

REGULAR MONTHLY MEETING

The Franklin Township Committee held their regular monthly meeting on Monday, March 6, 2023, at the hour of approximately 7:00 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.

Following the flag salute, **Roll Call of Committeepersons present:** Bonnie Butler, Mike Ferri, David Guth, Richard Herzer, Mike Toretta (5)Yes, (0) No, (0) Absent.

Present were: Kevin Benbrook, Municipal Attorney (joined the meeting at approx.. 8:30pm), Mike Finelli, Municipal Engineer, Joe Biel DPW Foreman, Kathleen Reinalda, CFO, Denise L. Becton, Municipal Clerk

CONSENT AGENDA:

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

2. APPROVAL OF MINUTES/RAFFLES/RESIGNATION LETTER

- a. Re-Org Meeting **RE: February 6, 2023**
- b. Executive Meeting **RE: February 6, 2023**
- c. Raffle Lics. #2023-1 **RE: On-Premises Tricky Tray, May 6, 2023, WC Habitat for Humanity**
- d. Raffle Lics. #2023-2 **RE: On-Premises 50/50, May 6, 2023, WC Habitat for Humanity**
- e. Resignation Letter **RE: DPW Road Laborer II**

3. RESOLUTIONS – FIRST READING/ADOPTION

- a. Res. 2023-28 **RE: Tax refund, Block 33 Lot3, \$2,748.32**
- b. Res. 2023-29 **RE: Budget Transfer**
- c. Proclamation **RE: Older Americans Month-May 2023**
- d. Res. 2023-30 **RE: Tax refund, Block 38 Lot 9, \$2,428.25**

On motion by David Guth and seconded by Rich Herzer the above Consent Agenda items were approved.

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) Absent Motion carried

INTRODUCTION/ADOPTION of:

RESOLUTION NO. 2023-28

WHEREAS, a tax payment was made in error by the property owner of Block 33 Lot 3 and,

WHEREAS, the owner has requested a refund check be issued,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$2,748.32 to Robert and Francine Golebowski, 33 Edison Road, Stewartsville, NJ 08886.

On motion by David Guth and seconded by Rich Herzer the aforementioned **Resolution 2023-28** be adopted as read.

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

Dated: March 6, 2023

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 March 6, 2023.

Denise L. Becton

Denise L. Becton, Municipal Clerk

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, STATE OF NEW JERSEY**

**RESOLUTION – 2023-29
BUDGET TRANSFER**

WHEREAS, N.J.S.A. 40A:4-58 and 59 authorizes transfers from certain budget appropriations where it is expected that it will be insufficient, and

WHEREAS, it is reasonable expected that certain appropriations will not be sufficient for contemplated expenditures;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of Franklin Township, County of Warren, State of New Jersey, is hereby instructed to adjust the financial records in accordance with the provision of this Resolution:

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Animal Control Services O/E	800.00	
Solid Waste Collection S/W	1,300.00	
Road Maintenance O/E	3,491.00	
Legal Services O/E	1,100.00	
Employee Group Insurance	3,352.00	
Municipal Clerk S/E	600.00	
Tax Assessment O/E	300.00	
Engineering Services O/E	600.00	
Historical Sites Office O/E	300.00	
Zoning Officer O/E	492.00	
Mayor & Council O/E	200.00	
Financial Administration S/W	665.00	
EMS Vehicle Lease	800.00	
General Admin O/E		1,000.00

Land Use Board O/E	4,000.00
Fire O/E	1,000.00
Buildings & Grounds O/E	4,000.00
Street Lighting	1,000.00
Gasoline	3,000.00

TOTALS **\$14,000** **\$14,000**

On motion by David Guth and seconded by Rich Herzer the aforementioned **Resolution 2023-29** be adopted as read.

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

Dated: March 6, 2023

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Denise L. Becton

Denise L. Becton, Municipal Clerk

Proclamation

Older Americans Month

May 2023

Whereas, the month of May is traditionally designated Older Americans Month by the U.S. Department of Health and Human Services; and

Whereas, the theme for Older Americans Month 2023 is “Aging Unbound”, which offers an opportunity to explore diverse aging experiences and discuss how communities can combat stereotypes.

Whereas, Franklin Township, Warren County, NJ includes countless older Americans who enrich and strengthen our community; and

Whereas, Franklin Township is committed to engaging and supporting older adults, their families, and caregivers; and

Whereas, we acknowledge the importance of taking part in activities that promote physical, mental, and emotional well-being—no matter your age; and

Whereas, Franklin Township can enrich the lives of individuals of every age by:

- promoting home- and community-based services that support independent living;
- involving older adults in community planning, events, and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

Now therefore, the Mayor and Township Committee, of Franklin Township, Warren County, NJ does hereby proclaim May 2023 to be Older Americans Month. Residents are encouraged to take time during this month to acknowledge and recognize older adults as vital members of our community.

Dated this 6th day of March, 2023

RESOLUTION NO. 2023-30

WHEREAS, a tax payment was made in error by the property owner’s mortgage company on Block 38 Lot 9 and,

WHEREAS, the owner has requested a refund check be issued,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$2,428.25 to Sean Dauer, 40 Thatcher Avenue, Stewartsville, NJ 08886.

On motion by David Guth and seconded by Rich Herzer the aforementioned **Resolution 2023-30** be adopted as read.

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

Dated: March 6, 2023

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Denise L. Becton

Denise L. Becton, Municipal Clerk

At this time Mayor Toretta opened the floor to Engineer, Nevitt Duveneck for WC Habitat for Humanity, and the grading of the last developed residential lot, 32 Beidleman Road, Lot 9.08, and the adjacent farm field.

Mr. Duveneck informed that they encountered a lot of rock and a good-sized pile of dirt that they will either have to pay to haul away or could fill a small swale in the adjacent field. After speaking with Roger Woolf who farms this land, he has no objection to do this but should be done sooner than later so it won’t interfere with his crop.

On motion by Bonnie Butler and seconded by David Guth to approve this work to be done accordingly.

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) Absent Motion carried

Donna Detrick thanked the committee for partnering with WC Habitat for Humanity, three houses are sold and two homes to be completed.

NEW BUSINESS

Introduction/Adoption of Resolution 2023-27

Township of Franklin

RESOLUTION 2023-27

Supporting Solar Landscape Community Solar Projects

At 2010 Route 57 and 2067 Route 57

Whereas, for more than a decade, the State of New Jersey has promoted energy policies that have created a vibrant solar energy market: and

Whereas, the State of New Jersey adopted the 2019 New Jersey Energy Master Plan, *Pathway to 2050* (EMP): and

Whereas, Strategy 6 of the EMP calls for support of community energy planning and action with an emphasis on encouraging and supporting participation by low and moderate income and environmental justice communities; and

Whereas, Goal 6.2.1 of the EMP calls for the support of community- led development of community solar projects; and

Whereas, this township committee is knowledgeable about the direct benefits of community solar projects as approved by the New Jersey Board of Public Utilities, including the following:

- Local clean power generation
- Support for active participation in the program by low to moderate income families
- Reduction of energy bills for all participants
- Job training and support

Now Therefore Be It Resolved on this 6th day of March 2023, by the Township of Franklin, County of Warren, State of New Jersey that:

1. The Township of Franklin supports the Community Solar Projects proposed for 2010 Route 57 and 2067 Route 57.
2. The Township of Franklin endorses for selection the Solar Landscape Community Solar Projects listed above.

Dated: March 6, 2023

Denise L. Becton, Township Clerk

Michael Toretta, Mayor

On motion by David Guth and seconded by Mike Ferri the aforementioned **Resolution 2023-27** 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) Absent Motion carried

Dated: March 6, 2023

Certification

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify that the foregoing Resolution is a true and exact copy adopted by the Township of the Committee of the Township of Franklin on March 6, 2023.

Denise L. Becton

Denise L. Becton, RMC/CMR
Municipal Clerk

First Reading/Introduction of Ordinance 2023-4 – Tabled until next month, April 3, 2023

ORDINANCE 2023-4

AN ORDINANCE TO AMEND CHAPTER 120 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED, “STREETS AND SIDEWALKS”

Discussions/Approvals

Daniel’s Law – Appointment of a redactor, Denise L. Becton, Municipal Clerk.

On motion by Mike Ferri and seconded by David Guth to appoint Denise L. Becton as redactor for Franklin Township, Warren County, NJ.

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) Absent Motion carried

OLD BUSINESS

Public Hearing - Ordinance 2023-3

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, NEW JERSEY
ORDINANCE NO. 2023-3**

AN ORDINANCE ESTABLISHING A NEW CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED, “REGISTRATION OF RENTAL PROPERTIES AND BUSINESSES”

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

Public Comments ranged from why did we have to adopt this ordinance and is asbestos included within this ordinance?

This requirement came to light August 5, 2022 Governor Murphy signed into law business owners and rental unit owners to maintain certain liability insurance policies and to register a certificate of insurance with the municipality annually in which the business/rental is located. Asbestos is not included in this ordinance.

Close Public Comments on motion by Mike Ferri and seconded by Rich Herzer.

On motion by Mike Ferri and seconded by Bonnie Butler the aforementioned **Ordinance 2023-3** be adopted.

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

REPORTS/UPDATES

Engineer – Millbrook Road received total Grant money in the amount of \$297,322 for Sections I, II, III with a shortfall of \$35,000. CFO informed we will be in a better position next Monday to discuss the American Rescue Plan and what it can be used for. A Grant up to \$75,000 is now available to assist those municipalities adjusting from Stormwater Tier B to Tier A as well as the Highlands has a Grant. Engineer will pursue both Grants. The 1,4 Dioxane Project, Donna has reached out to those homeowners that wish to keep their wells for agricultural purposes. They will have to pay an administrative fee to do so. A quote has been provided by Colaluce. Solar RFP’s for the Beidleman Road proposal is completed. Mark Bellin will be at our next meeting to speak to the committee as to the technical aspects and to help educate in the process.

Attorney – Report on file.

Open Space- Beth Barry inquired as to where we are with an Open Space Clerk and reorganizing of the commission. Mayor is working on this and will inform.

Zoning Officer – Not present -Report submitted and on file.

Recycling Coordinator – Report submitted.

Fire Department/EMS – Esly Peters in attendance this evening informing that a full report will be given next month.

DPW- Joe Biel – Report submitted – Foreman Biel inquired why his account through Padik was canceled. The Deputy Mayor was told by Mayor Toretta to cancel the account and deal with local merchants. Foreman advised that Padik is cheaper in cost than purchasing local and free delivery, saving the township money by using Padik. Committeeperson Butler feels there is a lack of respect, there are five committee members and two people telling the DPW what to do. The attorney informed that a liaison is not a boss just a go between the committee and the department and can be given authority to run a department and their day-to-day operations. A discussion to change our payroll from bi-monthly to bi-weekly. The CFO can do this and would be better with the use of the biometric time clock.

OEM/911 Coordinator – Report submitted. Verizon sent an agreement to be executed for cellular service on our OEM laptop. Deputy OEM will look into this and also through Comcast which is our current internet provider and the cost.

FTYA- no representation

FTCC – Committeeperson Herzer and Deputy Guth met with Eddy and the CFO as to the cost of the heat and what line item it is paid out of. The meeting was productive. Eddy will look into our past JCP&L bills to determine why we are still being charged \$540 on this month’s bill with solar.

CFO – Working with a matter between IT and our Construction Official. Their new computer does not support their current Road Runner program.

Committee Reports:

Bonnie Butler – Committeeperson Butler will need to sit down with the attorney to address updates to the Policy Manual. This evening she met Congressman Kean at the MWA and the changes in the Mill are outstanding. Child abuse training needs to be addressed for all committeepersons. We need to figure out what we can use the American Rescue Plan money on.

Rich Herzer – Committeeperson Herzer and Deputy Mayor Guth met with Eddy Patient in reference the Community Center. Also, we need to coordinate the donated money from the Lions Club for the seniors.

David Guth – Deputy Mayor and Committeeperson Herzer met with the teamsters; negotiations went well.

Mike Ferri – Can we make authorize the CFO to pay monthly utility bills automatically, so we don't get behind and pay late fees? CFO will proceed to move forward with this.

Michael Toretta – Nothing further to report.

Open Public Session:

At approximately 8:08 p.m. opened the floor to the Public. Unanimous vote.

Don Gonczy – Mr. Gonczy inquired if any fire hydrants will be installed with the Dioxane Water Project. Engineer Finelli informed a few will be installed.

Sean Dauer – Is there a way to expedite the tax refund from Resolution 2023-30 adopted this evening in the amount of \$2428.25. The check has been cut and the municipal clerk will hand it to them after the meeting.

Marilyn Brandt - Ordinance 2023-3 titled, "Registration of Rental Properties and Businesses", seems very redundant, businesses already register with the State of NJ and now we have to register with the township. And the collecting of data of small children for Lead Paint seems to be a gross invasion of children and outrageous. Ms. Brandt was informed this ordinance was not something we created but was in the direction of the State Statutes for municipalities to comply with.

Hearing nothing further from the public, Open Public Session was closed at 8:18 p.m. Unanimous vote.

At this time, the committee will commence into an Executive Session on motion by Mike Ferri and seconded by Bonnie Butler at 8:18 p.m.

EXECUTIVE SESSION

BE IT RESOLVED on this 6th day of March 2023, 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

Contract Negotiations – Shared Services
Personnel – Tax Collector's Office/DPW

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 6th day of March 2023 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at approximately 8:18 p.m.

On Motion by Mike Ferri and seconded by Bonnie Butler to exit to executive session at 8:18 p.m. Unanimous Vote.

On motion by Rich Herzer and seconded Mike Ferri to return to the regular session at 9:13 p.m. Unanimous Vote.

Attorney Benbrook summarized the executive session discussions. As to the In-REM Foreclosures, 2191 Rt. 57, Block 17 Lot 14, Winset Corporation, satisfied we did everything right, this particular property was in a corporation name and hasn't been receiving tax bills/notices due to their mailing address not being up to date. To vacate this judgement of foreclosure a check in the amount of redemption is required in the amount of \$41,808.50.

On motion by Mike Ferri and seconded by Bonnie Butler to authorize the attorney to vacate the foreclosure if the full amount as stated above is received and no later than March 9th.

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

On motion by Rich Herzer and seconded by David Guth to authorize the municipal clerk to advertise for a Road Laborer II position in the NJLOM and Website.

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

A lengthy discussion was had as to liaisons responsibilities and to Personnel Policy and to streamline how we communicate with our employees, resignation and retirement policies, etc.

Committeeperson Butler was authorized to reach out on behalf of the committee to perspective candidates of interest for the Tax Collector's position candidates as well as a position of interest, unanimous vote.

Committeeperson Butler and Attorney Benbrook will review the Draft of Ordinance 2023-4 as well as the Personnel Manual for discussion/introduction at April's meeting.

Attorney Benbrook and Committeeperson Butler will sit down to discuss changes to the Policy Manual.

On motion by David Guth and seconded by Mike Ferri to approve the bills to be paid once received by the CFO and initialed by the township committee.

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

The purchase of DPW uniforms discussed should be placed in their Collective Bargaining Agreement.

Fire Extinguishers serviced by Cintas this year should research someone cheaper for next year.

On motion by Bonnie Butler and seconded by Rich Herzer, hearing no objection, meeting stands adjourned at 9:25 p.m.

Respectfully submitted,

Denise L. Becton, RMC/CMR
Municipal Clerk