

REGULAR MONTHLY MEETING

The Franklin Township Committee held their regular monthly meeting on Monday, April 3, 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, Mike Finelli, Municipal Engineer, Jim Onembo, Zoning/Code Enforcement Officer, Joe Biel DPW Foreman, Kathleen Reinalda, CFO, Denise L. Becton, Municipal Clerk

CONSENT AGENDA:

(One Roll Call to approve the following agenda items 2-4)

2. APPROVAL OF MINUTES/LETTERS

- a. Regular Meeting **RE: March 6, 2023**
- b. Executive Meeting **RE: March 6, 2023**
- c. Budget Workshop Meeting **RE: March 13, 2023**
- d. Executive Workshop Meeting **RE: March 13, 2023**
- e. Balloon Port/launch Letter **RE: WC Tech April 28, 2023**
- f. Balloon Festival Area 57 Letter **RE: WC Community College April 29-June 18, 2023**

3. RESOLUTIONS – FIRST READING/ADOPTION

- a. Res. 2023-32 **RE: Municipal Alliance - Form 1B**
- b. Res. 2023-34 **RE: Resolution to hire a Tax Collector**

4. APPOINTMENTS

- a. Zoning Officer **RE: Daniel’s Law Redactor**

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

****Let the record reflect that Mike Ferri abstained from the Budget Workshop Meeting and Executive Session Minutes ONLY.***

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 2023-32

FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Town Council of the Town of Franklin County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Town Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Town of Franklin, County of Warren, State of New Jersey hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the Franklin/Mansfield/Washington Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$938.00
Cash Match	\$234.50
In-Kind	\$703.50

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Mike Toretta, Mayor
Franklin Township, Warren County, NJ

On motion by David Guth and seconded by Rich Herzer the aforementioned **Resolution 2023-32** 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 13, 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 April 3, 2023.

Denise L. Becton

 Denise L. Becton, Municipal Clerk

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

RESOLUTION NO. 2023-34

RESOLUTION TO HIRE A TAX COLLECTOR

BE IT RESOLVED, that the Township of Franklin hereby authorizes the following:

<u>Name</u>	<u>Position</u>	<u>Salary</u>	<u>Hours</u>
Cameron Keng	Tax Collector per annum	\$26,500.00 <i>Effective 4/1/2023-12/31/23</i> <i>(Unexpired term)</i>	Wednesday and Friday Evenings 1.5 Hours Each Evening; Tuesday Evening(s) During Tax Season

On motion by David Guth and seconded by Rich Herzer the aforementioned **Resolution 2023-34** be adopted as read.

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

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held in the Municipal Building, on April 3, 2023.

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

Denise L. Becton

Denise L. Becton, Municipal Clerk

NEW BUSINESS

Presentation – Franklin Township Board of Education

At this time Mayor Toretta opened the floor to Tim Duryea, Board Secretary for Franklin Township Board of Education. Mr. Duryea addressed the committee as to their 2023 Budget. The Tax Levy is down .42% and no debt. Thanking the committee for their support and the DPW appreciate all they do. Implementation of a Full-Time Pre-School Program as to a Grant that is free for our residents. This Grant will exist in perpetuity as the program continues. There has been a large decline in student enrollment but remains steady currently. The average class size is 14 pupils. A Grant totaling in the past two years of \$90,000 was received for Mental Health. Looking into programs from the YMCA and like organizations for summer recreation programs. Also budgeted for roofing work to be done on the 2002 edition of the building and would like to mount solar panels. Health Insurance has increased by 8%. Our education is projected so it won't burden families for fees for class trips, school supplies other than their free/reduced lunches.

Introduction of: Ordinance 2023-4 - TABLED

First Reading/Introduction of Ordinance 2023-4 – Tabled until next month, May 1, 2023

ORDINANCE 2023-4

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

Introduction of: Ordinance 2023-5

**TOWNSHIP OF FRANKLIN
COUNTY OF WARREN
ORDINANCE NO. 2023-5**

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE CHARITABLE DONATION OF BLOCK 1, LOT 4 FROM PRL WARREN LLC

WHEREAS, the Township has been offered to acquire by donation real property within the Township identified as Block 1, Lot 4; and

WHEREAS, the Township now desires to accept the donation of the property by Ordinance as permitted by statute.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Franklin, in the County of Warren, and State of New Jersey, as follows:

I. Property Acquisition.

1. The Township shall accept a Deed for the property as approved by the Township Attorney for Block 1, Lot 4 from PRL Warren LLC.
2. The acceptance of the conveyance is conditioned upon all taxes being paid through the date of receipt of the Deed.
3. The Township shall execute IRS Form 8283 upon preparation and submission by the donator.
4. The Township’s acceptance of the donation is conditioned upon the receipt of title insurance and Deed and related closing documents in a form acceptable to the Township Attorney.

II. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause of provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

III. Repealer. All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

IV. Effective Date. This Ordinance shall take effect after final passage, adoption and publication according to law.

On motion by Bonnie Butler and seconded by Rich Herzer the aforementioned **Ordinance 2023-5** be adopted as read. Final reading and adoption to take place on May 1, 2023, at **7:00 p.m. or near that hour.**

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on April 3, 2023, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on May 1, 2023, at 7 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 2093 Rt. 57, Broadway, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Denise L. Becton

Denise L. Becton, Municipal Clerk

Introduced: April 3, 2023

Adopted: May 1, 2023

OLD BUSINESS

Discussion

Open Space Clerk (Re-Organization of Commission) and Agricultural Advisory Committee - **TABLED**

REPORTS/UPDATES

Engineer – Millbrook Road Sections I, this Phase will start next week applying a 2” overlay and blacktop. Project will begin at Rt. 57 up to approximately Wayne Ferguson’s bridge. Township Committee informed engineer that Sections II, III with a shortfall of \$35,000. The township committee said to proceed until grant money is exhausted, no additional money out of township’s pocket. MS4 Permit Tier A Grant Application submitted for \$75,000. The 1,4 Dioxane Project schedule has been updated and passed out to the township committee, we are in the Design Phase currently.

Attorney – Report submitted and on file. Attorney Benbrook will follow up with the Engineer as to the needed easements for the 1,4 Dioxane Water Line Project. The In-REM Foreclosure on 2191 Rt. 57 was dismissed from foreclosure. The endorsed Tax Sale Certificate was given to Attorney Benbrook this evening. Will meet with Committeeperson Butler next week as to amendments to our Personnel Policy. Mr. Benbrook will follow up as to the Solar on the Kober’s property.

Open Space- No one present

Zoning Officer – Report submitted and on file. A discussion ensued as to a discrepancy of a Private Road vs. a Public Road for Audrey Lane aka., New Street and the ability to build on a vacant lot without a variance. Engineer Finelli informed how the decision was made to determine a Public Road. All other roads are classified as Private surrounding Audrey Lane. Attorney Benbrook and Zoning Officer will further investigate this area; roads including Mueller Lane, Skinner Ct., Olde St., Franklin St., Audrey Lane. A Zoning Citation dating back to January of 2022 will be heard in August per the court, as they are unable to keep up with trials being requested. Attorney Benbrook will investigate a resolution giving our Zoning Officer more teeth to deal directly with the resident. T&M Pallet has been visited regularly and has seen a decrease in trailers and tires on township property. Further discussion as to the possibility of a business of selling tires internationally. A water/health/mosquito concern with the tires that are piling up and the WC Health Department has been notified.

Recycling Coordinator –

Fire Department/EMS – Chief Brown Captain of EMS Karen Chiu and Secretary Chrissy Brown were also in attendance.

Responded in March to a structure fire (solar panels) knocked down quickly noting no structural damage and the family was able to live in their home afterwards. They also responded to a severe automobile accident. In the month of March Fire was dispatched to 15 calls and EMS was dispatched to 82 calls. There has been a noticeable trend to volunteer availability during the day and it has become detrimental. They have reached out to local agencies for assistance and a proposal has been received by Lebanon Township Fire Department for Emergency Services. The proposal will provide an ambulance stationed at our ems building two days a week from 8 am – 5 pm on a temporary trial basis. They will respond to our calls dispatched including mutual aid requests. The patient’s insurance company will be billed, and whatever isn’t paid will be billed directly to the patient. Zero cost to the township or to the squad and will be reevaluated monthly.

DPW- Joe Biel – Report submitted – Foreman Biel will have two guys available to him this Friday/Saturday to assist with curbside brush pickup. Soccer season will begin and fields in Asbury need to be prepped by April 22nd.

OEM/911 Coordinator – nothing to report.

FTYA- no representation

FTCC – no representation

Committee Reports:

Bonnie Butler – Committeeperson Butler met with Recycle Coordinator Kevin Murray and Foreman Biel Saturday to address the leaf disposal issue. It is very problematic to dispose leaves at the road garage, securing proper permits and uses a lot of manhours. Looking into a voucher system where our residents can gather and drop off their leaves at Rotondi. Need to create a notice for the website and/or mail with our tax bills to educate our residents on this process. A meeting with Attorney Benbrook on April 14th for further discussion with Personnel Manual updates. In speaking with our new Tax Collector it was informed that Edmonds bought out MSI (our current tax software). Since we are already with MSI will make the process a little easier to rollover and what we paid MSI will get credited back to us. Mr. Keng is looking to have a check deposit reader in house for faster tax check processing. Attorney Benbrook reminded us to have a separate account for the Collector to prevent comingling. Lastly, Barbara Haskins Davis of the Land Conservancy informed us that the Farmland Plan has been pushed back by the State. We need to schedule a meeting for the Agricultural Advisory Board.

Rich Herzer – Committeeperson Herzer would like to see a mailer go out to our older residents informing them of meals/activities that are available to them in our County. Possible that the Lions Club could earmark some money for the cost of the mailers. Attorney Benbrook advised of an annual newsletter free to municipalities, he will look into this from one of his municipalities. Our website also is a good tool for seniors as the calendars/activities are posted monthly and placed in our municipal foyer, maybe place something in with our tax bills to help spread the word.

David Guth – Nothing further to report.

Mike Ferri – Nothing further to report.

Michael Toretta – Nothing further to report.

CFO – Met with Mayor Toretta to finalize budget numbers. Oil/Chip use American Rescue Plan monies. Earmark some money for Cyber Security. Adopting a small Open Space Tax will help to regenerate a cushion. Currently, we are looking at a one-cent tax increase.

Open Public Session:

At approximately 8:37 p.m. opened the floor to the Public. Unanimous vote. Hearing no public comment floor was closed at 8:37 p.m.

At this time, the committee will commence into an Executive Session on motion by Bonnie Butler and seconded by Mike Ferri at 8:37 p.m.

EXECUTIVE SESSION

BE IT RESOLVED on this 3rd day of April 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.

Personnel – 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 3rd day of April 2023 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at approximately 8:37 p.m.

On Motion by Bonnie Butler and seconded by Mike Ferri to exit to executive session at 8:37 p.m. Unanimous Vote.

On motion by Bonnie Butler and seconded Rich Herzer to return to the regular session at 9:14 p.m. Unanimous Vote.

Mayor Toretta summarized the executive session discussion. Full-time and part-time DPW employees and replacing a Road Laborer review of resumes/applications received.

On motion by David Guth and seconded by Rich Herzer to hire a part-time seasonal employee, mid-April through October 1st for roadside mowing \$30/hr.

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler			X	
David Guth	X			
Rich Herzer	X			
Michael Ferri			X	
Mike Toretta, Mayor	X (3)	Yes (0)	No (2) Abstained	Motion carried

Township Committee's consensus for Deputy Mayor Guth and Committeeperson Butler to review/interview DPW full-time Road Laborer Candidates upon recommendation of the committee/DPW. Unanimous vote.

Committeeperson Butler will purchase bottled spring water for the municipal building at Shoprite, on motion by Rich Herzer seconded by David Guth.

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 Bonnie Butler and seconded by David Guth to approve the bills to be paid per CFO's bill list submitted.

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 Bonnie Butler and seconded by Rich Herzer, hearing no objection, meeting stands adjourned at 9:19 p.m.

Respectfully submitted,

Denise L. Becton, RMC/CMR
Municipal Clerk