

**Budget Workshop prior to the
REGULAR MEETING**

Budget Workshop Synopsis

The Franklin Township Committee held a Budget Workshop Meeting on Monday, February 7, 2022, at the hour of 5:13 p.m. Mayor Mike Toretta opened the meeting in accordance with the "Open Public Meeting Act" Chapter 231, P.L. 1975 having been duly advertised and a copy posted in the office of the Township Clerk. The Regular monthly meeting will follow at 7:00 p.m.

ROLL CALL OF COMMITTEE MEMBERS: Butler-Yes, Ferri-Yes, Guth-Yes, Herzer-Yes (joined the meeting at 5:29 pm); **Toretta-Yes.** (5) Present; (0) Absent

Present were Kathleen Reinalda, CFO, Joe Biel, DPW Foreman and Brandon Lisa, Road Laborer II, Daniel Tampier Road Laborer I, Dave Brown, Deputy Fire Chief, Denise L. Becton, Municipal Clerk.

CFO Reinalda provided the Appropriation Reserve Budget for review. Working with the Tax Collector with some issues. Spoke with Engineer numbers remain firm as to Millbrook Road project. \$97,000 in Capital Improvement Fund leaving \$23,000 for Preliminary Engineering Fees. Should keep putting in a little every year to keep building this Fund. The American Rescue Fund, money needs to be used by 2024 and a second batch of funds will be coming soon. Use of the money can be put towards ambulance lease annually will free up \$46,000 from budget, generators for the municipal building and DPW garage, this grant money was taken from us by the governor 3 years ago. As to Clean Communities Grant money, currently there is \$33,000 and carries year to year. We can purchase a new thump for the backhoe; street sweeper cost is a possibility and storm drain management. CFO will confirm into these expenditures and what the American Rescue Plan Fund can be used for.

Fire Department/EMS

Deputy Chief Dave Brown attending this evening informed of an aging firetruck, couple of years out to replace, pumper vs. ladder truck. Committeeman Guth will work with the department with this.

FTYA

CFO has heard nothing from the association, failing all attempts on her end. Port-a-jons have been covered under this line item and paint to line the athletic fields.

DPW

Oil/Chip requested for 6.2 miles of road. An old ordinance remains \$24,000 can be used for this cost. Foreman Biel also requested a dedicated oil/chip and salt funds. CFO revisited the calculations of each full-time employee contribution for the State Health Benefits. Auditor Mooney will review to confirm figures that the CFO has calculated for each employee's out of pocket expense based on Direct 10 vs Direct 15. If an employee wishes to change to another insurance company it can be done in October when enrollment is re-opened.

Committeeperson Butler and Engineer Finelli met as to Shurts Road and the guiderail expense will not be covered under the NCRS Grant. We need to coordinate for

Millbrook Road as to Grant monies received and our out-of-pocket expense or determine to oil/chip which might save money.

Kelley Smith thanked the committee hiring her as the Land Use Board Secretary. Office hours for the public looking to be in the office Monday evenings from 4:30 p.m. – 6:30 p.m.

EXECUTIVE SESSION

BE IT RESOLVED on this 7th day of February 2022, by the Township Committee of the Township of Franklin and pursuant to N.J.S.A. 10:4-1, that the Township Committee shall discuss the following matter in executive session

Personnel

It is not possible at this time for the Township Committee to determine when and under what circumstances the item which is to be discussed in executive session can be publicly disclosed.

THEREFORE, be it resolved on this 7th, day of February 2022 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 6:20 pm.

On Motion by Rich Herzer and seconded by David Guth to exit to executive session at 6:20 p.m. Unanimous Vote.

On motion by Bonnie Butler and seconded Rich Herzer to return to the regular session at 6:58 p.m. Unanimous Vote.

At this time the committee took a brief 5-minute recess and will convene to the regular monthly meeting

Mayor Mike Toretta re-opened the meeting at approximately 7:10 p.m.

Regular Meeting Began at 7:10 pm after a short recess

ROLL CALL OF COMMITTEE MEMBERS: Butler-Yes, Ferri-Yes, Guth-Yes, Herzer-Yes; Toretta-Yes. (5) Present; (0) Absent

Present were Joe Biel, DPW Foreman, Jim Onembo, Zoning/Code Enforcement, Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney, Denise L. Becton, Municipal Clerk.

CONSENT AGENDA:

(One Roll Call to approve the following agenda items 2-3)

2. APPROVAL of MINUTES

- a. Re-Org Meeting **RE: January 3, 2022**
- b. Budget Workshop **RE: January 31, 2022**
- c. Executive Budget Workshop **RE: January 31, 2022**

3. RESOLUTIONS – FIRST READING/ADOPTION

- a. Res. 2022-25 **RE: Multi-Jurisdictional Hazard Mitigation Plan**
- b. Res. 2022-26 **RE: Amendment of LUB Appts.**
- c. Res. 2022-27 **RE: Amendment of Court Personnel**
- d. Res. 2022-28 **RE: Tax Lien refund Block 20 Lot 1**

On motion by Committeeperson David Guth and seconded by Rich Herzer, to approve the minutes listed on the Consent Agenda above.

Roll Call:	Yes	No	Absent	Abstained	
Bonnie Butler	X				
Mike Ferri	X				
David Guth	X				
Rich Herzer	X				
Mike Toretta, Mayor	X		(5) Yes (0) No (0) Absent		Motion carried

On motion by Committeeperson David Guth and seconded by Mike Ferri, to approve Resolutions 2022-25 – 2022-28 listed on the Consent Agenda above.

Roll Call:	Yes	No	Absent	Abstained	
Bonnie Butler	X				
Mike Ferri	X				
David Guth	X				
Rich Herzer	X				
Mike Toretta, Mayor	X		(5) Yes (0) No (0) Absent		Motion carried

Introduction/Adoption the following Resolutions 2022-25 – 2022-28

RESOLUTION 2022-25

RESOLUTION ADOPTING THE WARREN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, the Franklin Township, Warren County, NJ, has experienced natural hazards that result in public safety hazards and damages to private and public property and;
 WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offer the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risks and;
 WHEREAS, the New Jersey Office of Emergency Management has provided federal mitigation funds to support development of an updated mitigation plan and;
 Whereas, a Multi-Jurisdictional Hazard Mitigation Plan has been developed by the County Department of Public Safety and Mitigation Planning Committee and;
 Whereas, the Multi-Jurisdictional Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time will help minimize and reduce safety threats and damage to private and public property and;
 WHYEREAS, the draft plan was provided to each participating jurisdiction through a website hosted by Michael Baker International, Inc. (Michael Baker), the contracted vendor assisting with the planning process. Links were links also posted on the Department of Public Safety website so as to introduce the planning concept and to solicit questions and comments and to present the Plan and request comments, as required by law and;

NOW, THEREFORE BE IT RESOLVED by the Franklin Township, Warren County, NJ

1. The Warren County Multi-Jurisdictional Hazard Mitigation Plan, as submitted on September 14, 2021 by the Warren County Department of Public Safety to the New Jersey Office of Emergency Management and submitted on October 13, 2021 to the Federal Emergency Management Agency and subsequently approved by both agencies on November 5, 2021, be and is hereby adopted as an official plan of the County of Warren; with the required yearly updates and minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.

2. The Franklin Township, Warren County, NJ departments identified in the Plan are hereby directed to further pursue potential or suggested implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Franklin Township, Warren County, NJ, and this resolution shall not be interpreted so as to mandate any such appropriation.
4. The Franklin Township Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date agreed upon by all stakeholders.

BE IT FURTHER RESOLVED that the municipal clerk forward a certified true copy of this resolution to the Warren County Department of Public Safety, Michael Baker International. PASSED by the Franklin Township Committee of Franklin Township, Warren County, NJ, on this 7th day of February 2022.

On motion by David Guth and seconded by Mike Ferri the aforementioned **Resolution 2022-25** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
David Guth	X		
Rich Herzer	X		
Michael Ferri	X		
Mike Toretta, Mayor	X		
		(5) Yes (0) No (0) Abstained	Motion Carried

CERTIFICATION

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, Warren County, New Jersey is a true and correct copy of a resolution approved by the Township Committee of the Township of Franklin at a regular meeting held on February 7, 2022.

[Denise L. Becton](#)

Denise L. Becton, Municipal Clerk
Franklin Township

RESOLUTION 2022-26

WHEREAS, the Franklin Township Committee has deemed it necessary to amend the appointment of the following members to the Land Use Board that shall be appointed by the Mayor of the Township of Franklin. The appointments for the year 2022 for the coming year were made on January 3, 2022, as follows.

Deputy Mayor, David Guth, Class I, 1yr., exp. 12/22 replacing Mayor Toretta

On motion by David Guth and seconded by Mike Ferri the aforementioned **Resolution 2022-26** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
David Guth	X		
Rich Herzer	X		
Michael Ferri	X		
Mike Toretta, Mayor	X		
		(5) Yes (0) No (0) Abstained	Motion Carried

CERTIFICATION

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, Warren County, New Jersey is a true and correct copy of a resolution approved by the Township Committee of the Township of Franklin at a regular meeting held on February 7, 2022.

Denise L. Becton

Denise L. Becton, Municipal Clerk
Franklin Township

RESOLUTION 2022-27

**RESOLUTION “AMENDING RESOLUTION 2022-21” AUTHORIZING THE
MUNICIPAL COURT OF THE
TOWNSHIP OF FRANKLIN TO ENGAGE A
MUNICIPAL JUDGE, PROSECUTOR AND OTHER COURT PERSONNEL**

WHEREAS, the Township of Franklin, Warren County, New Jersey, has entered an interlocal municipal services agreement for the creation of a shared municipal court with the Town of Belvidere; and

WHEREAS, this court is known as the Municipal Court of the Township of Franklin; and

WHEREAS, the Municipal Court requires the services of a Judge, Municipal Prosecutor, Court Administrator, and other Court personnel for the Calendar Year 2022; and

WHEREAS, pursuant to the Interlocal Services Agreement, the Municipal Court of Franklin appoints the Judge, Prosecutor and other Court personnel appointed by the Town of Belvidere as the lead agency.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of Franklin, County of Warren, State of New Jersey, that the following Court appointments be and hereby are made for the Municipal Court of the Township of Franklin for Calendar Year 2022:

- Municipal Court Judge – Honorable Nicole Lenar – 3 Year Term – 1/1/2021 – 12/31/2023
- Prosecutor – John Caleca*
- Alt. Prosecutor –*
- Court Administrator – Dawn Decker
- Public Defender - Scott Wilhelm, Esq.
- Alt. Public Defender – Gregory Gianforcaro

On motion by David Guth and seconded by Mike Ferri the aforementioned **Resolution 2022-27** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
David Guth	X		
Rich Herzer	X		
Michael Ferri	X		
Mike Toretta, Mayor	X		
		(5) Yes (0) No (0) Abstained	Motion Carried

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on February 7, 2022.

Denise L. Becton

Denise L. Becton, Municipal Clerk

RESOLUTION NO. 2022-28

WHEREAS, Evolve Bank and Trust holds Tax Sale Certificate #2021-003 on Block 20 Lot 1 and,

WHEREAS, the property owner has redeemed this lien,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the Tax Lien amount of \$ 7,634.72 plus the Tax Sale Premium amount of \$37,000.00 for a total of \$44,634.72 to Evolve Bank and Trust, 6070 Poplar Ave., Suite 200, Memphis, Tenn 38119.

On motion by David Guth and seconded by Mike Ferri the aforementioned **Resolution 2022-28** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Mike Ferri	X		
David Guth	X		
Rich Herzer	X		
Mike Toretta, Mayor	X		(5) Yes (0) No (0) Abstained Motion Carried

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on February 7, 2022.

Denise L. Becton

Denise L. Becton, Municipal Clerk

NEW BUSINESS - none

OLD BUSINESS

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2022-1

ORDINANCE 2022-1

CALENDAR YEAR 2022

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

On motion by Bonnie Butler and seconded by Rich Mike Ferri to open the Public Hearing.

No Public Comments

On motion by Bonnie Butler and seconded by Mike Ferri to close the Public Hearing.

On motion by Committeeperson Mike Ferri and seconded by Committeeperson David Guth the
aforenoted Ordinance 2022-1 be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler	X			
Mike Ferri	X			
Rich Herzer	X			
David Guth	X			
Mike Toretta, Mayor	X	(5) Yes	(0) No	(0) Absent Motion carried

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2022-2

ORDINANCE 2022-2

**ORDINANCE TO AUTHORIZE CHARITABLE ORGANIZATIONS TO
SOLICIT CONTRIBUTIONS IN THE ROADWAYS OF THE TOWNSHIP OF
FRANKLIN**

On motion by David Guth and seconded by Mike Ferri to open the Public Hearing.

No Public Comments

On motion by Mike Ferri and seconded by Bonnie Butler to close the Public Hearing and adopt.

On motion by Committeeperson Mike Ferri and seconded by Committeeperson David Guth
the aforenoted **Ordinance 2022-2** be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler	X			
Mike Ferri	X			
Rich Herzer	X			
David Guth	X			
Mike Toretta, Mayor	X	(5) Yes	(0) No	(0) Absent Motion carried

REPORTS/UPDATES

Engineer –

Engineer Finelli updated the committee as to the Millbrook Road Project. After speaking with our CFO there is available funds to help with the shortfall of funds with the Grants for Section I and Section II. Guiderail is not covered by the Grants received.

A zoom public meeting with the NJDEP and Township Professionals and residents affected by 1,4 Dioxane was held January 19th. \$2 million dollars has been allocated for this project. The township must supply an estimate to the DEP with the length of the water main, number of wells to be sealed and the number of connections. The Remediation Alternate Analysis (RAR) is 100% funded by the State, however the township must come up with the funds for this project then the State will reimburse us upon completion of project.

On motion by Committeeperson David Guth and seconded by Committeeperson Rich Herzer authorizing Engineer Finelli to proceed with an estimate as listed above.

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler	X			
Mike Ferri	X			
Rich Herzer	X			
David Guth	X			
Mike Toretta, Mayor	X	(5) Yes	(0) No	(0) Absent Motion carried

Montana Road retaining wall project – there has been a delay with the material and the need for better weather to complete this project.

NCRS Grant – Shurts Road Project, the stream which runs parallel with the road is causing erosion and damage to the stabilization of the road. Committeeperson Butler informed that emergency repairs have been approved for funding through the program. NCRS will contribute 75% of the construction cost approx. \$178,000 and the township must come up with the remaining 25% which equates to \$52,000. This grant does not include the cost for guiderail. We have 220 days, mid-August for the completion of the project. Need to further discuss financials of this project our budget discussions.

Attorney –

Attorney Benbrook updated the committee as to the several Tax Foreclosures he has been working on. He has been in contact with our Tax Collector to help finalize. Still nothing has been heard as to the Kober’s Solar Redevelopment, will contact their attorney as to sending the escrow check back to them.

Committeeperson Herzer inquired as to any updates with solar on our Beidleman Road and old Brandywine Properties as well as a Light and Invasive Species Ordinances. Attorney to circulate samples for review.

Open Space Commission – no one present

Jim Onembo – Code Enforcement/Zoning - report on file, no further questions

Recycling – Report submitted

Office of Emergency Management – Sonny Read – nothing to report

Fire Department/EMS – Jan Verkade – Thank you for your continued support. Calls to Date: 31 EMS, 5 Fire. 2021 calls for EMS 161, Fire 12. Being run pretty thin with calls and the weather. Additional members going for EMT training.

Franklin Township Community Center – Eddy Patient – no one present

DPW REPORT – Joe Biel

Foreman Biel informed continuing to fix broken down equipment. Waiting on a salt delivery. Need to coordinate Montana Road damage problem with the engineer.

Franklin Township Youth Association – No one present

Musconetcong River Management Council – MRMC – Beth Barry – not present

NJSP- no representation present

Township Committee Reports:

Bonnie Butler-

Committeeperson Butler informed after looking at the bills, Verizon billing for Directory Assist this should be canceled. Comcast billing for TV/Music and should be free for a municipality, Committeeperson Ferri will contact Comcast. We need to have an employee designated for employees to go to for any grievances and have a procedure in place. Open the Community Center for seniors to walk. Pursue a walking path at the New Village Open Space field, can coordinate the efforts with our DPW for a paved path.

Rich Herzer –

Committeeman Herzer mentioned the Lions Club earmarked \$5000 for playground equipment and will investigate this further. Lime Kiln Road is still having on going issues with trucks coming down this road and getting stuck, needs additional signage.

Mike Ferri – nothing further to report

David Guth – nothing further to report

Mayor Toretta - nothing further to report

At this time, the floor was open to Public Session at approximately 7:48 p.m., by Mayor Toretta.

OPEN PUBLIC SESSION

Don Gonczy - Thank you for the NJDEP meeting well run and very informative. Can anyone elaborate the start/finish for this project and when to expect groundbreaking. Committeeperson Guth informed that their hopes are 6-12 months, but anything can happen, permits can be held up. The engineer's proposal was just approved tonight and hoping to move along quickly. Engineer Finelli will email the estimate to the township committee to review and respond making the turn around time faster instead of waiting until our March meeting. Committeeperson Herzer advised

that this is between the state and the residents at this time. Mayor informed that the township committee will turn around quickly from our end.

Close the floor to Public Session at 7:57 p.m., Rich Herzer made the motions David Guth seconded the motion, all in favor.

EXECUTIVE SESSION

BE IT RESOLVED, on this 7th day of February, 2022, by the Township Committee of the Township of Franklin and pursuant to N.J.S.A. 10:4-1, that the Township Committee shall discuss the following matter in executive session

Pending Litigation

It is not possible at this time for the Township Committee to determine when and under what circumstances the item which is to be discussed in executive session can be publicly disclosed.

THEREFORE, be it resolved on this 7th, day of February 2022 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 7:57 p.m.

On Motion by Mike Ferri and seconded by Bonnie Butler to exit to executive session at 7:57 p.m. Unanimous Vote.

On motion by Rich Herzer and seconded Mike Toretta to return to the regular session at 8:36 p.m. Unanimous Vote.

MOTION FOR PAYMENT OF BILL LIST:

On motion by David Guth and seconded by Mike Ferri, to pay, the Bills List as submitted by the CFO, accordingly, removing the Comcast and Verizon Bills.

Roll Call:	Yes	No	Absent/Abstained
Bonnie Butler	X		
Mike Ferri	X		
Rich Herzer	X		
David Guth	X		
Mike Ferri, Mayor	X		
		(5) Yes	(0) No (0) Absent Motion carried

MOTION FOR ADJOURNMENT:

On motion by Bonnie Butler and seconded by Rich Herzer, hearing no objection, meeting stands adjourned at 8:38 pm.

Roll Call:	Yes	No	Absent	Abstained
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Bonnie Butler X
Mike Ferri X
Rich Herzer X
David Guth X
Mike Ferri, Mayor X

(5) Yes (0) No (0) Absent Motion carried

Respectfully submitted,

Denise L. Becton, RMC/CMR
Municipal Clerk