

**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 23, 2025**

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- 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 September 9, 2025. (Absent: Limon)
2. **Resolution 2025-78** adopting the 2025 Sussex County Hazard Mitigation Plan (tabled from the September 9, 2025 meeting).
3. **Resolution 2025-82** authorizing a disabled veteran exemption on Block 1403 Lot 7.
4. **Adoption 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".

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING**  
**SEPTEMBER 23, 2025**

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

5. Adoption 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”.

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

6. Adoption 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”.

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

7. Adoption 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”.

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

8. Introduction of Ordinance 18-2025 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY REQUIRING DUMPSTERS AND OTHER REFUSE CONTAINERS THAT ARE OUTDOORS OR EXPOSED TO STORMWATER TO BE COVERED AT ALL TIMES.”

**Public hearing to be held October 14, 2025.**

9. Mayoral Appointment  
Mayor Sowden will make the following appointment.

**Crossing Guard Hire**

Melissa Holland as substitute crossing guard at the rate of \$16.18/hr. effective September 24, 2025, contingent upon successful physical and background check, as recommended by Rebecca Babcock, Crossing Guard Captain.

**Crossing Guard Status Change**

Substitute Crossing Guard to Permanent Crossing Guard:  
**Becky Fiedler**

to remain at the current rate of \$16.18 effective September 24, 2025 as recommended by Rebecca Babcock, Crossing Guard Captain.

**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,

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING**  
**SEPTEMBER 23, 2025**

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  
SEPTEMBER 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: Mrs. Carnes, Mr. Formica, Mrs. Heath, Mr. Skellenger, Mr. Snyder and Mayor Sowden.

Absent: Mr. Limon

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. Carnes had nothing to report.

Mr. Snyder had nothing to report.

Mrs. Heath commented that the 9/11 ceremony will be held Thursday at 7:30pm. The Yankee Bus trip is scheduled for 9/27 and there is still 15 tickets available. The sip and paint party is scheduled for November 8<sup>th</sup>. The girl scouts townwide garage sale is September 20<sup>th</sup>.

Mr. Skellenger commented that the Motor Vehicle Mobile Unit will be coming back to Franklin on October 7<sup>th</sup>. Services that will be offered are real id, license renewal, registration renewal/replacement and duplicate title and registrations. Appointments will open on September 23<sup>rd</sup> at 11am, you can visit [www.njmvc.gov](http://www.njmvc.gov) and toward the bottom you will see a place where you can schedule the appointments.

Mr. Formica commented that football is coming back to the pond this Saturday. There is a new score board and he thanked the DPW for installing the score board. There are chairs for the pavilion.

Mrs. Little had nothing to report.

Mr. Spidaletto requested that the Council table Resolution 2025-78, Sussex County Hazard Mitigation Plan, until the next meeting as we are waiting to receive more information from Tetra Tech, the company that handles this plan. Mr. Spidaletto commented that he spoke to the engineer prior to this meeting and he advised that he is going to schedule the Geo-technical engineer to come out to look at High Street and make a determination within the next week or two on what is going on with that roadway and the sink hole. Also, on tonight's agenda is a resolution concerning the rehabilitation of Well-B; we had a similar situation in 2022 where we had to rehab this well. It is not putting out the water that it once did; so this is important for us to get this resolution through and then we can put out to bid and hopefully address the situation going forward. Mr. Spidaletto has a meeting tomorrow with Mr. Formica in regards to some grants. Mr. Spidaletto commented that he was able to stop by the senior picnic this past week.

Mr. Windels had nothing to report.

Mayor Sowden had nothing to report.

**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 Mrs. Heath. All were in favor.

Ms. Renee Zierold stepped forward. Ms. Zierold commented that Dunn Row is the primary means of ingress and egress to her property. Ms. Zierold commented that about a week ago the residents of Catlin Road received an undated hand delivered letter stating that snow removal would no longer be provided on Dunn Row. As part of that letter it says, we have maintained these areas for many years with the honest respect in being helpful to our residents and not having the information that this was not Borough property. Ms. Zierold asked if she could know the date and the location of the meeting of which Catlin Road residents were invited so they could share the information and provided information before this arbitrary decision was made. Was there a meeting ever offered to have the residents explain the situation or bring anything forward.

Mayor Sowden commented that there was just a general discussion at a Council Meeting.

Ms. Zierold commented that there was never an opportunity for the residents to come and offer information. Ms. Zierold asked what is the name of the street that Concetta Towers uses as the main entrance to their building.

Mayor Sowden commented that Concetta Towers uses Catlin Road as the main entrance.

Ms. Zierold commented that there is no entrance on Catlin Road for Concetta Towers, it is a cement wall.

Mayor Sowden that they use Dunn Row.

Ms. Zierold asked if a deed is a legal document.

Mr. Windels responded that yes, a deed is a legal document.

Ms. Zierold commented that since no information was requested from the Catlin Road residents, she was asked to represent the homeowners on our street unanimously. Ms. Zierold read from a deed from a resident and it states that excepting from the described lot a right of way 13 ½ feet wide as conveyed by the NJ Zinc Company to the Borough of Franklin by deed dated February 20, 1936. Ms. Zierold read from more deeds of other property owners on the street with the same mention of the deed dated February 20, 1936. Ms. Zierold commented that we expect the town in good faith and past practice to continue plowing Dunn Row as it has done for the past over 70 years.

Ms. Pat Morris stepped forward. Ms. Morris voiced her concerns regarding the plowing of the roads behind Master Street.

Mr. Sam Belott stepped forward. Mr. Belott read a letter that he sent to Mr. Spidaletto. Mr. Belott asked that the town black top the access road by Master Street.

Ms. Donna Zeuner stepped forward. Ms. Zeuner asked that the town still plow the street.

Ms. Pamela Belott stepped forward. Ms. Belott voiced her concerns regarding the plowing of the access road by Master Street. Ms. Belott asked the council to reconsider the plowing of the street.

Ms. Shelby Hicks stepped forward. Ms. Hicks voiced concerns regarding the plowing of Dunn Row. Ms. Hicks commented that when she purchased her home one of the selling points was that the town would maintain Dunn Row; we were told and have documentation in our deed and survey that the Borough not only purchased the road but also would maintain Dunn Row behind our properties. We

## **MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025**

ask that the town take responsibility for maintaining Dunn Row just as it has in the past; this is not only about fairness but also about ensuring access to emergency responders and protecting the safety of everyone who depends on it.

Ms. Joanne Tatka stepped forward. Ms. Tatka asked that when employees are being hired at higher rates, why are the names not included in the resolutions.

Mr. Spidaletto commented that because a lot of times these employees are coming with experience and they are at other positions and they did not have the opportunity to inform their employer of the potential of accepting a job.

Ms. Tatka thanked the Council for the gazebo chairs. Ms. Tatka questioned the purchase of new police vehicle when the police have a Humvee they can use.

Mr. Spidaletto commented that this vehicle fits into the vehicle plan that was established by the Council.

Ms. Tatka questioned the need for the Humvee.

Mr. Spidaletto commented that he will reach out to the police chief to inquire the need.

Ms. Tatka asked why three people resigned from the Recreation Committee.

Mayor Sowden commented that the resignations were for personal reasons.

Ms. Tatka asked if Mr. Formica was sponsoring a private fishing derby.

Mr. Spidaletto commented that the fishing derby is for the Borough.

Ms. Tatka questioned the purpose of the curfew and camping ordinances.

Ms. Renee Zierold stepped forward. Ms. Zierold commented that she is feeling unsettled and would like to know what is next.

Ms. Dawne Rowe stepped forward. Ms. Rowe asked if reference checks are done when hiring employees. Ms. Rowe commented that the 9/11 tribute is very meek and moving and applaud the town for continuing to do the event.

Mr. Windels explained the Borough's position in regards to the plowing of the access road. Mr. Windels commented that it is our belief that the access road there is not Borough owned property as such because it is a private road, the Borough is not at liberty to expend public resources in order to maintain it. The position of the Borough as of today is that the Borough is not the owner of that road and therefore, they cannot put any public resources into maintaining it.

Ms. Courtney Fisher stepped forward. Ms. Fisher commented that she and Ms. Zierold went to the Sussex County Hall of Records and looked through the deeds. Ms. Fisher feels that the town should prove to the residents that they do not own the road.

Mayor Sowden commented that the roadway was put there because the front road was a railroad bed and they use to run trains from Main Street, Franklin over to the open cut where the Mineral museum is. There had to be some kind of access alongside the tracks for the people to get in and out of there house and that is why the road was put there. Mayor Sowden commented that he is not in favor of it but he has to do what the attorneys and insurance companies tells us and the liabilities that come with it. Mayor Sowden feels that we should do a little more research and see what we can do.

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, seconded by Mr. Skellenger. All were in favor.



## MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

### 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. Resignation from Concetto Formica from the Recreation Committee.
2. Resignation from Patti Carnes from the Recreation Committee.
3. Resignation from Bobbi Formica from the Recreation Committee.
4. Letter dated August 15, 2025 from The Center for Prevention and Counseling to Mayor and Council in regards to the Changing Face of Addiction walk.

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

1. County Board of Health Report – July 2025
2. Road Department Report – August 4<sup>th</sup> – August 28<sup>th</sup>
3. Permit Activity Report – August 2025
4. Permit List – August 2025
5. COH Report – August 2025
6. Police Department Report – August 2025

### APPLICATIONS (APPROVAL OF THE FOLLOWING):

1. Application to operate a Tattoo Parlor in the Borough of Franklin located at 418 Rte. 23N, trade name Moonlight Tattoo LLC.
2. Application for use of the Senior Center from Maureen Hubbard for Wallkill Valley Girl Scouts 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 September 9, 2025.

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

Upon roll call vote:

Ayes: Carnes, Heath, Snyder

Nays: None Absent: Limon Abstentions: Formica, 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 August 12, 2025. (Absent: Limon, Snyder) Seconded by Mrs. Carnes.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger

Nays: None Absent: Limon Abstentions: Snyder

#### Resolution 2025-78

Mr. Skellenger made a motion to table Resolution 2025-78, until the next meeting, adopting the 2025 Sussex County Hazard Mitigation Plan. Seconded by Mrs. Heath.

Upon roll call vote to table:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

#### Resolution 2025-79

Mr. Snyder made a motion to adopt Resolution 2025-79 authorizing advertisement and solicitation of bids for solid waste collection. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

## MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025

### Resolution 2025-80

Mrs. Heath made a motion to adopt Resolution 2025-80 authorizing a refund for raffle application fee to Wynona's House in the amount of \$20.00. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### Resolution 2025-81

Mr. Skellenger made a motion to adopt Resolution 2025-81 authorizing advertisement and solicitation of bids for the rehabilitation of Municipal Water Utility Well B. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### Adoption of Ordinance 11-2025

Mrs. Carnes made a motion to adopt 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". Seconded by Mr. Formica.

Prior to final roll call Mayor Sowden requested a motion to open the meeting to the public. Mr. Skellenger made a motion to open the meeting to public for Ordinance 11-2025, seconded by Mrs. Carnes. All were in favor.

There being no one present who wished to address the Governing Body regarding Ordinance 11-2025, Mr. Snyder made a motion to close the meeting to the public. Seconded by Mr. Skellenger. All were in favor.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### Adoption of Ordinance 12-2025

Mr. Formica made a motion to **reject** 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". Seconded by Mr. Skellenger.

Upon roll call vote to reject:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### Adoption of Ordinance 13-2025

Mr. Formica made a motion to **reject** 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 Mr. Skellenger.

Upon roll call vote to reject:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### Introduction of Ordinance 14-2025

Mr. Skellenger made a motion to introduce 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". Seconded by Mr. Formica.



## **MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025**

Mayor Sowden announce that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### **Introduction of Ordinance 15-2025**

Mrs. Heath made a motion to introduce 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". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### **Introduction of Ordinance 16-2025**

Mr. Formica made a motion to introduce 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". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### **Introduction of Ordinance 17-2025**

Mr. Formica made a motion to introduce 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". Seconded by Mr. Skellenger.

Mayor Sowden announced that the public hearing will be held on September 23, 2025.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### **Discharge of Mortgage**

Mr. Snyder made a motion to confirm the Discharge of Mortgage dated September 1, 1999, for Shirley Montross, 263 Munsonhurst Road, Franklin, in the amount of \$10,000.00. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

### **Peddler Permit Application**

Mrs. Heath made a motion to approve the peddler permit submitted by Domenico Papaleo for the solicitation of solar panels. Seconded by Mr. Formica.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

**MAYOR & COUNCIL MEETING MINUTES SEPTEMBER 9, 2025**

Approval of NJ State Firemen's Association Membership Application

Mrs. Carnes made a motion to approve the application for membership of Michael J. Kortenhuis as Firematic member to the Franklin Fire Department as endorsed by Corey Houghtaling, Franklin Fire Department Chief. Seconded by Mr. Skellenger.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Approval of NJ State Firemen's Association Membership Application

Mrs. Carnes made a motion 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. Seconded by Mr. Snyder.

Upon roll call vote:

Ayes: Carnes, Formica, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: None

Approve Special Event Permit Application

Mr. Skellenger made a motion to approve a special event permit for Concetto Formica to conduct a fishing derby on October 18, 2025 at the Franklin Pond. Seconded by Mrs. Heath.

Upon roll call vote:

Ayes: Carnes, Heath, Skellenger, Snyder

Nays: None Absent: Limon Abstentions: Formica

Mayoral Appointment

Mayor Sowden made 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

**EXECUTIVE SESSION**

There was no executive session.

**MISCELLANEOUS COMMENTS**

Mrs. Heath commented that it is nice to see a young man coming up through the ranks of the fire department and becoming an official fireman and congratulations to all of the fire department members who supported him. Thanked everyone who came out to the meeting.

Mayor Sowden asked about the vehicle auction.

**ADJOURNMENT**

There being no further items for discussion by the Mayor and Council, Mrs. Heath made a motion to adjourn the meeting at 7:57 p.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

# 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)

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# **Borough of Franklin, County of Sussex**

## **Resolution #2025-82**

### **RESOLUTION AUTHORIZING A DISABLED VETERAN EXEMPTION ON BLOCK 1403 LOT 7**

**WHEREAS**, The Department of Veteran Affairs determined that Richard Knop Sr. at 17-19 Newton Street, Block 802, Lot 10 had a service connected disability that was totally disabling.

**WHEREAS**, the Tax Assessor has received a Claim for property tax exemption on dwelling house of Disabled Veteran, which was approved by the Tax Assessor on September 3<sup>rd</sup>, 2025.

**WHEREAS**, as per N.J.S.A.54: 4-3.30et seq, Mr. Knop is entitled to a tax exemption on his property located at 17-19 Newton Street from August 5<sup>th</sup>, 2025, the date of application.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The Tax Collector is authorized to cancel taxes billed from August 5<sup>th</sup>, 2025 to December 31<sup>st</sup>, 2025 in the amount of \$3,153.43.
2. The cancellation of taxes from date of approval has created an overpayment in taxes therefore the Tax Collector is authorized to refund Mr. Richard Knop Sr. in the amount of \$824.60.
3. This property will be marked as Exempt in the 2026 Tax Duplicate.

This Resolution shall take effect immediately.

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**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Mayor & Council of the Borough of Franklin, in the County of Sussex, New Jersey, at a meeting held on September 23<sup>rd</sup>, 2025

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Colleen L. Little, Municipal Clerk

**Borough of Franklin, County of Sussex**  
**Resolution #2025-82**

| 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) |      |       |         |        |

NOT YET APPROVED BY COUNCIL

**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, 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 |
|-------|-----|------------|-------------|-------------|
| 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 23<sup>rd</sup> day of September, 2025.

\_\_\_\_\_  
Colleen L. Little, Clerk  
Borough of Franklin

\_\_\_\_\_  
John Sowden, Mayor

Introduced: September 9, 2025

Adopted:

**BOROUGH OF FRANKLIN  
ORDINANCE 14-2025**

| 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<br>COUNCIL PRESIDENT | X    |       |         |        | X    |     |
| GILBERT SNYDER                          | X    |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(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<br>COUNCIL PRESIDENT |      |       |         |        |      |     |
| GILBERT SNYDER                          |      |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(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 |
|-------|-----|---------|-------------|-------------|
|-------|-----|---------|-------------|-------------|

|      |   |                 |            |            |
|------|---|-----------------|------------|------------|
| 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: September 23, 2025

\_\_\_\_\_  
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 23<sup>rd</sup> day of September, 2025.

Colleen L. Little, Clerk  
Borough of Franklin

John Sowden, Mayor

Introduced: September 9, 2025

Adopted: September 23, 2025

**BOROUGH OF FRANKLIN  
ORDINANCE 15-2025**

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

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

**BOROUGH OF FRANKLIN  
ORDINANCE NO. 16- 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 temporarily 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 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 may, at the discretion of an officer of the Franklin Borough Police Department, be subject to one or more of the following actions:

- A. A verbal curbside warning to the juvenile.
- B. A formal written warning to the juvenile and to the juvenile's parent, guardian, and/or caretaker.
- C. The issuance of a formal complaint summons to the juvenile and/or the juvenile's parent, guardian, and/or caretaker. If a juvenile is charged with an act of juvenile delinquency while engaged in a violation of this chapter, the violation may 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.

All actions taken pursuant to this section shall be documented with an entry in the Police Department's CAD system for record keeping and tracking purposes.

§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 may



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. If an 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. May 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. May issue to the juvenile a violation notice as to any provisions of this chapter to the juvenile; 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 department's policy outlining the handling of juvenile detainees so that the juvenile's parents, guardian, and/or caretaker may retrieve the juvenile.
- B. 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**

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Colleen L. Little, CLERK

DATED: September 23, 2025

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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 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 23, 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.

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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 23<sup>rd</sup> day of September, 2025.

\_\_\_\_\_  
Colleen L. Little, Clerk  
Borough of Franklin

\_\_\_\_\_  
John Sowden, Mayor

Introduced: September 9, 2025

Adopted: September 23, 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<br>COUNCIL PRESIDENT | X    |       |         |        |      | X   |
| GILBERT SNYDER                          | X    |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(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<br>COUNCIL PRESIDENT |      |       |         |        |      |     |
| GILBERT SNYDER                          |      |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(Tie Only)          |      |       |         |        |      |     |

**BOROUGH OF FRANKLIN  
ORDINANCE NO. 17- 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 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 the applicable time frame in accordance with state laws.

§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 reason 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 so 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 Franklin Borough Police Department shall contact an appropriate homelessness service provider, outreach agency, or housing coalition 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**

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Colleen L. Little, CLERK

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BY: John Sowden, MAYOR

DATED: September 23, 2025



## **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 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 23, 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.

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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 23<sup>rd</sup> day of September, 2025.

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Colleen L. Little, Clerk  
Borough of Franklin

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John Sowden, Mayor

Introduced: September 9, 2025

Adopted: September 23, 2025

**BOROUGH OF FRANKLIN**

**ORDINANCE 2025-17**

| 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<br>COUNCIL PRESIDENT | X    |       |         |        |      | X   |
| GILBERT SNYDER                          | X    |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(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<br>COUNCIL PRESIDENT |      |       |         |        |      |     |
| GILBERT SNYDER                          |      |       |         |        |      |     |
| MAYOR SOWDEN, IV<br>(Tie Only)          |      |       |         |        |      |     |