

**REGULAR AGENDA**  
**FOR THE MAYOR AND COUNCIL MEETING**  
**BOROUGH OF FRANKLIN,**  
**HELD AT THE MUNICIPAL BUILDING, 46 MAIN STREET**  
**FRANKLIN, NEW JERSEY AT 7:00 P.M. ON**  
**NOVEMBER 9, 2022**

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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 7, 2022, and posted on the Borough website, which adequate notice has been certified by the Clerk."
- D. **PRESENTATIONS**  
Planet Networks, Inc.
- 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:**

1. **Resolution #2022-113** to approve authorizing entering into a contract with J. Caldwell and Associates, LLC for professional consulting services in the amount of \$9,850.00. *(motion needed)*
2. **Discussion on Redevelopment Study & Redevelopment Plan for 50 Washington Avenue**

- I. **NEW BUSINESS:**

1. **Approval of the Minutes** for the regular meeting minutes for October 25, 2022. (Absent: None) *(motion needed)*
2. **Planet Networks, Inc. Proposal and Agreement** to approve business fiber internet services in the amount of \$899.75 per month as per proposal #37913, dated November 1, 2022. *(motion needed)*
3. **Hillside Estates Mobile Home Park License Renewal** to approve the renewal of the 2023 Mobile Home Park License for Hillside Estates at Franklin, LLC. *(motion needed)*
4. **Resolution #2022-114** approving SOP for Sworn Police Officers as approved and recommended by Chief Cugliari.

**REGULAR AGENDA – MAYOR AND COUNCIL MEETING NOVEMBER 9, 2022**

5. Adoption of Ordinance #15-2022 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 259-2 REGARDING PARKING”.  
(*motion needed*)

**Prior to final roll call Mayor Sowden will request a motion to open the meeting to the public for any comments regarding Ordinance 15-2022.**

6. Adoption of Ordinance #16-2022 entitled “BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NON-PASSENGER VEHICLES FOR THE POLICE DEPARTMENT IN AND FOR THE BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$225,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$214,285 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”. (*motion needed*)

**Prior to final roll call Mayor Sowden will request a motion to open the meeting to the public for any comments regarding Ordinance 16-2022.**

7. Introduction of Ordinance #17-2022 entitled “AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 200-6, REGARDING PEDDLERS LICENSES”. (*motion needed*)

**Public hearing will be held on December 20, 2022.**

8. Peddlers, Hawkers, Solicitors and Canvassers Permit Application to approve revisions to the application. (*motion needed*)
9. Discussion on Water Tank Bid Specs
10. Discussion on Franklin Borough Sign

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.

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

## **Resolution #2022-113**

### **RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AUTHORIZING CONTRACT WITH J. CALDWELL & ASSOCIATES, LLC FOR PROFESSIONAL CONSULTING SERVICES**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”), provides a mechanism to assist local government in efforts to promote programs of redevelopment; and

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Borough to declare an area in need of redevelopment, along with development and effectuation of a redevelopment plan; and

**WHEREAS**, in 2008, the Governing Body of the Borough of Franklin (“Governing Body”) adopted a Redevelopment Plan for the Zinc Mine Properties Redevelopment Area (“Redevelopment Plan”) including Block 904, Lots 1.01, 1.02, and 1.03 (“Redevelopment Properties”); and

**WHEREAS**, the Redevelopment Properties are located along Main Street, Sterling Street, and Junction Street; and

**WHEREAS**, the Redevelopment Properties have remained undeveloped since the closing of the Zinc Mine in 1954; and

**WHEREAS**, the Redevelopment Plan, establishing the Upper ZM Zone and the Lower ZM Zone, has not resulted in redevelopment of the Redevelopment Properties; and

**WHEREAS**, because of the foregoing, an updated Redevelopment Plan is appropriate and needed to incentivize redevelopment within the designated areas; and

**WHEREAS**, the Governing Body seeks to update the Redevelopment Plan pursuant to and in accordance with the requirements of the Redevelopment Law; and

**WHEREAS**, in furtherance of the foregoing, the Borough obtained a redevelopment plan proposal and scope of work from J. Caldwell & Associates, LLC, community planning consultants located at 145 Spring Street, Suite E, Newton, New Jersey 07860 (“JCA”); and

**WHEREAS**, JCA proposes to complete a redevelopment plan pursuant to and in accordance with the requirements of the Redevelopment Law for the Redevelopment Properties which shall include a review of said parcels for potential redevelopment and appropriate potential uses; and

**WHEREAS**, on October 25, 2022, the Governing Body considered the above referenced proposal as an agenda item at its regularly scheduled public meeting and approved same via motion on voice vote with instruction that said motion be memorialized in writing at its next scheduled public meeting; and

**WHEREAS**, to offset the cost for the proposal, the Governing Body authorized using one-half (50%) of the Borough Historical Commission’s current budget to be paid to JCA for this purpose; and

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., these services are professional services, which may be awarded without public bidding; and

**WHEREAS**, the Borough is acquiring these services directly and openly as a statutorily permitted contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. (Pay to Play Law).

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey authorize the Mayor and the Borough Clerk to enter a contract with J. Caldwell & Associates, LLC in the amount of \$9,850.00 in accordance with the attached Redevelopment Plan Proposal dated October 10, 2022 for professional consulting services required to complete a redevelopment plan pursuant to and in accordance with the requirements of the Redevelopment Law for properties identified as Block 904, Lots 1.01, 1.02, and 1.03.

**BE FURTHER RESOLVED** that the sum of \$1,500.00, representing approximately one-half (50%) of the Historical Commission’s current budget, is hereby authorized to be paid to JCA to offset the total cost of the contract.

**BE FURTHER RESOLVED** that the contract, resolution, and all other pertinent documents shall remain on file in the Office of the Borough Clerk.

**CERTIFICATION**

I, Darlene J. Tremont, Borough 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 meeting of said Governing Body held on November 9, 2022.

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Darlene J. Tremont, Borough Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA				
RACHEL HEATH				
JOSEPH LIMON				
JOHN POSTAS				
STEPHEN SKELLENGER				
GILBERT SNYDER				
MAYOR SOWDEN (Tie Only)				

**BOROUGH OF FRANKLIN**

**ORDINANCE No. 15-2022**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,  
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY  
MODIFYING SECTION 259-2 REGARDING PARKING**

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

**SECTION I.**

**§ 259-2. Parking.**

Subsection 259-2D of the Code of the Borough of Franklin is hereby amended to delete reference to Dina's Way.

**SECTION II**

Subsection 259-2F of the Code of the Borough of Franklin is hereby replaced in its entirety as follows:

F. Parking prohibited at all times on certain streets. No person shall park a vehicle at any time upon any streets or parts thereof described:

<b>Name of Street</b>	<b>Sides</b>	<b>Location</b>
Church Street (part of County Route 631)	East	From a point 65 feet south of the center line of Main Street to the southerly edge of Main Street
County Route 517 (Munsonhurst Road)	Both	Franklin Borough - Ogdensburg Borough border to State Route 23
Cummins Street	Both	Between Rutherford Avenue and Nestor Street
Dina's Way	South	From Mitchell Avenue to Constitution Way
Fowler Street (part of County Route 631)	Both	From North Church Road to Church Street
Hardystonville Road	East	From Mountain Road to a point 100 feet southerly thereof
Junction Street	Both	Between High Street and Main Street
Main Street	North	From Wyker Road in an easterly direction on Main Street for a distance of 235 feet
Main Street	North	From Wyker Road in a westerly direction on Main Street for a distance of 255 feet
Main Street	South	From Church Street (County Route 631) to Evans Street
Main Street	South	From Evans Street in an easterly direction for a distance of 690 feet
Parker Street	Both	Entire Length

**SECTION III**

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

**SECTION IV**

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 V**

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

ATTEST:

**BOROUGH OF FRANKLIN**

\_\_\_\_\_  
Darlene J. Tremont, CLERK

\_\_\_\_\_  
BY: John M. Sowden IV, 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 October 25, 2022, 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 November 9, 2022, 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.

\_\_\_\_\_  
Darlene J. Tremont  
Municipal Clerk

**CERTIFICATION**

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Darlene J. Tremont, Clerk  
Borough of Franklin

\_\_\_\_\_  
John M. Sowden IV, Mayor

Introduced: October 25, 2022

Adopted:

**ORDINANCE No. 15-2022**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,  
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY  
MODIFYING SECTION 259-2 REGARDING PARKING**

**RECORD OF COUNCIL VOTES:**

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

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

**BOROUGH OF FRANKLIN  
ORDINANCE NUMBER 16-2022**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF  
NON-PASSENGER VEHICLES FOR THE POLICE DEPARTMENT  
IN AND FOR THE BOROUGH OF FRANKLIN, IN THE COUNTY  
OF SUSSEX, STATE OF NEW JERSEY (THE "BOROUGH");  
APPROPRIATING \$225,000 THEREFOR AND AUTHORIZING  
THE ISSUANCE OF \$214,285 BONDS OR NOTES OF THE  
BOROUGH TO FINANCE PART OF THE COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE  
BOROUGH OF FRANKLIN, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Franklin, in the County of Sussex, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$225,000, which sum is inclusive of \$10,715 as the down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the said \$225,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$214,285 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$214,285 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**SECTION 3.** (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the acquisition of



non-passenger vehicles and related equipment for the Borough Police Department and all costs incidental thereto;

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$214,285.

(c) The aggregate estimated cost of said improvements or purposes is \$225,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes in the amount of \$10,715.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, preparation of specifications, bid documents and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

**SECTION 4.** In the event the United States of America, the State of New Jersey, the County of Sussex or a private entity make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Sussex or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Sussex or a private entity, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note

shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Borough and is available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 5.00 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$214,285 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$45,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**SECTION 10.** The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING**  
**DATED: October 25, 2022**

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**DARLENE J. TREMONT,**  
**Clerk of the Borough of Franklin**

**ADOPTED ON SECOND READING**  
**DATED: November 9, 2022**

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**DARLENE J. TREMONT,**  
**Clerk of the Borough of Franklin**

APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

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**JOHN M. SOWDEN, IV,**  
Mayor of the Borough of Franklin

NOT YET APPROVED BY COUNCIL

# BOROUGH OF FRANKLIN

## ORDINANCE No. 17-2022

### AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY REPLACING SECTION 200-6, REGARDING PEDDLERS LICENSES

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

**SECTION I.** Section 200-6 is hereby replaced as follows:

§ 200-6. Investigation.

A. The Chief of Police shall investigate the applicant's business and moral character as he deems necessary for the protection of the public good.

B. As part of the background investigation, Chief of Police may obtain fingerprints and conduct a criminal history search.

C. The Chief of Police may, upon review of the application, recommend against issuing a permit to the applicant for any of the following reasons:

(1) The location and time of the activities described in the application would endanger the safety and welfare of the applicant, its customers, or the citizens of the Borough;

(2) The applicant has previously violated a peddling or soliciting ordinance;

(3) The applicant has a record of breaches of solicited contracts;

(4) Other concrete evidence of bad character;

(5) An investigation reveals that the applicant falsified information on the application;

(6) The applicant has been convicted of a felony, misdemeanor, crime as a disorderly person, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property, or any ordinance regulating peddlers, hawkers, solicitors or canvassers; or

(7) The applicant is a person against whom a judgement base upon, or conviction for, fraud, deceit, or misrepresentation has been entered within the ten years immediately preceding the date of application.

D. Based upon his investigation and findings, the Chief of Police shall report his approval or rejection of the application.

### **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**

\_\_\_\_\_  
Darlene J. Tremont, CLERK

\_\_\_\_\_  
BY: John M. Sowden IV, 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 November 9, 2022, 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 December 20, 2022, 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.

\_\_\_\_\_  
Darlene J. Tremont  
Municipal Clerk

**CERTIFICATION**

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Darlene J. Tremont, Clerk  
Borough of Franklin

\_\_\_\_\_  
John M. Sowden IV, Mayor

Introduced:

Adopted: