, of the municipal code of the Township of Hardyston to supplement regulations governing the parking of recreational vehicles at single-family residences.
4. Township of Hardyston Ordinance amending article XIX, signs, of chapter 185, zoning, of the municipal code of the Township of Hardyston to remove and revise certain obsolete and duplicate provisions.
5. County of Sussex Resolution amending the Sussex County resolution establishing county roads as through streets.
6. Borough of Hamburg Ordinance amending the Borough zoning ordinance to prohibit nuisance outdoor lighting.

REPORTS (ACCEPTANCE FOR FILING OF THE FOLLOWING):

1. Water/Sewer Division Report – July 7th – July 11th
2. Police Department Report – June 2025
3. Water/Sewer Division Report – July 14th – August 1st
4. Municipal Court Report – July 2025
5. Permit List – July 2025
6. COH Report – July 2025
7. Permit Summary Report – July 2025

MAYOR & COUNCIL MEETING MINUTES AUGUST 12, 2025

APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application for use of the Senior Center from Jason Dugan for Franklin Boy Scout Troop 90 on various dates beginning September 8, 2025 through June 22, 2026 as per the attached schedule and to waive the associated fees.

RESOLUTIONS (APPROVAL OF THE FOLLOWING):

1. Payment of bills for the meeting of August 12, 2025.

Mrs. Heath made a motion to approve the consent agenda of August 12, 2025.
Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Heath

Nays: None Absent: Limon, Snyder Abstentions: Skellenger

OLD BUSINESS

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

NEW BUSINESS

Approval of the Minutes

Mr. Formica made a motion to approve the regular meeting and executive session minutes for July 15, 2025. (Absent: Heath) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: Heath

Resolution 2025-68

Mr. Skellenger made a motion to adopt Resolution 2025-68 rescinding Resolution 2024-61 and awarding phone stipend to DPW Foreman and On-Call staff.
Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-69

Mr. Skellenger made a motion to adopt Resolution 2025-69 authorizing through NJ State Contract a purchase for a Kubota SVL97-3HFCC compact track loader in an amount not to exceed \$100,515.09. Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-70

Mr. Formica made a motion to adopt Resolution 2025-70 authorizing a contract for the purchase of a Fouts 4 Mini-Pumper Fire Truck in an amount not to exceed \$415,200.00. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-71

Mrs. Carnes made a motion to adopt Resolution 2025-71 authorizing the hiring of a seasonal laborer for maintenance in the Department of public works at the rate of \$20 per hour not to exceed 25 hours per week. Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

MAYOR & COUNCIL MEETING MINUTES AUGUST 12, 2025

Resolution 2025-72

Mr. Formica made a motion to adopt Resolution 2025-72 authorizing a salary adjustment for the deputy clerk/deputy registrar in the amount of \$6,669.99 per year bringing her annual salary to \$50,960 effective May 1, 2025. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-73

Mr. Skellenger made a motion to adopt Resolution 2025-73 authorizing a salary increase for Frederick Babcock of an additional \$1.00 per hour bringing his new hourly rate to \$20.57 per hour effective August 1, 2025. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-74

Mrs. Heath made a motion to adopt Resolution 2025-74 to approve certifying the Franklin Borough Governing Body has reviewed the 2024 Audit comments and recommendations as required by N.J.A.C. 5:30-6.5. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-75

Mrs. Heath made a motion to adopt Resolution 2025-75 to accept and approve for filing the corrective action plan for the Audit Report year 2024 prepared and filed by the Borough's Chief Financial Officer. (Corrective Action Plan attached) Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-76

Mr. Formica made a motion to adopt Resolution 2025-76 permitting the award of window contracts under the New Jersey Election Transparency Act. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Resolution 2025-77

Mr. Skellenger made a motion to adopt Resolution 2025-77 authorizing the hiring of full time laborers for the Department of Public Works. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Adoption of Ordinance 10-2025

Mrs. Carnes made a motion to adopt Ordinance 10-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING SECTION 119-2, FEES". Seconded by Mr. Formica.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public. Mr. Formica made a motion to open the meeting to the public for Ordinance 10-2025, seconded by Mrs. Carnes. All were in favor.

MAYOR & COUNCIL MEETING MINUTES AUGUST 12, 2025

There being no one present who wished to address the governing body regarding Ordinance 10-2025, Mr. Formica made a motion to close the meeting to public. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Introduction of Ordinance 11-2025

Mr. Formica made a motion to introduce Ordinance 11-2026 entitled "CAPITAL ORDINANCE PROVIDING FOR PURCHASE OF A SILVERADO 1500 PICK UP TRUCK FOR THE POLICE DEPARTMENT, BY AND IN THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND APPROPRIATING \$95,000.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND FOR THE COST THEREOF". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on September 9, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Introduction of Ordinance 12-2025

Mrs. Carnes made a motion to introduce Ordinance 12-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 108, ENTITLED "CURFEW". Seconded by Mrs. Heath.

Mayor Sowden announced that the public hearing will be held on September 9, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Introduction of Ordinance 13-2025

Mrs. Carnes made a motion to introduce Ordinance 13-2025 entitled "AN ORDINANCE OF THE BOROUGH OF FRANKLIN COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ESTABLISH SECTION 101, ENTITLED "CAMPING ON PUBLIC PROPERTY". Seconded by Mrs. Heath.

Mayor Sowden announced that the public hearing will be held on September 9, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mr. Skellenger made a motion to approve the application for membership of Daniel Engelhardt, 9 McDole Road, Hamburg, as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief. Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

DPW Salary Step Increase

Mr. Formica made a motion to approve a DPW salary step increase for Grady VanEk to Grade Step 3 \$23.12/hr., as per the DPW contract, effective September 1, 2025 as recommended by Jesse Bogart, Roads Supervisor. Seconded by Mr. Skellenger.

MAYOR & COUNCIL MEETING MINUTES AUGUST 12, 2025

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

DPW Salary Step Increase

Mr. Formica made a motion to approve a DPW salary step increase for Michael Luterzo to Grade Step 2 \$21.99/hr., as per the DPW contract, effective August 16, 2025 as recommended by Jesse Bogart, Roads Supervisor. Seconded by Mrs. Carnes

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon, Snyder Abstentions: None

Discussion on Property Auction

The Governing Body held a discussion on which Borough owned properties should be sold at auction.

Mr. Ursin commented that he is in the process of preparing the ordinance to auction the properties.

Mr. Skellenger commented that we are taking off 50 Cork Hill Road.

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. Skellenger made a motion to adjourn the meeting at 8:08p.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 #2025-78

A RESOLUTION OF THE BOROUGH OF FRANKLIN

ADOPTING THE 2025 SUSSEX COUNTY HAZARD MITIGATION PLAN

WHEREAS the Borough of Franklin recognizes the threat that natural hazards pose to people and property within the Borough of Franklin; and

WHEREAS the Borough of Franklin has prepared a multi-hazard mitigation plan, hereby known as the 2025 Sussex County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the 2025 Sussex County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Borough of Franklin from the impacts of future hazards and disasters; and

WHEREAS adoption by the Borough of Franklin demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2025 Sussex County Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF FRANKLIN, New Jersey, THAT:

Section 1. The Borough of Franklin adopts the 2025 Sussex County Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

ADOPTED by a vote of ____ in favor and ____ against, and ____ abstaining, this ____ day of _____, _____.

By: _____

John M. Sowden, IV, Mayor

ATTEST: By: _____

Colleen L. Little, Municipal Clerk

APPROVED AS TO FORM: By: _____

(print name)

Borough of Franklin, County of Sussex

Resolution #2025-79

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING ADVERTISEMENT AND SOLICITATION OF BIDS FOR SOLID WASTE COLLECTION

WHEREAS the Borough of Franklin desires to advertise for the receipt of bids for Solid Waste collection for the Borough

WHEREAS, the specifications and other bid information may be obtained electronically via the Bid Net Direct portal on an electronic platform, in accordance with N.J.A.C. 5:34-1 et seq. at www.bidnetdirect.com/boroughoffranklin

WHEREAS, the Purchasing Agent has recommended soliciting bids for the procurement of Solid Waste Collection in a Fair and Open process, and,

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

1. That the Qualified Purchasing Agent is authorized to advertise and solicit bids for Solid Waste Collection
2. That the Municipal Clerk shall forward a certified copy of this Resolution to the following:
 - A. Qualified Purchasing Agent.
 - B. Chief Financial Officer.
 - C. Superintendent of Public Works

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 September 9, 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 #2025-80

AUTHORIZE A REFUND FOR RAFFLE APPLICATION FEE

WHEREAS, Wynona's House paid for a raffle license and the same was withdrawn by the applicant.

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 Wynona's House in the amount of \$20.00 for the payment of a raffle application which was withdrawn by the applicant.

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 September 9, 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 #2025-81

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING ADVERTISEMENT AND SOLICITATION OF BIDS FOR THE REHABILITATION OF MUNICIPAL WATER UTILITY WELL B

WHEREAS the Borough of Franklin desires to advertise for the receipt of bids for the rehabilitation of Municipal Water Utility Well B for the Borough

WHEREAS, the specifications and other bid information may be obtained electronically via the Bid Net Direct portal on an electronic platform, in accordance with N.J.A.C. 5:34-1 et seq. at www.bidnetdirect.com/boroughoffranklin

WHEREAS, the Purchasing Agent has recommended soliciting bids for the procurement of the rehabilitation of Municipal Water Utility Well B in a Fair and Open process, and,

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

1. That the Qualified Purchasing Agent is authorized to advertise and solicit bids the rehabilitation of Municipal Water Utility Well B
2. That the Municipal Clerk shall forward a certified copy of this Resolution to the following:
 - A. Qualified Purchasing Agent.
 - B. Chief Financial Officer.
 - C. Superintendent of Public Works

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 September 9, 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
ORDINANCE NUMBER 11-2025**

**CAPITAL ORDINANCE PROVIDING FOR PURCHASE OF A
SILVERADO 1500 WORK UP TRUCK FOR THE POLICE
DEPARTMENT, BY AND IN THE BOROUGH OF FRANKLIN, IN
THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AND
APPROPRIATING \$95,000.00 THEREFOR FROM THE CAPITAL
IMPROVEMENT FUND FOR THE COST THEREOF**

WHEREAS, the Borough of Franklin, in the County of Sussex, State of New Jersey (the "Borough"), needs to purchase a work truck for the Police Department; and

WHEREAS, the cost of a portion of said improvements or purposes is estimated to be \$95,000.00; and

WHEREAS, the Borough desires to authorize the appropriation and expenditure of \$95,000.00 from the capital improvement fund for the purchase of a Silverado 1500.

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY AS
FOLLOWS:**

SECTION 1. The capital improvements or purposes described below are hereby authorized as the Purchase of a Silverado 1500 Work Truck for the Police Department be undertaken by the Borough. For the said improvements or purposes, there is hereby appropriated the amount of \$95,000.00 from the capital improvement fund.

SECTION 2. This ordinance shall take effect immediately after final adoption and approval by the Mayor as described in N.J.S.A. 40:49-2.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on August 12, 2025, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 9, 2025 at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

Colleen L. Little
Municipal Clerk

ADOPTED ON FIRST READING
DATED: August 12, 2025

Colleen L. Little,
Clerk of the Borough of Franklin

ADOPTED ON SECOND READING
DATED: September 9, 2025

Colleen L. Little,
Clerk of the Borough of Franklin

APPROVAL BY THE MAYOR ON THIS 9th DAY OF SEPTEMBER , 2025.

JOHN M. SOWDEN, IV, Mayor

BOROUGH OF FRANKLIN
ORDINANCE 11-2025

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES	X					
CONCETTO FORMICA	X				X	
RACHEL HEATH	X					
JOSEPH LIMON				X		
STEPHEN SKELLENGER COUNCIL PRESIDENT	X					X
GILBERT SNYDER				X		
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES						
CONCETTO FORMICA						
RACHEL HEATH						
JOSEPH LIMON						
STEPHEN SKELLENGER COUNCIL PRESIDENT						
GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
ORDINANCE NO. 12- 2025**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO
ESTABLISH SECTION 108, ENTITLED “CURFEW”**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Code of the Borough of Franklin is hereby amended as follows:

SECTION I.

Chapter 108 of the Code is hereby created as follows:

§108-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Caretaker – An adult who is at least 18 years of age who has been formally authorized, by the juvenile’s parents to be temporary responsible for the parental care, custody, authority, safety, and/or any other parental responsibilities required to supervise the juvenile, such as, but not limited to, babysitter(s).

Establishment – Any privately owned place within the Borough, to which any member of the public is invited, including, but not limited to, any place of amusement, business, eating/dining, entertainment, and/or convenience store.

Guardian – Any person, other than a parent or caregiver, who pursuant to a Court order, is the guardian to whom legal custody of the juvenile has been given pursuant to a Court order; or, a public or private agency with whom a juvenile has been placed by a Court. In either circumstance, they are responsible for the care and/or welfare of the juvenile.

Juvenile – Any person under 18 years of age who has not been emancipated in accordance with all New Jersey State laws, regulations, and/or procedures, whether or not they reside in the Borough of Franklin.

Law Enforcement Officer – A police officer and/or any other law enforcement officer charged with the duty of enforcing the laws of the State of New Jersey, and/or the County of Sussex, and/or the laws and/or ordinances of the Borough of Franklin.

Parent – A biological parent, adoptive parent, or step-parent of the juvenile, including either parent if juvenile custody is shared under a Court order or legal agreement.

Public Place – Any place to which the public has access to, including, but not limited to, public street, public highways, roads, sidewalks, bridges, alleys, plazas, avenues, parks, thoroughfares, recreational, and/or public transportation facilities, vehicles used for public transportation, parking lots, the common areas of schools, apartment buildings, office buildings, commercial facilities/establishments, shops, and/or hospitals, as well as any other public building, structure, and/or area which members of the public at any time of the day or night have access to.

§108-2 **Curfew hours established.**

It shall be unlawful for any juvenile, as defined herein, to be in or on any public place and/or establishment, as defined herein, in the Borough between the hours of 10:00 p.m. and 6:00 a.m., whether on foot, bicycle, scooter, skateboard, and/or motor vehicle, unless said juvenile is accompanied by a parent, guardian, and/or caretaker, who must be over the age of 18 years.

§108-3 **Offenses.**

- A. During the curfew hours, It shall be unlawful for a juvenile to remain in or upon any public place within the geographic boundaries of the Borough of Franklin, to remain in any operating or parked motor vehicle, and/or to remain in or upon the premises of any establishment within the geographic boundaries of the Borough.
- B. A parent, guardian, and/or caretaker of a juvenile commits an offense if they knowingly permit, allow, and/or encourage or, by insufficient control of the juvenile, allow the juvenile to remain in or upon any public place within the geographic boundaries of the Borough of Franklin and/or to remain in any motor vehicle operating or parked therein or thereon and/or to remain in or upon the premises or any establishment within the Borough during curfew hours.
- C. It shall be unlawful for the operator/owner of any establishment, or for any person who is an employee thereof, to knowingly permit, allow, or encourage a juvenile to remain upon the premises of any establishment during curfew hours.
- D. It shall be unlawful for any person, including any juvenile, to give a false name, address, and/or telephone number to any Law Enforcement Officer investigating, in any manner, a possible violation of the curfew.

§108-4 **Exceptions; defenses**

The following are exceptions to §108-2:

- A. The juvenile is accompanied by a parent, guardian, and/or caretaker; or
- B. The juvenile is engaged in an employment activity or traveling from an employment activity, without detour or stop, which the laws of the State of New Jersey authorize a juvenile to perform during curfew hours; or

- C. The juvenile is responding to a medical emergency or other emergencies during curfew hours; or
- D. The juvenile is attending an extracurricular school activity and/or traveling to or from such extracurricular school activity; without detour or stop, during curfew hours; or
- E. The juvenile is attending an activity sponsored by a religious or community-based organization of a cultural, educational, or social nature if said activity is supervised by at least two or more adults. This shall also involve the juvenile's travel to or from the activity, as defined herein, without detour or stop during curfew hours.

§108-5 **Adult responsibility.**

It shall be unlawful for any parent, guardian, and/or caretaker to allow any unaccompanied juvenile to be on any public place, motor vehicle, and/or establishment during the curfew hours, except as noted in §108-4.

§108-6 **Adult permission presumed.**

If it should be established that if any juvenile is found in violation of any of the provisions of this chapter, then it shall be presumed, in the absence of proof to the contrary, that the parent, guardian, and/or caretaker of the juvenile knowingly permitted the juvenile to violate any of the provisions of this chapter.

§108-7 **Violations and penalties, juvenile.**

Any juvenile violating any provision of this chapter shall be subject to the following:

- A. First offense. Upon the initial occurrence of any violation of this chapter by a juvenile, the Borough of Franklin Police Department or other authorized Law Enforcement Officer shall issue the juvenile a verbal warning. A verbal warning for any violation of this chapter shall be documented with a case number and an entry in the warning tracking system.
- B. Second offense. Upon a second occurrence of any violation of this chapter by a juvenile, the Borough of Franklin Police Department or other authorized Law Enforcement Officer shall issue a formal written warning to the juvenile and shall issue a formal written warning to the juvenile's parent, guardian, and/or caretaker. The issuance of a formal written warning shall be documented with a case number in the warning tracking system and/or curfew ordinance violation log.
- C. Third or subsequent offense. Upon a third or subsequent occurrence of any violation of this chapter by a juvenile, the Borough of Franklin will issue a formal complaint summons to the juvenile and a formal complaint summons to the parent, guardian, and/or caretaker of the juvenile offender. In the event a juvenile is charged with an act of juvenile delinquency, while engaged in a third or subsequent violation of any provision of this chapter, a violation of the chapter will be added to the formal complaint.
- D. If a juvenile and/or parent, guardian, and/or caretaker is found to have violated any provisions of this chapter either by a finding of guilt or a plea of guilty for a third or subsequent offense shall be subject to the provisions of §108-8 below.

§108-8

Violations and penalties, juvenile, parent, guardian, and/or caretaker.

- A. Any juvenile, parent, guardian, and/or caretaker who is found guilty or pleads guilty in the Borough of Franklin Municipal Court or other court of jurisdiction, to any violation of this chapter for a third or subsequent offense of any provision of this chapter shall be required to perform community service and may, in addition, be subject to a fine not to exceed \$1,000.00.
- B. The continuation of such violation for each successive day shall constitute a separate offense and the person(s) (juvenile, and/or parent, guardian, and/or caretaker) allowing and/or permitting the continuation of the violation may be punished as provided for above for each separate offense. If both a juvenile and his/her/their parent, guardian, and/or caretaker are found guilty or plead guilty to any provision of this chapter and are required to perform community service, they shall be required to perform community service together.

§108-9

Enforcement.

- A. The Law Enforcement Officer shall not issue a verbal and/or written warning to a juvenile or issue a summons to appear in the Borough of Franklin Municipal Court unless the Law Enforcement Officer reasonably believes that a violation of any provision of this chapter has occurred.
- B. Before taking any enforcement action for a second offense and beyond, the Law Enforcement Officer shall endeavor to make an immediate investigation to establish such reasonable belief exists that an offense has occurred.
- C. As to either Subsection A and/or Subsection B above, if the investigation reveals the presence of the juvenile is in violation of any provision of this chapter, then the Law Enforcement Officer:
 - 1. Shall ask the apparent juvenile offender's age and residence and the reason(s) for being out in a public place within the geographic boundaries of the Borough of Franklin; and/or, in any motor vehicle thereon or therein, and/or in or upon the premises of any establishment within the Borough; and
 - 2. Shall issue a verbal and/or written warning (as set forth in §108-7) and shall ask the juvenile to leave the public place within the geographic boundaries of the Borough of Franklin, any motor vehicle thereon or therein, and/or in or upon the premises of any establishment within the Borough; and
 - 3. Shall issue to the juvenile a violation notice as to any provisions of this chapter to the juvenile if it is not the juvenile's first notice for any violation of this chapter; and
 - 4. If a juvenile refuses to give a law enforcement officer their name and/or address, refuses to give the name and address of their parent, guardian, and/or caretaker, or if no parent, guardian, and/or caretaker can be located prior to the end of the applicable curfew hours, or if located, no parent, guardian, and/or caretaker appears to accept custody of the juvenile, the Law Enforcement Officer shall be empowered to take the juvenile to the Borough of Franklin Police Department Headquarters for a period not to exceed the curfew hours

so that the juvenile's parents, guardian, and/or caretaker may retrieve the juvenile.

- D. If the investigation conducted pursuant to this section reveals the juvenile's parent, guardian, and/or caretaker is in violation of any provision of this chapter, a Law Enforcement Officer shall be empowered to issue a summons to such juvenile's parent, guardian, and/or caretaker, where the juvenile's parent, guardian, and/or caretaker shall appear at the Borough of Franklin Municipal Court.

§108-10 **School day curfew.**

No juvenile under the age of 18 shall be in any public place within the geographic boundaries of the Borough of Franklin when the juvenile is required to be in attendance at either a public or nonpublic school, unless the juvenile is accompanied by a parent, guardian, and/or caretaker or is carrying written permission from the juvenile's educational authority allowing the juvenile to be in a public place during such time.

SECTION II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN

Colleen L. Little, CLERK
Dated: September 9, 2025

BY: John M. Sowden, IV, MAYOR

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on August 12, 2025, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 9, 2025, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

Colleen L. Little
Municipal Clerk

CERTIFICATION

I, Colleen L. Little, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 9th day of September , 2025.

Colleen L. Little, Clerk
Borough of Franklin

John M. Sowden, IV, Mayor

Introduced: August 12, 2025

Adopted: September 9, 2025

Borough of Franklin

Ordinance 12-2025

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES	X				X	
CONCETTO FORMICA	X					
RACHEL HEATH	X					X
JOSEPH LIMON				X		
STEPHEN SKELLENGER COUNCIL PRESIDENT	X					
GILBERT SNYDER				X		
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES						
CONCETTO FORMICA						
RACHEL HEATH						
JOSEPH LIMON						
STEPHEN SKELLENGER COUNCIL PRESIDENT						
GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
ORDINANCE NO. 13- 2025**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO
ESTABLISH SECTION 101, ENTITLED “CAMPING ON
PUBLIC PROPERTY”**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Code of the Borough of Franklin is hereby amended as follows:

SECTION I.

Chapter 101 of the Code is hereby created as follows:

§101-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Camping – For purposes of this section, Camping means the act of occupying a location outdoors for habitation as evidenced by, including but not limited to, one or more of the following actions: the erection or use of tents, tarps, or other shelters; the laying down of sleeping bags, blankets, pillows, or other items used for bedding; the placing or storing of personal belongings; the act of cooking or making a fire.

Public Area – For purposes of this section, Public Area means any and all areas open to the public including, but not limited to, Borough streets, sidewalks, promenades, alleyways, rights-of-way, parks, benches, parking lots, athletic fields, bus shelters, tennis, and paddle courts.

Available Indoor Housing – For purposes of this section, Available Indoor Housing means an emergency shelter bed or other habitable indoor housing that is actually available at the time (with any needed transport provided) to the person who is Camping in and/or Obstructing a Public Area: (a) in the Borough of Franklin or Sussex County; or (b) another county in New Jersey where the person has applied for assistance and has immediate access to Available Indoor Housing.

Personal Property – For purposes of this section, Personal Property means tents, tarps, shelters, sleeping bags, blankets, pillows, merchandise, wares, cases, boxes, or barrels other, and other items used for bedding or storage or other personal belongings of a person in violation of this ordinance located in a Public Area.

Obstructing – For purposes of this section, Obstructing includes Personal Property blocking or otherwise impeding use of the Public Area and/or storing Personal Property in a Public Area.

§102-2

Camping or obstruction prohibited; exceptions.

- A. No person will be permitted to engage in Camping in any Public Area or portion thereof at any time.
- B. No person will be permitted to engage in Obstructing any Public Area or portion thereof with Personal Property at any time.
- C. Nothing in §102 shall apply to or prosecute a person: (i) participating in or patronizing farmer's markets, sidewalk sales, Borough functions, or special events for which a permit has been lawfully issued; (ii) in the act of transit or delivery for such time and in such manner as may be reasonably necessary for such purposes; or (iii) a person who has no Available Indoor Housing (only until such time as that person has Available Indoor Housing).

§102-3

Procedures for removal of unlawful personal property.

- A. The Borough of Franklin Police Department or other authorized representative, may immediately, without any prior notice, remove and dispose of any illegal firearms, weapons, explosives, or other Personal Property that poses a clear and imminent danger to public safety.
- B. The Borough of Franklin Police Department may also immediately, without any prior notice, arrest and/or charge any person who engages in any criminal conduct that poses a clear and immediate threat to public safety (including, but not limited to, terroristic threats, criminal mischief, lewdness, or assault in violation of Title 2C of the New Jersey Code).
- C. In addition, if Personal Property in a Public Area does not pose a clear and imminent danger to public safety, the Borough of Franklin Police Department, shall provide written and oral notice to any person whom a law enforcement officer believes with probably cause to be in violation of any section of this chapter instructing them to remove any Personal Property from the Public Areas so that it does not remain in any Public Area as defined herein within twenty-four (24) hours after which the Borough may remove any such Personal Property. Any such removed Personal Property shall be stored by the Borough for at least thirty (30) days before the Personal Property is sold or discarded to provide an opportunity for retrieval without charge by the owner of the Personal Property. The Borough will make a good-faith effort to preserve any official forms of identification included among a person's Personal Property for not less than one (1) year.

§102-4

Penalties

- A. Under New Jersey law, including the court passing any judgment on any alleged violation of any section of this chapter has discretion to consider any mitigating or aggravating circumstances when determining what penalties if any to impose for violation of this ordinance beyond the minimum fine set forth in Paragraph C below.

- B. When appropriate, prior to providing its disposition on any alleged violation of any section of this chapter, the court shall offer court-ordered participation with social work professionals and/or behavioral health treatment as an alternative to the penalties set forth in Paragraph C below and, if the offer is accepted, the court may issue an order to that effect. Violation of any such order will result in a penalty set by the court as described in Paragraph C below.
- C. A violation of the provisions of any section of this chapter will, upon a plea of guilty or conviction thereof, be punishable by a fine not exceeding the sum of \$500.00 and/or imprisonment and/or community service for a term not to exceed thirty (30) days.
- D. No person shall be arrested, prosecuted, or convicted under any section of this chapter if that person has no Available Indoor Housing at the time; provided however, all persons shall remain subject to being charged, arrested, prosecuted, and/or convicted for any criminal conduct in violation of Title 2C of the New Jersey Code. A person shall not be deemed to be engaged in Camping in violation of this ordinance if they are actively working with any governmental entity or nonprofit organization to seek Available Indoor Housing; notwithstanding, this exception shall not apply if at least temporary Available Indoor housing is immediately available.
- E. If a law enforcement officer has reasonable cause to believe, under N.J.S.A. 30:4-27.6(a), or if a mental health screener or outpatient treatment provider has certified, under N.J.S.A. 30:4-27.6(b) or (d), that a person by reason of mental illness is “in need of involuntary commitment,” as defined in N.J.S.A. 30:4-27.2 (m), the person in question shall not be charged under any section of this chapter, but instead may be taken into custody and transported to a local hospital or other screening service as defined in N.J.S.A. 30:4-27.2(z). Any law enforcement officer, mental health screener, or outpatient provider that does in good faith shall be immune from civil and criminal liability under N.J.S.A. 30:4-27.7(a).
- F. If any person engaged in Camping and/or Obstructing a Public Area appears to be unhoused, the Borough of Franklin Police Department shall contact the New Jersey Coalition to End Homelessness to seek their assistance in attempting to resolve the violation through housing in lieu of enforcement of any section of this chapter.

SECTION II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN

Colleen L. Little, CLERK
Dated: September 9, 2025

BY: John M. Sowden, IV, MAYOR

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on August 12, 2025, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 9, 2025, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

Colleen L. Little
Municipal Clerk

CERTIFICATION

I, Colleen L. Little, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 9th day of September, 2025.

Colleen L. Little, Clerk
Borough of Franklin

John M. Sowden, IV, Mayor

Introduced: August 12, 2025

Adopted: September 9, 2025

Borough of Franklin

Ordinance 13-2025

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES	X				X	
CONCETTO FORMICA	X					
RACHEL HEATH	X					X
JOSEPH LIMON				X		
STEPHEN SKELLENGER COUNCIL PRESIDENT	X					
GILBERT SNYDER				X		
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES						
CONCETTO FORMICA						
RACHEL HEATH						
JOSEPH LIMON						
STEPHEN SKELLENGER COUNCIL PRESIDENT						
GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
ORDINANCE NO. 14-2025**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX,
STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN
CONFORMING PROPERTY OWNED BY THE TOWNSHIP AND NOT
REQUIRED FOR PUBLIC PURPOSES**

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 authorizes the sale by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use by open public sale at auction to the highest bidder after the required newspaper advertisements; and

WHEREAS, the Borough of Franklin is the owner of certain real property known as (1) 450 Route 23, also known as Block 703, Lot 2, (2) 64 Catlin Road, also known as Block 908, Lot 24, and (3) 46 High Street, also known as Block 1005.

WHEREAS, said properties are not needed for public use, and the Borough Council has determined that it is in the best interest of the Borough to sell the property; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, State of New Jersey, that:

1. The properties to be offered for sale by open public sale at auction will go to the highest bidder, pursuant to N.J.S.A. 40A:12-13. Said auction shall be conducted on October 14, 2025 at 7:00 p.m. at the Municipal Building, 46 Main Street, Franklin, New Jersey.

Block	Lot	Address	Description	Minimum Bid
703	2	450 Rt. 23	.075 acres	\$2,800.00

908	24	64 Catlin Rd.	.162 acres	\$5,750.00
1005	1	46 High St.	.404 acres	\$8,100.00

2. The said properties shall be sold subject to the following terms and conditions:

(a) The sale shall be made at public auction, after legal advertisement of this Ordinance, and shall be to highest bidder.

(b) The Borough does not warrant or certify title to the properties and the acreage set forth is approximate. In no event shall the Borough of Franklin be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy shall be the right to receive a refund if a title objection is made prior to closing of the ten percent (10%) deposit paid. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same and shall not be required to refund money or correct any defect in title or be held liable for damages.

(c) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(d) The purchaser shall be required to pay upon the acceptance of the

purchaser's bid ten percent (10%) of the bid, plus \$450.00 for the Borough's transaction costs, in cash or check, which shall be put toward the preparation cost of this Ordinance, the Deed of Conveyance, and all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.

(e) A Quit Claim Deed will be delivered at the office of the Borough Clerk on or before thirty (30) days after the date of the auction, at which time and place the balance of the purchase price shall be required to be paid in cash or certified check. The Mayor and Clerk are hereby authorized to execute said Deed.

(f) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, or what an accurate survey may reveal. The Borough of Franklin reserves an easement for all natural or constructed drainage systems, waterways and water easements on the premises, if any, and the continued right of maintenance and flow thereof.

(g) The properties will be sold subject to 2025 taxes, pro-rated from the date of sale.

(h) The governing body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.

(i) The properties mentioned herein are sold as-is. The Borough makes no warranty or representation regarding the condition of the property, wetlands drainage, or subsurface conditions.

Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN

Colleen L. Little, CLERK

BY: John Sowden, MAYOR

DATED:

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on September 9, 2025, at 7:00 PM and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 23, 2025, at 7:00 PM, or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Colleen L. Little
Borough Clerk

CERTIFICATION

I, Colleen L. Little, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the ____ day of _____, 2025.

Colleen L. Little, Clerk
Borough of Franklin

John Sowden, Mayor

Introduced:

Adopted:

NOT YET APPROVED BY COUNCIL

**BOROUGH OF FRANKLIN
ORDINANCE 14-2025**

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES						
CONCETTO FORMICA						
RACHEL HEATH						
JOSEPH LIMON						
STEPHEN SKELLENGER COUNCIL PRESIDENT						
GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES						
CONCETTO FORMICA						
RACHEL HEATH						
JOSEPH LIMON						
STEPHEN SKELLENGER COUNCIL PRESIDENT						
GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
ORDINANCE NO. 15-2025**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX,
STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN NON-
CONFORMING PROPERTY OWNED BY THE TOWNSHIP AND NOT
REQUIRED FOR PUBLIC PURPOSES**

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 authorizes the sale by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use by open public sale at auction to the highest bidder after the required newspaper advertisements; and

WHEREAS, the Borough of Franklin is the owner of certain real property known as (1) 605 Route 23, also known as Block 102, Lot 6, (2) Newton Street Rear, also known as Block 802, Lot 6, and (3) 296 Wildcat Road, also known as Block 2101, Lot 1.

WHEREAS, said properties are not needed for public use, and the Borough Council has determined that it is in the best interest of the Borough to sell the property; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, State of New Jersey, that:

1. The properties to be offered for sale by open public sale at auction will go to the highest bidder, pursuant to N.J.S.A. 40A:12-13. Said auction shall be conducted on October 14, 2025 at 7:00 p.m. at the Municipal Building, 46 Main Street, Franklin, New Jersey.

Block	Lot	Address	Description	Minimum Bid
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102	6	605 Rt. 23	.122 acres	\$4,300.00
802	6	Newton St. Rear	.146 acres	\$2,750.00
2101	1	296 Wildcat Rd.	.325 acres	\$3,600.00

2. The said properties shall be sold subject to the following terms and conditions:

(a) The sale shall be made at public auction, after legal advertisement of this Ordinance, and shall be to highest bidder.

(b) The Borough does not warrant or certify title to the properties and the acreage set forth is approximate. In no event shall the Borough of Franklin be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy shall be the right to receive a refund if a title objection is made prior to closing of the ten percent (10%) deposit paid. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same and shall not be required to refund money or correct any defect in title or be held liable for damages.

(c) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(d) The purchaser shall be required to pay upon the acceptance of the purchaser's bid ten percent (10%) of the bid, plus \$450.00 for the Borough's transaction costs, in cash or check, which shall be put toward the preparation cost of this Ordinance, the Deed of Conveyance, and all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.

(e) A Quit Claim Deed will be delivered at the office of the Borough Clerk on or before thirty (30) days after the date of the auction, at which time and place the balance of the purchase price shall be required to be paid in cash or certified check. The Mayor and Clerk are hereby authorized to execute said Deed.

(f) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, or what an accurate survey may reveal. The Borough of Franklin reserves an easement for all natural or constructed drainage systems, waterways and water easements on the premises, if any, and the continued right of maintenance and flow thereof.

(g) The properties will be sold subject to 2025 taxes, pro-rated from the date of sale.

(h) The governing body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.

(i) The properties shall only be sold to adjoining landowners. The successful bidder must merge the subject lot with the bidder's adjoining lot by Deed

within 90 days of the date of sale.

(j) The properties mentioned herein are sold as-is. The Borough makes no warranty or representation regarding the condition of the property, wetlands drainage, or subsurface conditions.

Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN

Colleen L. Little, CLERK
DATED:

BY: John Sowden, MAYOR

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on September 9, 2025, at 7:00 PM and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 23, 2025, at 7:00 PM, or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Colleen Little
Borough Clerk

CERTIFICATION

I, Colleen L. Little, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the ____ day of _____, 2025.

Colleen L. Little, Clerk
Borough of Franklin

John Sowden, Mayor

Introduced:

Adopted:

**BOROUGH OF FRANKLIN
ORDINANCE 15-2025**

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES						
CONCETTO FORMICA						
RACHEL HEATH						
JOSEPH LIMON						
STEPHEN SKELLENGER COUNCIL PRESIDENT						
GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES						
CONCETTO FORMICA						
RACHEL HEATH						
JOSEPH LIMON						
STEPHEN SKELLENGER COUNCIL PRESIDENT						
GILBERT SNYDER						
MAYOR SOWDEN, IV (Tie Only)						