

# REGULAR MONTHLY MEETING

The Franklin Township Committee held their regular scheduled monthly meeting on Monday, November 4, 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, Sarah Payne, Mike Toretta, David Guth, Mayor (5) Present

**Present were:** Donna Becker, Municipal Engineer (joined the meeting at approximately 7:20 p.m.), Joe Biel, DPW Foreman, Shawna Tabert, OEM, Jim Onembo, Zoning Officer, Denise L. Becton, Municipal Clerk

**NJSP** – A trooper was present this evening with no formal report. Trooper fielded questions from the public, a thank you from Karen Chiu for trooper presence in the area of a bus stop located on Rt. 57 by the old Hunter’s Tavern, has helped to alleviate cars going around the stopped school bus. An unidentified resident informs that on County Route 632, also known as Bloomsbury Road, speeding continues. The trooper informed they have already implemented a speed detail in that area and numerous tickets have been issued, but they can’t spend all day in one location due to their large coverage area. Jake braking is also an issue. Per this resident NJ is a Home Rule State with 102 Restriction and tractor trailers more than 102” in width pending local delivery should not be on this road. Mayor Guth will seek further clarification regarding this restriction as well as the trooper.

**CONSENT AGENDA:**

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

- |    |                             |   |
|----|-----------------------------|---|
| 2. | <b>APPROVAL/ADOPTION of</b> |   |
| a. | Meeting Minutes             | <b>RE: Regular meeting of October 7, 2024</b>   |
| b. | Executive Minutes           | <b>RE: Executive meeting of October 7, 2024</b>   |
| c. | Special Minutes             | <b>RE: Special meeting of October 21, 2024</b>  |
| d. | Resolution 2024-73          | <b>RE: Tax Sale Redemption of Lienholder Tax Sale Certificate # 23-0010, Block 55 Lot 6</b>   |
| e. | Resolution 2024-74          | <b>RE: Tax Refund, 1<sup>st</sup>/2<sup>nd</sup>/3<sup>rd</sup> Quarters Tax, Block 30 Lot 30</b>   |
| f. | Coin Toss                   | <b>RE: Franklin Township Fire/EMS memorialize approval for Saturday, October 19<sup>th</sup>, on County Roads</b>   |
| g. | Resolution 2024-75          | <b>RE: November 2024 Transfer Resolution</b>  |
| h. | Resolution 2024-76          | <b>RE: Warren County Shared Services Agreement for sharing WC Department of Public Works-Bridge and Road Divisions equipment and personnel between Warren Count Municipalities and the County of Warren</b> |
| i. | Resolution 2024-77          | <b>RE: Tax Sale Lien Redemption of Lienholder, Tax Sale Certificate #23-0006, Block 18 Lot 1.04 Q0456</b>   |
| j. | Resolution 2024-78          | <b>RE: Tax Refund Block 30 Lot 30</b>   |

On motion by Committeeperson Toretta and seconded by Committeeperson Herzer, the Consent Agenda, letters a. – j., were approved as listed above.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Rich Herzer	X		
Sarah Payne	X		
Mike Toretta	X		
David Guth, Mayor	X		

(5) Yes (0) No (0) Absent Motion carried

**RESOLUTIONS**

**Introduction/Adoption of: Resolution #'s 2024-73, 2024-74, 2024-75, 2024-76, 2024-77, 2024-78**

**RESOLUTION #2024-73  
TOWNSHIP OF FRANKLIN, WARREN COUNTY  
TAX SALE REDEMPTION OF LIENHOLDER**

**WHEREAS**, Tax Sale Certificate #23-0010, Block 55 Lot 6, also known as 454 Old Main Street, was issued to Smyrna Group, LLC, in the amount of \$5,631.16 on November 4, 2024,

**WHEREAS**, the lien was redeemed on October 9, 2024, in the amount of \$5,631.16 in accordance with provisions of NJSA 54:5-60 et seq; and

**NOW, THEREFORE, BE IT RESOLVED**, on the 4th day of November 2024, by the Township Committee of the Township of Franklin, Warren County, State of New Jersey, as follows:

1. The Chief Financial Officer to issue a check in the amount of \$5,631.16 made payable to Smyrna Group, LLC at PO Box 845, Tenafly, NJ 07670.
2. That this resolution shall take effect immediately upon adoption.

ADOPTED: November 4, 2024

*David Guth*

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David Guth, Mayor  
Township Committee

Attest and Affix Seal:

*Denise L. Becton*

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Denise Becton, RMC  
Municipal Clerk

**RESOLUTION NO. 2024-74**

**WHEREAS**, erroneous payments for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> 2024 quarters. The payment was made by Lereta, LLC on Block 30 Lot 30, also known as 2409 Rt. 57, and,

**WHEREAS**, Lereta, LLC, has furnished the Tax Office with proof of this payments and 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 \$4,525.17 to Lereta, LLC, PO Box 35605, Dallas, TX 75235.

**RESOLUTION 2024-75  
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 2024 balances in the Current Fund Budget. Includes General Administration O/E, Financial Administration S/W, Gasoline O/E, Revenue Admin O/E, Revenue Admin S/W, Fire O/E, FICA O/E, Road Maintenance S/W and Other Insurance O/E.

**WHEREAS**, the following accounts have sufficient excess funds to meet such demands: Municipal Clerk S/W, Group Insurance O/E, Animal Control S/W, Buildings & Grounds O/E 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	5,500.00
	Financial Administration s/w	2,100.00
	Revenue Admin O/E	4,100.00
	Revenue Admin S/W	18,500.00
	Fire O/E	800.00
	FICA O/E	3,000.00
	Gasoline O/E	6,800.00
	Road Maintenance S/W	9,000.00
	Other Insurance O/E	<u>200.00</u>
		50,000.00
FROM:	Financial Admin O/E	2,100.00
	Group Insurance O/E	3,000.00
	Animal Control S/W	1,100.00
	Buildings & Grounds O/E	7,000.00
	Municipal Clerk S/W	5,000.00

Road Maintenance O/E

31,800.00

50,000.00

**RESOLUTION 2024-76**

**Warren County Shared Services Agreement for sharing WC Department of Public Works-Bridge and Road Divisions equipment and personnel between Warren Count Municipalities and the County of Warren**

**RESOLUTION #2024-77  
TOWNSHIP OF FRANKLIN, WARREN COUNTY  
TAX SALE REDEMPTION OF LIENHOLDER**

**WHEREAS**, Tax Sale Certificate #23-0006, Block 18 Lot 1.04, also known as Halfway House Road, was issued to Alison Corriere, in the amount of \$204.99 on November 4, 2024,

**WHEREAS**, the lien was redeemed on October 29, 2024, in the amount of \$204.99 in accordance with provisions of NJSA 54:5-60 et seq; and

**NOW, THEREFORE, BE IT RESOLVED**, on the 4th day of November 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 \$204.99 payable to Alison Corriere, 2025 Stocker Mill Road, Easton, PA 18045.
2. That this resolution shall take effect immediately upon adoption.

ADOPTED: November 4, 2024

*David Guth*

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David Guth, Mayor  
Township Committee

Attest and Affix Seal:

*Denise L. Becton*

\_\_\_\_\_  
Denise Becton, RMC  
Municipal Clerk

**RESOLUTION NO. 2024-78**

**WHEREAS**, a tax payment has become exempt from property taxes as a 100% veteran owner of Block 30 Lot 30, also known as 2409 Rt. 57, and,

**WHEREAS**, the mortgage company 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 \$4,525.17 to Lereta Corp. Refund Dept., P.O. Box 35605, Dallas, Texas 75235, 2409 Rt. 57, Stewartsville, NJ 08886.

**OLD BUSINESS - Public Hearing/Adoption of:**

**ORDINANCE 2024-11**

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2022-8 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF FRANKLIN, WARREN COUNTY, NEW JERSEY ON JULY 11, 2022**

**-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 Butler made the motion and seconded by Committeeperson Payne.

<b>Roll Call Vote:</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Bonnie Butler	X		
Rich Herzer	X		
Sarah Payne	X		
Mike Toretta	X		
Mayor David Guth	X	(5) Yes (0) No (0) Absent	Motion Carried

**NEW BUSINESS- Introduction of Ordinance 2024-10**

**ORDINANCE 2024-10**

**AN ORDINANCE APPROPRIATING \$26,978 FROM CAPITAL IMPROVEMENTS AND \$73,022 FROM THE NJDOT 2023 GRANT FOR MILLBROOK ROAD FOR IMPROVEMENTS TO MILLBROOK ROAD PHASE 3 IN THE AMOUNT OF \$100,000.00**

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

**SECTION ONE:** The sum of \$26,978 from Capital Improvements and \$73,022 from the 2023 NJDOT Grant are hereby appropriated for Improvements to Millbrook Road Phase 3 in the amount of \$100,000.00

**SECTION TWO:** The period of usefulness of the above project as defined by NJSA 40A:2-22 is at least 5 years.

**SECTION THREE:** The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

**SECTION FOUR:** The gross debt of the Township of Franklin as defined by NJSA 40A:2-43 will not be increased by this ordinance.

**IT IS FURTHER ORDAINED** that this Ordinance shall take effect 10 days after publication, following final adoption, as provided by law.

**ATTEST:**

**Township of Franklin**

*Kevin Benbrook*

*David Guth*

\_\_\_\_\_  
Kevin Benbrook, Esquire  
Township Attorney

By: \_\_\_\_\_  
David Guth, Mayor

On motion by Committeeperson Toretta and seconded by Committeeperson Payne the aforementioned Ordinance 2024-10 be adopted as read. Final reading and adoption to take place on December 9, 2024, at 7:00 p.m. or near that hour.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>	
Bonnie Butler	X			
Rich Herzer	X			
Sarah Payne	X			
Mike Toretta	X			
David Guth, Mayor	X	(5)	Yes (0) No (0) Absent	Motion carried

**REPORTS/UPDATES**

**Attorney- not present this evening –**

**Zoning Officer – report submitted -** Mr. Onembo spoke with our municipal planner as to placement of a handicap parking spot in front of the Asbury Coffee House. This will have to be addressed further with the engineer.

**DPW – Report submitted –** Mr Biel provided one quote for a Mason Dump truck through the co-op. Additional quote to follow.

**Franklin Twp. Fire/EMS –** Chief Chiu present and reported the following:

**For the month of September:**

- Fire 10 call outs, 4 in Franklin
- EMS 47 call outs , 24 in Franklin

**For the month of October:**

- Fire 14 call outs, 10 in Franklin
- EMS 47 call outs, 23 in Franklin

**Year to date:**

- Fire 102 call outs, 80 in Franklin
- EMS 471 call outs, 239 in Franklin

Committeeperson Butler inquired the total year to date are the number of calls each department went out on. Per Chief Chiu these numbers reflect the number of call outs they do not have enough manpower to respond to every call. They just must keep count of calls dispatched to.

**OEM/911 Coordinator – OEM Tabert – Report submitted –** nothing further to discuss.

**Engineer – Donna Becker –**

**Millbrook Road Section 3 Project –** The DOT should be paved before Thanksgiving.

**Millbrook Road Re-stabilization Project –** The project is complete, and the final bill has been we just need to close out with the NRCS.

**1,4 Dioxane Water Contamination Project –** This project is out to Bid, and the Bid opening is scheduled for November 26<sup>th</sup> at 10 a.m.

Mayor Guth inquired as to an earlier conversation as to a handicap parking space in front of the Asbury Coffee House and what is required. Ms. Becker will look into this.

**Recycling Coordinator –** No report submitted

**FTYA-** No representation present

**Open Space/Agricultural Advisory Commissions –** no meeting

**Township Committee Reports:**

**Bonnie Butler –** The COAH report will soon be do and the deadline to appoint a Municipal Housing Liaison is February 25th.

**Sarah Payne** – The county Historical Rt. 57 Scenic Byway is starting to meet again.

**Michael Toretta** – nothing to report.

**Rich Herzer** – Deputy Herzer will reach out to Eddy Patient our Community Center Coordinator as to updates on the new container.

**David Guth** – Nothing further to report.

At approximately 7:20 p.m. Mayor Guth opened the floor for Public Session.

Karen Chiu announced there will be a free senior Thanksgiving Day luncheon at the Asbury Fire Station on November 21<sup>st</sup> from 1:00 p.m. to 3:00 p.m.

Dave Leary – Mr. Leary inquired about the 1,4 Dioxane Project and if we would be in a position to award the Bid at our December 9<sup>th</sup> meeting.

Basil Imbimbo – Mr. Imbimbo inquired as to any updates received from the county as to the crosswalk. Also there has been a dumpster on Main Street that is impeding the flow of traffic, no reflectors or cones and is a safety hazard.

Marsha Colaluce – Ms. Colaluce would like to understand the appropriation and implementation of the NJ Clean Communities Grant that the township receives annually. Guidelines and job requirements of the coordinator were supplied and placed in meeting packets for review. Ms. Colaluce feels there are inconsistencies with reports submitted to the state. Ms. Colaluce was welcome to seek further information via the OPRA process and whatever other further clarification she feels is necessary.

Esly Peters – Requested to know what the township committee was going to do for Ms. Colaluce and her concern to the Clean Community Grant funds.

Mr. Castalano – He and his wife walk Good Springs Road and wanted to be put on record that there is litter along the road. This is a beautiful town and the DPW does a great job maintaining the area of brush.

Open public session closed by Mayor Guth at 7:46 p.m.

On motion by Deputy Mayor Herzer and seconded by Committeeperson Payne to approve the bills to be paid received by the CFO as submitted.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Bonnie Butler	X		
Rich Herzer	X		
Sarah Payne	X		
Mike Toretta	X		
David Guth, Mayor	X	(5) Yes (0) No (0) Absent	motion carried

On motion by Committeeperson Butler and seconded by Committeeperson Payne, hearing no objection, the meeting stands adjourned at 7:46 p.m.

Respectfully submitted,

*Denise L. Becton*  
Denise L. Becton, RMC/CMR  
Municipal Clerk