

REGULAR MONTHLY MEETING

The Franklin Township Committee held their budget meeting on Monday, February 5, 2024, at the hour of approximately 5:00 p.m. and their regular meeting at the hour of approximately 7:00 p.m. Mayor David Guth 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.

Following the flag salute, **Roll Call of Committeepersons present:** Bonnie Butler, Richard Herzer, Mike Toretta, David Guth, Mayor (4)Yes, (0) No, (0) Absent.

Present were: Joe Biel, DPW Foreman, Fire Chief Brown and Chrissy Brown EMS Lieutenant, Denise L. Becton, Municipal Clerk

BUDGET WORKSHOP MEETING @ 5:00 p.m.

RE: Review of Municipal Budget Worksheet and Department and Employee Request

The CFO reviewed the 2024 Revenue Municipal Budget Worksheet with the township committee. Each department and/or individual requests or usage were figured in. At this time, we will need to bridge our gap of \$797,615.18. We have a Special Emergency of \$500,425 that we must pay at 1/5 for 5 years. Nearly 60% of the budget is for IT services, 2023 underfunded by \$20,000. The municipal clerk is potentially retiring this year and will need to budget for a payout of \$15,000 for accumulated sick time as well as any unused vacation days and additional wages for a person to cover the office while she is using up some days. The Tax Assessor is looking to digitize files with a quote received of \$103,200. The Recycling Coordinator needs additional monies for tub grinding. A discussion of the donated 40+ acres or land and how to put back on tax roles. Solar on municipal property and growing crops beneath will be investigated. A computer for the mayor also needs to be budgeted for. The fire chief informed that 57-61 will be refurbished instead of purchasing brand new with a long-term goal to replace it in the future. Personal Protective Equipment, annual mandatory testing, training for fire/ems budgets. The CFO will combine the fire/ems line items making this more practical. NJDOT Grant submitted for Good Springs and Willow Grove Roads we have been approved for \$136,782 requested \$225,000. The project will need to be re-evaluated. A newly developed drainage issue due to a homeowner redirecting water off his property at this intersection will also need to be addressed. We can earmark from the Open Space Trust and Clean Communities Grant monies to purchase a utility truck for the DPW. A salary increase of 4.5% requested from the DPW, cfo noting statutory employees are to be given the same increase. A salary increase of 2% is proposed for all employees. Due to the recent transitioning from Stormwater Management Tier B to Tier A anything impervious to the ground must be removed at the DPW garage.

At the hour of 6:47 p.m. the mayor called for a recess on motion by Committeeperson Butler and seconded by Committeeperson Herzer.

At the hour of 7:00 p.m. the mayor reconvened into regular meeting session on motion by Committeeperson Butler and seconded by Committeeperson Herzer.

Present were: Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney (joined meeting at 7:40 p.m.), Joe Biel, DPW Foreman, Shawna Tabert, OEM, Denise L. Becton, Municipal Clerk

CONSENT AGENDA @ 7:00 p.m.:

(One Roll Call to approve the following agenda items 3-4)

3. APPROVAL OF

- a. Re-Org Meeting RE: January 3, 2024
- b. Executive Meeting RE: January 3, 2024
- c. Resignation Letter RE: Mike Ferri, Committeeperson
- d. Signers RE: PNC Escrow Account (Denise L. Becton, Margaret Pasqua, Kelley D. Smith, Mike Toretta, Bonnie Butler)

4. RESOLUTIONS – FIRST READING/ADOPTION

- a. Res. 2024-25 RE: Duplicate Tax Payment Block 15 Lot 11.02, Tax Sale Cert#22-00001
- b. Res. 2024-26 RE: Transfer Resolution
- c. Res. 2024-27 RE: PAIC Fund Commissioner
- d. Res. 2024-28 RE: Tax Sale Cert#23-00002, B7 L 17.07 (13 Whites Rd.)
- e. Res. 2024-29 RE: Tax Sale Cert#12-00003, B51 L 1.01 (34 Kitchen Rd.)

On motion by Bonnie Butler and seconded by Rich Herzer the above approvals on the Consent Agenda, minutes resignation letter, PNC signers were approved.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Mike Toretta	X		
Rich Herzer	X		
David Guth, Mayor	X	(4)Yes (0) No	(0) Absent Motion carried

On motion by Bonnie Butler and seconded by Mike Toretta the above Consent Agenda resolutions were approved below.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Mike Toretta	X		
Rich Herzer	X		
David Guth, Mayor	X	(4)Yes (0) No	(0) Absent Motion carried

RESOLUTIONS-First Reading/Adoption

INTRODUCTION/ADOPTION of:

**Resolution #2024-25
TOWNSHIP OF FRANKLIN, WARREN COUNTY
REFUND TAX OVERPAYMENT**

WHEREAS, an overpayment payment for tax sale certificate 22-00001 on Block 15, Lot 11.02, commonly known as 2092 Route 57 has occurred, and

WHEREAS, a duplicate payment was made; and

WHEREAS, proof of duplicate payment has been supplied to the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED, on the 5th day of February 2024, by the Township Committee of the Township of Franklin, Warren County, State of New Jersey, as follows:

1. The Chief Financial Officer shall issue a check in the amount of \$22,337.48 payable to Seven Up Bottling Co of Philadelphia Pension Plan 1 Glass Street, Bridgeton, New Jersey 08302.
2. That this resolution shall take effect immediately upon adoption.

David Guth, Mayor

Attest:

Denise L. Becton, Municipal Clerk

The within **Resolution 2024-25** was moved by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
Bonnie Butler	X		
Rich Herzer	X		
Mike Toretta	X		
Mayor David Guth	X	(4) Yes (0) No (0) Absent	Motion Carried

Dated: February 5, 2024

**RESOLUTION 2024-26
TRANSFER RESOLUTION**

BE IT RESOLVED by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that there are insufficient funds to meet the demands necessary for the 2023 balances in the Current Fund Budget. Includes Revenue Administration O/E. **WHEREAS**, the following accounts have sufficient excess funds to meet such demands:

Legal O/E,.

BE IT RESOLVED, that in accordance with the provisions of R.S. 40A:4-58 the Chief Financial Officer is hereby authorized to make the following transfers:

TO:	Revenue Administration O/E	2,000.00
FROM:	Legal O/E	2,000.00

The within **Resolution 2024-26** was moved by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
Bonnie Butler	X		
Rich Herzer	X		
Mike Toretta	X		
Mayor David Guth	X	(4) Yes (0) No (0) Absent	Motion Carried

Dated: February 5, 2024

CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Township Committee of the Township of Franklin, In the County of Warren, New Jersey, at a meeting held on February 5, 2024.

Witness my hand and the SEAL of the Township of Franklin.

Denise L. Becton

Denise L. Becton, Municipal Clerk

RESOLUTION 2024-27

**APPOINTMENT OF A FUND COMMISSIONER TO THE
PUBLIC ALLIANCE INSURANCE COVERAGE FUND**

BE IT RESOLVED, by the Township of Franklin, County of Warren, State of New Jersey, that it hereby appoints Bonnie Butler as the Fund Commissioner and Denise L. Becton as the Alternate Fund Commissioner for the Public Alliance Insurance Coverage Fund; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the following:

- 1. Bonnie Butler
(Fund Commissioner)
- 2. Denise L. Becton
(Alternate Fund Commissioner)
- 3. Public Alliance Insurance Coverage Fund

The within **Resolution 2024-27** was moved by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler	X			
Rich Herzer	X			
Mike Toretta	X			
Mayor David Guth	X	(4) Yes (0) No (0) Absent		Motion Carried

Dated: February 5, 2024

CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Township Committee of the Township of Franklin, In the County of Warren, New Jersey, at a meeting held on February 5, 2024.

Witness my hand and the SEAL of the Township of Franklin.

Denise L. Becton

Denise L. Becton, Municipal Clerk

**RESOLUTION #2024-28
TOWNSHIP OF FRANKLIN, WARREN COUNTY
TAX SALE REDEMPTION OF LIENHOLDER**

WHEREAS, Tax Sale Certificate #23-00002, Block 7 Lot 17.07, also known as 13 Whites Road, was issued to Smyrna Group LLC, in the amount of \$2,340.25 on December 15, 2023.

WHEREAS, the lien was redeemed on February 5, 2024, in the amount of \$2,340.25 in accordance with provisions of NJSA 54:5-60 et seq; and

NOW, THEREFORE, BE IT RESOLVED, on the 5 day of February 2024, by the Township Committee of the Township of Franklin, Warren County, State of New Jersey, as follows:

1. The Chief Financial Officer issue a check in the amount of \$2,340.25 payable to Smyrna Group LLC, PO Box 845 Tenafly, NJ 07670.
2. That this resolution shall take effect immediately upon adoption.

ADOPTED: February 5, 2024

David Guth

David Guth, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise Becton, RMC
Municipal Clerk

The within **Resolution 2024-28** was moved by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler	X			
Rich Herzer	X			
Mike Toretta	X			
Mayor David Guth	X	(4) Yes (0) No (0) Absent		Motion Carried

Dated: February 5, 2024

CERTIFICATION

I, Denise Becton, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify this to be a true copy of a resolution adopted by the Township Committee at a meeting held on February 5, 2024.

Denise L. Becton

Denise L. Becton, RMC
Municipal Clerk

**RESOLUTION #2024-29
TOWNSHIP OF FRANKLIN, WARREN COUNTY
TAX SALE REDEMPTION OF LIENHOLDER**

WHEREAS, Tax Sale Certificate #12-00003, Block 51 Lot 1.01, also known as 34 Kitchen Road, was issued to Tower Fund Service, in the amount of \$38.71 on November 22, 2013.

WHEREAS, the lien was redeemed on February 05, 2024, in the amount of \$78.71 in accordance with provisions of NJSA 54:5-60 et seq; and

NOW, THEREFORE, BE IT RESOLVED, on the 5th day of February 2024, by the Township Committee of the Township of Franklin, Warren County, State of New Jersey, as follows:

1. The Chief Financial Officer issue a check in the amount of \$78.71 payable to Tower Fund Service, PO Box 37695 Baltimore, MD 21297.
2. That this resolution shall take effect immediately upon adoption.

David Guth

ADOPTED: February 5, 2024

David Guth, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise L. Becton, RMC

Municipal Clerk

The within **Resolution 2024-29** was moved by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
Bonnie Butler	X		
Rich Herzer	X		
Mike Toretta	X		
Mayor David Guth	X	(4) Yes (0) No (0) Absent	Motion Carried

Dated: February 5, 2024

CERTIFICATION

I, Denise Becton, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify this to be a true copy of a resolution adopted by the Township Committee at a meeting held on February 05, 2024.

Denise L. Becton

Denise L. Becton, RMC
Municipal Clerk

NEW BUSINESS

Presentation – Tom Dallessio the Executive Director of the Musconetcong Watershed Association presented The Village of Asbury Strategic Community Vision Plan

A slide presentation was shared on the concept of how to make the Village of Asbury a more vibrant place and maintain its historic charm. A community questionnaire receiving 70 responses collected feedback on preliminary recommendations. Four goals were identified, and this would include traffic safety improvements, crosswalks, sidewalks, and economic vitality. The Asbury Mill Dinner will be held February 29th at Hawk Pointe and the annual 5k will be held May 5th.

Swearing in of Franklin Township Fire Police Officials; John Chanda and Esley Peters – Mayor Guth swore in the fire police for a one-year term.

OLD BUSINESS

Public Hearing – Ordinance 2024-1

ORDINANCE 2024-1

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

-Motion to open Public Hearing - Committeeperson Bonnie Butler made the motion and seconded by Committeeperson Mike Toretta, Unanimous Vote.

-Public Comments - none heard

-Motion to close Public Hearing and Adopt - Committeeperson Mike Toretta made the motion and seconded by Committeeperson Bonnie Butler, Unanimous Vote.

Roll Call Vote:	Yes	No	Absent/Abstained
Bonnie Butler	X		
Rich Herzer	X		
Mike Toretta	X		
Mayor David Guth	X	(4) Yes (0) No (0) Absent	Motion Carried

Presentation

WC Habitat for Humanity – Nevitt Duveneck reintroduced a Concept Plan for the Old Hunter’s Tavern location at Block 34 Lot 20. Three duplex units in a crescent formation will qualify for Affordable Housing Development. Deputy Mayor Herzer is concerned with the parking and its proximity to Stewartville Road. Only the north exit would be utilized. The remaining structure on the lot would either be demolished or rehabilitated as it is of historical nature. The township committee will be in contact with Mr. Duveneck if they would like to proceed.

REPORTS/UPDATES

Engineer – Engineer Finelli touched base on the earlier discussion of the 2024 NJDOT Grant of Good Springs and Willow Grove Roads. There is no urgency to move forward tonight but due to the shortfall awarded in this grant we need to figure out which road needs the most work. The Millbrook Road DOT grant for the pipe crossing, that was prior awarded, is ready to go out to bid. Repair of the July storm damages to Millbrook Road, there is a timeline for repairs to be completed by July 2024. The Dioxanne project comments have been received and revised plans are being resubmitted. Hopefully we can start construction in the spring. Donna Becker, Mayor Guth, Foreman Biel met to discuss how to spend the money for the Stormwater MS4 Compliance.

Attorney – Attorney Benbrook informed us that Resolution 2024-25 adopted this evening to refund a double tax payment was done without affecting our budget. The Tigar property we were successful to Show Cause Order and has a six-month deadline to remove the trailers and tires. The auction of two municipal properties is ready to close and should be able to get money in the bank and in our 2024 budget. The attorney will obtain a few proposals on the 40+ acres of land donated for an on-line auction.

Committee Reports:

Bonnie Butler – The municipal clerk is diligently working on the \$6,250 reimbursement through the SADC for the Farmland Preservation Plan. The Senior Walk has been set up and scheduled for Mondays 1-3:00 p.m. and Thursdays 9-11:00 a.m. You only need to register your first time and sign in upon arrival.

Michael Toretta – Nothing further to report.

Rich Herzer – Nothing further to report.

David Guth - Nothing further to report.

Open Space- No representation

Zoning Officer- Jim Onembo not present - Report submitted and on file.

Recycling Coordinator – No report submitted.

Fire Department/EMS – Report submitted and on file – Fire calls for 2023 146 in Franklin Township, 36 of those calls were requested for mutual aid. EMS calls for 2023, a total of 760 in Franklin, 463 of those calls request for mutual aid. Chief Brown informed of members attending EMT training and Fire Fighter I. A battery-operated tool was purchased for motor vehicle accidents and requires special training, once completed, the tool will be placed in service. Station 4, EMS station, has been rehabilitated from the flood and returning to available status. New fuel cards were received, and private pin #'s were issued to those authorized to purchase fuel. 57-61 will be refurbished. The attorney will investigate an ordinance to submit bills for extended rescues for reimbursement.

DPW- Joe Biel – Report submitted and on file.

OEM/911 Coordinator – Report submitted and on file - OEM Tabert advised we must remain on target for the completion of the Millbrook Road storm damages by July 2024. Attorney Benbrook assisted our OEM as to a Procurement Policy and downloaded the State of NJ’s policy for reference.

FTYA- no representation

At approximately 8:09 p.m. Mayor Guth opened the floor to the Public. Unanimous vote.

Hearing nothing from the public, Open Public Session was closed at 8:09 p.m. Unanimous vote.

At this time, the committee will commence into an Executive Session on motion by Mike Ferri and s seconded by Rich Herzer at 8:10 p.m.

EXECUTIVE SESSION

BE IT RESOLVED on this 5th day of February 2024, 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 – DPW Personnel
Personnel – Policy Manual (Sick Leave Policy)
Personnel – Township Committee (Vacancy of)**

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 5th day of February 2024 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at approximately 8:10 p.m.

On motion by Bonnie Butler and seconded by Mike Toretta to exit to executive session at 8:10 p.m. Unanimous Vote.

On motion by Mike Tortta and seconded by David Guth to return to the regular session at 8:59 p.m. Unanimous Vote.

Attorney Benbrook summarized the executive session discussions. The DPW Foreman was addressed as to emails and daily work logs. The Sick Leave Policy will be amended to read full-time employees employed as of December 31, 2022, shall be paid for ½ of accumulated unused sick time up to \$15,000 in lieu of \$12,000.

Three names were selected/received by the Republican County Committee Chairperson due to the recent vacancy on the township committee.

On motion by Mike Toretta and seconded by Rich Herzer to choose Sarah Payne to fill the vacancy effective immediately once she is sworn in.

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler	X		
Rich Herzer	X		
Mike Toretta	X		
David Guth, Mayor	X	(4) Yes	(0) No (0) Absent Motion carried

On motion by Bonnie Butler and seconded by David Guth to approve the bills received by the CFO as submitted.

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler	X		
Rich Herzer	X		
Mike Toretta	X		
David Guth, Mayor		X (4) Yes	(0) No (0) Absent Motion carried

On motion by Bonnie Butler and seconded by David Guth, hearing no objection, meeting stands adjourned at 9:02 p.m.

Respectfully submitted,

Denise L. Becton

Denise L. Becton, RMC/CMR
Municipal Clerk