

REGULAR MONTHLY MEETING

The Franklin Township Committee held their regular scheduled monthly meeting on Monday, September 9, 2024, 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) Present, **(1) Absent – Sarah Payne**

Present were: Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney (joined the meeting at 7:12 p.m.), Joe Biel, DPW Foreman, Shawna Tabert, OEM, Jim Onembo, Zoning Officer, Denise L. Becton, Municipal Clerk

CONSENT AGENDA:

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

- 2. **APPROVAL/ADOPTION of**
 - a. Meeting Minutes **RE: July 1, 2024**
 - b. Res. 2024-57 **RE: Tax Sale Redemption Cert#23-00011 B56 L18**
 - c. Res. 2024-58 **RE: DPW Road Laborer Hire**
 - d. Res. 2024-59 **RE: Amendment to Salary Ordinance 2024-4**
 - e. Res. 2024-60 **RE: Tax overpayment refund B61 L21 Tax Sale Cert#2022-006 \$181.06**
 - f. Res. 2024-61 **RE: Tax overpayment refund B16 L23 Q0323 Tax Sale Cert#2023-0005 \$313.52**
 - g. Res. 2024-62 **RE: Tax overpayment refund B18 L1.04 Q0059 Tax Sale Cert#2023-0006 \$36.59**
 - h. Res. 2024-63 **RE: Tax overpayment refund B16 L9.03 Q0320 Tax Sale Cert#2023-0004 \$122.30**
 - i. Res. 2024-64 **RE: Tax Lien to abandon properties, removal of debris, brush, noxious growth**
 - j. **Res. 2024-65*** **RE: A resolution authorizing payment in lieu of medical benefits for year August 1, 2023-July 31, 2024 (Denise Becton)**
 - k. Res. 2024-66 **RE: Tax Sale Redemption of Lienholder, Certificate#2021-002 Block 12 Lot 3 \$53,188.83**
 - l. Res. 2024-67 **RE: A resolution of the Township of Franklin, County of Warren, State of New Jersey, fixing the rate of interest to be charged on delinquent taxes or assessments and process/cancel any refund or delinquency**
 - m. Res. 2024-68 **RE: A resolution to cancel 2023 balances and credits of less than \$10.00**
 - n. Res. 2024-69 **RE: Tax Lien to abandon properties, removal of debris, brush, noxious growth**

On motion by Committeeperson Butler and seconded by Committeeperson Toretta, the Consent Agenda letters a. – n. was approved. ***Let the record reflect that Committeeperson Butler voted NO only to letter j. Resolution 2024-65.**

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	*X		
Rich Herzer	X		
Sarah Payne			X
Mike Toretta	X		
David Guth, Mayor	X	(4) Yes (0) No (1) Absent	Motion carried

RESOLUTIONS

Introduction/Adoption of: Resolution #'s 2024-57, 2024-58, 2024-59, 2024-60, 2024-61, 2024-62, 2024-63, 2024-64, 2024-65, 2024-66, 2024-67

**RESOLUTION #2024-57
TOWNSHIP OF FRANKLIN, WARREN COUNTY
TAX SALE REDEMPTION OF LIENHOLDER**

WHEREAS, Tax Sale Certificate #23-00011, Block 56 Lot 18, also known as 428 Old Main Street, was issued to Smyrna Group LLC, in the amount of \$3,764.29 on July 1, 2024, additional check premium refund of \$2,800.00.

WHEREAS, the lien was redeemed on June 21, 2024, in the amount of \$3,764.29 in accordance with provisions of NJSA 54:5-60 et seq; and

NOW, THEREFORE, BE IT RESOLVED, on the 1st day of July 2024, by the Township Committee of the Township of Franklin, Warren County, State of New Jersey, as follows:

1. The Chief Financial Officer issue checks in the amount of \$3,764.29 & \$2,800.00 payable to Smyrna Group LLC, PO Box 845 Tenafly, NJ 07670.
2. That this resolution shall take effect immediately upon adoption.

ADOPTED: September 9, 2024

David Guth

David Guth, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise Becton, RMC
Municipal Clerk

On motion by _____ and seconded by _____ the aforementioned **Resolution 2024-57** be adopted as read.

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

RESOLUTION NO. 2024-58

RESOLUTION TO HIRE A DPW Road Laborer

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

<u>Name</u>	<u>Position</u>	<u>Salary</u>	<u>Hours</u>
Joseph Taborelli	Road Laborer	\$50,000.00 per annum. <i>Effective 7/29/2024</i>	Full-Time

On motion by _____ and seconded by _____ the aforementioned **Resolution 2024-58** be adopted as read.

RESOLUTION 2024-59

**A RESOLUTION FIXING THE SALARIES OF CERTAIN OFFICERS
AND EMPLOYEES OF THE TOWNSHIP OF FRANKLIN**

BE IT ORDAINED, by the Mayor and Committee of the Township of Franklin, County of Warren and State of New Jersey, as follows, until a subsequent salary resolution is adopted

Section I. The salary for 2024 for the following employees of the Township of Franklin shall be as follows effective immediately.

<u>Title</u>	<u>Salary</u>
DPW Road Laborer I	\$50,000.00

Section II Any resolution or part of resolution inconsistent herewith is hereby repealed.

RESOLUTION NO. 2024-60

WHEREAS, a subsequent tax payment was made in error by the lienholder Block 61 Lot 21 Tax Sale Certificate # 2022-006 and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$658.30 to George Banghart Jr., 74 Good Springs Road, Asbury, NJ 08802.

RESOLUTION NO. 2024-61

WHEREAS, a subsequent tax payment was made in error by the lienholder Block 16 Lot 23 Q0323 Tax Sale Certificate # 2023-0005 and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$313.52 to Allison Corriere., 2025 Stocker Mill Road, Easton, PA 18045.

RESOLUTION NO. 2024-62

WHEREAS, a subsequent tax payment was made in error by the lienholder Block 18 Lot 1.04 Q0059 Tax Sale Certificate # 2023-0006 and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$36.59 to Allison Corriere, 2025 Stocker Mill Road, Easton, PA 18045.

RESOLUTION NO. 2024-63

WHEREAS, a subsequent tax payment was made in error by the lienholder Block 16 Lot 9.03 Q0320 Tax Sale Certificate # 2023-0004 and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$122.30 to Allison Corriere., 2025 Stocker Mill Road, Easton, PA 18045.

RESOLUTION 2024-64

WHEREAS, the General Code of the Township of Franklin, Chapter 48, Article 1 and Article 2 Regulating the growth of Brush, Noxious Weeds and Grass, Etc. Authorizes the Township of Franklin to remove debris, brush, and noxious growth after Providing the notice required by the ordinance; and

WHEREAS, the required notice was sent to the below properties by certified mail return receipt requested and regular mail; and

WHEREAS, ten days has elapsed since the notices were received; and

WHEREAS, the property owners failed to remove the debris, brush and noxious growth within ten days of their receipt of the notice; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ caused the debris, brush, and noxious growth to be removed; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ has certified to the Mayor and Committee the cost of the removal of the debris, brush and noxious growth.

THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKLIN, AS FOLLOWS:

1. The certification of the costs of removal of the debris, brush and noxious growth has been examined and found to be correct.
2. The tax collector is hereby directed that the following costs shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate as taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

<u>Property Address</u>	<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Cost</u>
2236 Rt. 57 (06/20, 07/02, 7/17, 7/30/24)	25	4	H Elizabeth Lake	\$220
47 Halfway House Rd. (06/20, 07/02, 7/17, 7/30/24)	18	38	Arthur Homeyer	\$220
37 Third Street (06/20, 07/02, 7/17, 7/30/24)	31	13	SBF-1 Properties, LLC	\$260

**Franklin Township
Warren County, State of New Jersey
Resolution 2024-65**

**A Resolution Authorizing Payment In Lieu of Medical Benefits for Year
August 1, 2023 – July 31, 2024**

WHEREAS, Franklin Township fulltime regular employees received medical and health benefits through the State Health Benefits Plan;

WHEREAS, Franklin Township employees contribute partially towards payment of their benefits and the majority of benefits are paid by Franklin Township;

WHEREAS, Denise L. Becton, has waived the benefit package since August 1, 2014 due to spouse providing same benefits;

WHEREAS, Denise L. Becton, Municipal Clerk has requested to be compensated for such benefits in the amount of **\$3888.78** for August 1, 2023-July 31, 2024 benefit period;

WHEREAS, the Township Committee approves this request and recommends it be paid during the 3rd quarter of 2024 for this benefit period and the request should continue to be made on a yearly basis for consideration if still desired.

NOW, THEREFORE BE IT RESOLVED, Franklin Township Committee grants the **\$3888.78** payment in lieu of health benefits to Denise L. Becton.

The within **Resolution 2024-65** was moved by Committeeperson Butler and seconded by Committeeperson Toretta and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler		X		
Rich Herzer	X			
Sarah Payne			X	
Mike Toretta	X			
Mayor David Guth	X	(3) Yes (1) No (1) Absent		Motion Carried

RESOLUTION #2024-66
TOWNSHIP OF FRANKLIN, WARREN COUNTY
TAX SALE REDEMPTION OF LIENHOLDER

WHEREAS, Tax Sale Certificate #2021-002, Block 12 Lot 3, also known as 28 Bickel Road, was issued to US Bank Cust/Pro Cap 8/First Trust Bank, in the amount of \$53,188.83 on August 12th, 2024.

WHEREAS, the lien was redeemed on August 12th, 2024, in the amount of \$53,188.83 in accordance with provisions of NJSA 54:5-60 et seq; and

NOW, THEREFORE, BE IT RESOLVED, on the 9th day of September 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 \$53,188.83 made payable to US Bank Cust/Pro Cap 8/First Trust Bank, 50 South Sixteenth Street, Suite 2050, Philadelphia, PA 19102.
2. That this resolution shall take effect immediately upon adoption.

ADOPTED: September 9, 2024

David Guth

David Guth, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise Becton, RMC
Municipal Clerk

RESOLUTION 2024-67

**RESOLUTION OF THE TOWNSHIP OF FRANKLIN,
COUNTY OF WARREN, STATE OF NEW JERSEY,
FIXING THE RATE OF INTEREST TO BE CHARGED
ON DELINQUENT TAXES OR ASSESSMENTS
AND PROCESS/CANCEL ANY REFUND OR DELINQUENCY**

WHEREAS N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, Resolution 2024-67 hereby replaces Resolution 2024-10 adopted January 3, 2024; and

WHEREAS, N.J.S.A. 54-4-67 has been amended to permit the fixing of said rates of 8% per annum on the first, \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

AND WHEREAS, the Tax Collector is hereby authorized to process and cancel any property tax refund or delinquency of less than \$10.00.

BE IT FURTHER RESOLVED, by the Mayor and Township Committee of the Township of Franklin, County of Warren, State of New Jersey as follows:

1. The Tax Collector is hereby authorized and directed to charge 8%.per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18%.per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st an additional penalty of 6% shall be charged against the delinquency.
2. That the Tax Collector is hereby authorized to process and cancel any property tax refund or delinquency of less than \$10.00
3. Effective **immediately**, there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.

4. Any payments not made in accordance with paragraph two (2) of this resolution shall be charged interest from due date as set forth in paragraph one (1) of this resolution

5. **This Resolution shall be published in its entirety in the Express Times-NJ Zone, the official newspaper of the Township of Franklin.**

6. **A certified copy of this Resolution be provided by the Municipal Clerk to the Tax Collector, Township Attorney and Township Auditor.**

RESOLUTION 2024-68

WHEREAS, there are small tax balances and credits outstanding for 2023, which are economically unfeasible to collect ore refund:

NOW THEREFORE, BE IT RESOLVED by the Township Committee of Franklin Township, Warren County, NJ that the Tax Collector is hereby authorized to cancel 2023 balances and credits of less than \$10.00 (TEN DOLLARS) except where total levied taxes fees per quarter are less than said amount during the calendar year of 2023 in accordance with N.J.S.A.40A5-17.1.

RESOLUTION 2024-69

WHEREAS, the General Code of the Township of Franklin, Chapter 48, Article 1 and Article 2 Regulating the growth of Brush, Noxious Weeds and Grass, Etc. Authorizes the Township of Franklin to remove debris, brush, and noxious growth after Providing the notice required by the ordinance; and

WHEREAS, the required notice was sent to the below properties by certified mail return receipt requested and regular mail; and

WHEREAS, ten days has elapsed since the notices were received; and

WHEREAS, the property owners failed to remove the debris, brush and noxious growth within ten days of their receipt of the notice; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ caused the debris, brush, and noxious growth to be removed; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ has certified to the Mayor and Committee the cost of the removal of the debris, brush and noxious growth.

THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKLIN, AS FOLLOWS:

1. The certification of the costs of removal of the debris, brush and noxious growth has been examined and found to be correct.
2. The tax collector is hereby directed that the following costs shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate as taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

<u>Property Address</u>	<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Cost</u>
2236 Rt. 57 (08/13, 08/27/24)	25	4	H Elizabeth Lake	\$220
47 Halfway House Rd. (08/13, 08/27/24)	18	38	Arthur Homeyer	\$220
37 Third Street (08/13, 08/27/24)	31	13	SBF-1 Properties, LLC	\$260

DISCUSSION

Historical Commission – Placement of former New Village School flagpole – Chairperson Brenda Higgins, was present this evening and discussed with the committee where to erect this flagpole, this pole has a cement bulb still attached that originated from Edison Cement that weighs roughly 1000 pounds. The consensus of the committee/commission is to place the pole at our DPW Garage with a Historical Flag, Foreman Biel will coordinate with the commission and call for a mark out. Also, the commission would like to place historical markers on formal school sites and the old election building, located at the municipal garage. The Township Committee is in consensus with the Historical Commission.

OLD BUSINESS

Public Hearing/Adoption of: Ordinance 2024-4

**Ordinance 2024-4
SALARY ORDINANCE**

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, NJ**

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

-Public Comments - none heard

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

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler	X			
Rich Herzer	X			
Sarah Payne			X	
Mike Toretta	X			
Mayor David Guth	X	(4) Yes (0) No (1) Absent		Motion Carried

Public Hearing/Adoption of: Ordinance 2024-5

**ORDINANCE NO. 2024-5
TOWNSHIP OF FRANKLIN
WARREN COUNTY, NEW JERSEY**

AN ORDINANCE TO ESTABLISH A NEW CHAPTER 101 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED “MOBILE RETAIL FOOD VENDORS”

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

-Public Comments - none heard

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

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler	X			
Rich Herzer	X			
Sarah Payne			X	
Mike Toretta	X			
Mayor David Guth	X	(4) Yes (0) No (1) Absent		Motion Carried

Public Hearing/Adoption of: Ordinance 2024-6

**ORDINANCE NO. 2024-6
AN ORDINANCE AMENDING CHAPTER 119 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED, “STORMWATER ORDINANCES” TO ADD A NEW ARTICLE ENTITLED, "TREE REMOVAL"**

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

-Public Comments - none heard

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

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler	X			
Rich Herzer	X			
Sarah Payne			X	
Mike Toretta	X			
Mayor David Guth	X	(4) Yes (0) No (1) Absent		Motion Carried

Public Hearing/Adoption of: Ordinance 2024-7

**ORDINANCE NO. 2024-7
AN ORDINANCE AMENDING CHAPTER 94 OF THE
CODE OF THE TOWNSHIP OF FRANKLIN
ENTITLED, "LICENSED OCCUPATIONS"**

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

-Public Comments – Jason Banghart inquired as to the change in fees for Mercantile licenses.

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

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler	X			
Rich Herzer	X			
Sarah Payne			X	
Mike Toretta	X			
Mayor David Guth	X	(4) Yes (0) No (1) Absent		Motion Carried

Public Hearing/Adoption of: Ordinance 2024-8

**ORDINANCE NO. 2024-8
AN ORDINANCE AMENDING CHAPTER 74 OF THE
CODE OF THE TOWNSHIP OF FRANKLIN
ENTITLED, "FEES"
TO ADD A NEW ARTICLE III ENTITLED, "FINANCE
AND TAX COLLECTION"**

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

-Public Comments – Jason Banghart inquired about the fees established by this ordinance.

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

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler	X			
Rich Herzer	X			
Sarah Payne			X	
Mike Toretta	X			
Mayor David Guth	X	(4) Yes (0) No (1) Absent		Motion Carried

NEW BUSINESS

First Reading/Introduction of: Ordinance 2024-9 (due to the length of this ordinance a full copy can be requested free of charge until said ordinance is adopted)

Ordinance No. 2024 –9

ORDINANCE TO AMEND CHAPTER 119 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED “STORMWATER CONTROL” TO REFLECT AMENDMENTS REQUIRED BY THE NJDEP STORMWATER MANAGEMENT RULES

On motion by Committeeperson Butler and seconded by Committeeperson Toretta the aforementioned Ordinance 2024-9 be adopted as read. Final reading and adoption to take place on October 7, 2024, at 7:00 p.m. or near that hour.

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler	X			
Rich Herzer	X			
Sarah Payne			X	
Mike Toretta	X			
David Guth, Mayor	X			(4) Yes (0) No (1) Absent Motion carried

Discussions/Approvals/Presentations

Developments – Maintenance of trees and roads – Mayor Guth provided a proposal from Midstate Tree Management in the amount of \$9,788.18 after receiving complaints of debris on roads and maintaining tree growth within our developments. After a discussion Committeeperson Toretta will obtain additional quotes for review and further discussion at our October 7th meeting.

NJ Lead Law N.J.S.A. 52:27D-437D-437.16 – Our recently adopted ordinance, addresses this new legislation, which mandates inspection of certain pre-1978 constructed dwellings. We have updated our Landlord Tenant Registration Form, and it is available on our website. As the regulation reads, since we do not have our own building department, we are not required to have a Third-Party Lead Inspector Company on file. Per the statute the homeowner has the right to hire a company to do the inspection. We can respond on a case-by-case basis if someone is violating this law per Attorney Benbrook.

REPORTS/UPDATES

Engineer

Millbrook Road Re-stabilization Project – The wall stabilization has begun. Timewise and budget wise we are in good shape to meet the deadline.

Millbrook Road Section 2 Project – Drainage work completed and waiting to coordinate the final invoice.

Millbrook Road Section 3 Project - Anyone living north of this Project must detour to gain access to Rt. 57, if you live south, you can proceed directly down the road to Rt. 57. The deadline is the end of the month for this project.

The Dioxane Project – The project is out to bid, and the bid opening is scheduled for October 2nd, in hopes of awarding the contract at our October 7th meeting.

Attorney- report submitted –

Tigar – The township has prevailed with the In-Rem Foreclosure Judgement and we now own the property, we have 45 days to appeal from August 17th. The piece Tigar still owns, he has until August 31st, tires and trailers remain.

Motorcycle fatality – This has been settled with a modest deductible and covered by our insurance.

Good Springs Road - The drainage issue has been addressed and resolved.

Tax Collector – George Banghart Jr. has two Tax Sale Certificates that were issued/recorded, and the township was paid twice, with a redemption of approximately \$72,000 which includes 18% interest. This will be resolved at our October 7th meeting. Kudos to our current Tax Collector for working through this to resolve.

Zoning Officer – report submitted -

DPW – Report submitted - The drain located behind the municipal building continues to flood the back parking lot as well as the storage container. Engineer Finelli will further address this with Foreman Biel to and who is responsible to keep the pipe cleared.

NJSP – no one present

Franklin Twp. Fire/EMS – Captain Chiu shared that the fire department hosted Patrick Tiger who walked through our township and plans to be at the Pentagon crash site tomorrow and then Ground Zero. October 5th is their Touch-A-Truck event and craft fair. This is a free event that will take place behind the Asbury Fire Station. A thank you to OEM Tabert for her assistance and grants.

OEM/911 Coordinator – OEM Tabert – Report submitted – A grant in the amount of \$10,000 has been received and looking to purchase a generator for the DPW building.

Recycling Coordinator – No report submitted

FTYA- No representation present

Open Space/Agricultural Advisory Commissions – no meeting

Township Committee Reports:

Bonnie Butler – nothing to report.

Sarah Payne – absent.

Michael Toretta – nothing to report.

Rich Herzer – Deputy Herzer attended the County Open Space meeting. They are looking for additional money to purchase more farmland.

David Guth – nothing further to report.

At approximately 7:45 p.m. Mayor Guth opened the floor for Public Session.

Karen Chiu – Ms. Chiu reported a mosquito problem and who to contact. When will the project at the old Hunter's building begin as she has been utilizing the parking lot waiting for her grandsons' school bus. Ms. Chiu would like to continue the Thanksgiving Senior Luncheon previously hosted by the Franklin Township School. She is looking for a donation from the township to off-set costs. The mayor informed her to do this in writing and he will have to discuss with our cfo as to available funds.

Judy Portieles – Ms. Portieles has a delinquent tax bill she received and was informed by our tax collector she missed paying her November 2023 tax quarter. She feels a delinquent tax bill should have been received back in 2023 and why would she be responsible for the interest if she wasn't informed back in 2023. Attorney Benbrook advised that the mayor, township committee or the township attorney have no authority to waive the interest as the tax collector is governed by statute and interest accumulates on unpaid taxes.

Sue Vasko – When will Millbrook Road be open? Engineer Finelli briefed his earlier statement as to the timeline.

Open public session closed by Mayor Guth at 8:18 p.m.

At this time, the committee will commence into an Executive Session on motion by Mayor Guth and seconded by Deputy Herzer at 8:18 p.m.

EXECUTIVE SESSION

BE IT RESOLVED on this 9th day of September 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

**Potential Litigation – Tigar/Jacob
Personnel – Separation of Duties/Cyber Risk Security**

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 9th day of September 2024 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 Committeeperson Toretta and seconded by Deputy Herzer to return to the regular session at 8:52 p.m. Unanimous Vote.

On motion by Committeeperson Butler and seconded by Committeeperson Toretta to authorize Area Network to proceed with the proposal received to upgrade our system to include Basic Cyber Security Requirements at the cost of \$8,850.00.

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler	X		
Rich Herzer	X		
Sarah Payne			X
Mike Toretta	X		
David Guth, Mayor	X	(4) Yes (0) No (1) Absent	motion carried

On motion by Committeeperson Toretta and seconded by Committeeperson Butler to approve the bills to be paid received by the CFO as submitted.

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler	X		
Rich Herzer	X		
Sarah Payne			X
Mike Toretta	X		
David Guth, Mayor	X	(4) Yes (0) No (1) Absent	motion carried

On motion by Committeeperson Toretta and seconded by Committeeperson Butler, hearing no objection, meeting stands adjourned at 8:54 p.m.

Respectfully submitted,

Denise L. Becton

Denise L. Becton, RMC/CMR
Municipal Clerk