

YEAR END MEETING

The Franklin Township Committee Year End meeting of December 28, 2022, meeting was called to order by Mayor Mike Toretta, at approximately 4:10 p.m., 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, a roll call of committee members present.

ROLL CALL OF COMMITTEE MEMBERS PRESENT: Bonnie Butler *(joined the meeting via cell phone and left the meeting at 4:25 p.m.), Rich Herzer, Mike Toretta, David Guth, Mike Ferri *(5) Present.

ABSENT:

Present were Kathleen Reinalda, CFO, Denise L. Becton, Municipal Clerk, Joe Biel, DPW Foreman

NEW BUSINESS

The following two resolutions for consideration/approval, a Transfer Resolution 2022-75 and a Cancellation Resolution 2022-76 as submitted by our CFO.

RESOLUTIONS

Introduction/Adoption of Resolution 2022-75 and Resolution 2022-76

**RESOLUTION 2022-75
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 2022 balances in the Current Fund Budget. Includes General Administration O/E, Municipal Clerk S/W, Financial Administration S/W, Financial Administration O/E, Audit Services O/E, Tax Collector O/E, Legal Services O/E, Engineering Services O/E, Land Use Board O/E, Emergency Management S/W, Emergency Management O/E, Buildings & Grounds O/E, and Recreation O/E.

WHEREAS, the following accounts have sufficient excess funds to meet such demands: Human Resources O/E, Tax Assessment O/E, Historical Site Office O/E, Street Lighting, Fire Hydrants O/E, Road Maintenance S/W, and Road Maintenance 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:	General Administration O/E	6,000.00
	Municipal Clerk S/W	2,000.00
	Financial Administration S/W	2,000.00
	Financial Administration O/E	1,000.00
	Audit Services O/E	4,500.00
	Tax Collector O/E	102.00
	Legal Services O/E	23,000.00
	Engineering Services O/E	12,000.00
	Land Use Board O/E	3,000.00
	Emergency Management S/W	1,000.00
	Emergency Management O/E	3,200.00
	Buildings & Grounds O/E	6,000.00
	Recreation O/E	<u>200.00</u>
		\$64,002.00
FROM:	Human Resources O/E	1,000.00
	Tax Assessment O/E	1,000.00
	Historical Site Office O/E	2,000.00
	Street Lighting	5,000.00

Fire Hydrants O/E	2,000.00
Road Maintenance S/W	10,000.00
Road Maintenance O/E	<u>43,002.00</u>
	\$64,002.00

On motion by Mike Ferri and seconded by David Guth the aforementioned **Resolution 2022-75** 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: December 28, 2022

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 December 28, 2022.

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

Denise L. Becton

Denise L. Becton, Municipal Clerk

CANCELLATION RESOLUTION 2022-76

WHEREAS, certain improvement appropriation balances within the General Capital Fund remain dedicated to projects now completed or not being pursued; and

WHEREAS, it is necessary to formally cancel balances so that the unexpended balances may be returned to each prospective Capital Improvement Fund, or Surplus, and unused debt authorization be canceled within the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin that the following unexpended and dedicated balances be canceled:

<u>Ordinance No.</u>	<u>Description</u>	<u>Amount</u>	<u>Funding Source</u>
2018-5	Ambulance/Fire/Tractor	\$20,077.41	Reserve to Pay Debt Service
2020-08:	Montana Rd. Phases 1 and 2	\$1,346.32	CIF
2021-7	Millbrook Rd Project	\$102,601.25	CIF
TOTALS:		\$103,947.57	Returned to CIF \$20,077.41 Reserve to Pay Debt Service

BE IT FURTHER RESOLVED that two certified copies of this resolution are to be filed with the Director of the Division of Local Government Services.

On motion by David Guth and seconded by Mike Ferri the aforementioned **Resolution 2022-76** 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

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Denise L. Becton, Municipal Clerk

RESOLUTIONS-Additional from Tax Collector/WC Planning Department

Introduction/Adoption of Resolution 2022-73

RESOLUTION NO. 2022-73

WHEREAS, Christina Trust, Custodian for C&E Tax Lien, holds Tax Sale Certificate #2022-003 on Block 17 Lot 35 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 redemption amount of \$ 7,847.22 plus premium of \$22,000.00 for a total of \$29,847.22 to Christina Trust, Custodian for C&E Tax Lien, POB 5021, Philadelphia, PA 19111.

On motion by Bonnie Butler and seconded by Mike Ferri the aforementioned **Resolution 2022-73** 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: December 28, 2022

CERTIFICATION

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Denise L. Becton

Denise L. Becton, Municipal Clerk

Township of Franklin
Municipal Building
2093 Route 57, PO Box 547
Broadway, NJ 08808-0547

RESOLUTION 2022-74

**RESOLUTION GRANTING APPROVAL OF THE COST-SHARE PURCHASE OF A DEVELOPMENT EASEMENT ON THE FRANKLIN TOWNSHIP ACREAGE ON THE SANTINI FARM FORMERLY KNOWN AS O'DOWD SOUTH,
BLOCK 41 LOT 1, BLOCK 42 LOT 1, FRANKLIN TOWNSHIP
CONSISTING OF APPROXIMATELY 37.327 ACRES**

WHEREAS, the Warren County Board of County Commissioners has determined that the property known as the Santini Farm (formerly known as O'Dowd South farm), owned by Robert A. Santini and Sharon A. Santini, located on Block 18 Lot 3, Block 19 Lot 1, Greenwich Township, Block 41 Lot 1, Block 42 Lot 1, Franklin Township, consisting of approximately 126.849 net acres has available for purchase a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the Warren County Agricultural Development Board has given approval for the purchase of development rights on this farm; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, this farm was previously in application as the O'Dowd South farm and owned by O'Dowd Associates; and

WHEREAS, the property was purchased by Robert A. Santini and Sharon A. Santini on August 28, 2020, whom decided to continue with the farmland preservation application as submitted with no changes; and

WHEREAS, previous appraisals were updated with new applicant information and adjusted accordingly; and

WHEREAS, the Highlands Dual Evaluation Provision Zoning of 1/01/04 is not applicable since the property sold subsequent to this date and therefore, does not qualify for dual evaluation; and

WHEREAS, the property is part of the approved Warren County Planning Incentive Grant Application and is funded by the Warren County Open Space, Farmland, Recreation and Historic Preservation Trust Fund; and

WHEREAS, the tract would encourage the survivability of production agriculture in Franklin and Greenwich Townships, and said tract falls within a predetermined County Agricultural Development Area and is in the County’s South East Project Area Target List and the Highlands Planning Area; and

WHEREAS, the County Agriculture Development Board approved \$6,200 per acre for the development easement based on the updated appraisals at current zoning evaluation; and

WHEREAS, on November 7, 2022, the Franklin Township Committee voted to cost-share on the net township acreage of 37.327 acres on Block 41 Lot 1 and Block 42 Lot 1 for \$300 per acre for the preservation easement; and

WHEREAS, on September 20, 2022, the Greenwich Township Committee voted to cost-share on the net township acreage of 87.522 acres on Block 18 L 3 and Block 19 Lot 1 of \$300 per acre for the preservation easement; and

WHEREAS, the contribution by Franklin and Greenwich Township offer for cost-share of an additional \$300 per acre has made the development easement offer of \$6,500 per acre; and

WHEREAS, the Owners accepted the offer of \$6,500 per acre for the farmland preservation easement; and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of the productive agriculture in Franklin and Greenwich Township and Warren County; and

WHEREAS, the estimated cost share breakdown including for final surveyed acres is as follows:

Cost share based on 124.849 acres at \$6,500 acre:

	<u>Total</u>	
Warren County	\$774,063.80	(\$6,200/acre on 124.849 acres)
Franklin Township	\$ 11,198.10	(\$300/acre on 37.327 acres)
Greenwich Township	\$ 26,256.60	(\$300/acre on 87.522 acres)
Total Easement Purchase	\$811,518.50	(\$6,500/acre)

WHEREAS, the farm has no existing structures, no existing agriculture labor housing, no pre-existing non-agricultural uses on premises, no Residual Dwelling Site Opportunities (RDSO’s), no access easement and no proposed trails, and has a one-acre non-severable exception area for future single-family residence and for future flexibility restricted to one single family residence on Block 18 Lot 3, Greenwich Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Franklin as follows:

The Township Committee hereby grants permission for the cost-share purchase of \$300/acre on the 37.327 acres for the development easement on the Franklin Township portion, Block 41 Lot 1 and Block 42 Lot 1 of the Santini Farm formerly known as the O’Dowd South Farm.

BE IT FUTHER RESOLVED that adequate funds for the cost-share purchase price funding for final surveyed acres in the amount of \$11,198.10 have been certified by the Chief Financial Officer.

On motion by Rich Herzer and seconded by David Guth the aforementioned **Resolution 2022-74** 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	
	(2)Yes	(1) No	(2) Abstained	(0) Absent
				Motion carried

Dated: December 28, 2022

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Denise L. Becton, Municipal Clerk

DISCUSSIONS/APPROVALS

Public Alliance Insurance Coverage Fund-2023 Fund Year Renewal Assessment for Franklin Township- a discussion as to the increase in rates with this fund across the board for all municipalities and how this will affect our budget next year. Insurance Liaison Mike Ferri will meet with Charlie Frinzi our insurance representative for guidance.

Budget Workshop-

Prior to the February 6, 2023, we normally meet with our municipal auditor for a budget workshop. As per our CFO, numbers will not be available by then and will be advertised this workshop once we know.

Let the record reflect that Bonnie Butler left the meeting at 4:25 p.m.

2023 Professional Contracts-

All contracts have been received and for execution at our Re-Organization Meeting. Municipal Attorney retainer will remain the same at \$30,000 annual retainer and eliminate any included litigation hours and add all tax appeals and foreclosures which covers typical non-insurance covered litigation matters. Municipal Engineer's contract will be renewed at a 3-year term due to a state statute unless an ordinance is adopted allowing a 1-year term. Still waiting for municipal planner's contract. All other contracts remain at the same contract price as last year.

The mayor opened the floor to public comment at 4:30 p.m.

OPEN PUBLIC SESSION –

Janis Liepins – Celebrate the mayor and committee ran a good honest meeting and pleased with how things ran this year. Also concerned with the speed of the traffic in front of his home. He was informed that this is a county road.

The mayor closed the floor to public comment at 3:32 p.m.

Let the record reflect the Municipal Attorney Kevin Benbrook joined the meeting at 4:32 p.m.

Attorney Benbrook was asked by Mayor Toretta as to compensation of the new part-time worker; he was hired at \$30/hr. Recently adopted Resolution 2022-61 shows a Day Laborer at a rate of \$25/hr. This part-time position is not a Day Laborer. To be safe he should only be working 30 hours a week unless called out for an emergency situation, such as a snowstorm. Paid regular wages unless exceeds 40 hours weekly, then will be paid time and a half. Until the end of the year the new part-time laborer will be paid via a 1099 then in 2023, he will punch the time clock as the rest of the DPW employees. We should look into adopting a Salary Range Ordinance in 2023 so we won't have to adopt a Salary Range Ordinance annually.

Mr. Benbrook educated the committee as to our form of government. We are a Township Committee Form of Government, with a weak mayor. The mayor has no executive authority except to run a meeting and no authority of day-to-day operations. Forman Biel inquired to use of the time clock for OT when called out. They have always been paid from the time they were called out not the time they arrived at the building. The DPW is to use the clock to punch in when they arrive at the building from now on for regular/OT hours and not to use timecards. Foreman Biel will contact the Union to get the ball rolling with negotiations. There will be training in how to request time off personal/sick/vacation days in the computer by Jean Paul.

The attorney will investigate another bill received pertaining to the lawsuit Gupta vs. Franklin Township. Mr. Benbrook feels our deductible is \$20,000 and a co-pay. We have only paid out of pocket for insurance to defend the township, we did not pay the plaintiff.

Attorney Benbrook informed that he removed from his 2023 Contract the 75 hours of litigation, he does not want to be bound for unforeseen litigation. However, he included tax appeals/foreclosures. The consensus of the committee a 3-year professional contract term for the Engineer is fine.

MOTION FOR PAYMENT OF BILL LIST:

On motion by David Guth and seconded by Mike Ferri, hearing no objection, to pay, the bills as submitted by the CFO. The attorney will look into our Shared Services ACO Contract and the billing for an injured stray dog that is unclaimed after 7 days and medical services are then billed to the municipality where the dog was found.

Roll Call:	Yes	No	Absent/Abstained
David Guth	X		
Michael Ferri	X		
Rich Herzer	X		
Bonnie Butler			X
Mayor, Mike Toretta	X	(4) Yes (0) No (1) Absent	Motion carried

MOTION FOR ADJOURNMENT:

On motion by Rich Herzer and seconded by David Guth, hearing no objection, meeting stands adjourned at 5:14 p.m.

Roll Call:	Yes	No	Absent	Abstained
David Guth	X			
Michael Ferri	X			
Rich Herzer	X			
Bonnie Butler			X	
Mike Toretta	X	(4) Yes (0) No (1) Absent		Motion carried

Respectfully submitted,

Denise L. Becton

Denise L. Becton

Municipal Clerk