

# REGULAR MONTHLY MEETING

The Franklin Township Committee held their regular scheduled monthly meeting on Monday, June 3, 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, (0) Absent

**Present were:** Jim Onembo, Zoning Officer, Joe Biel, DPW Foreman, Shawna Tabert, OEM, Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney, Denise L. Becton, Municipal Clerk

**CONSENT AGENDA:**

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

- 2. **APPROVAL/ADOPTION of**
  - a. Re-Org Meeting **RE: May 6, 2024**
  - b. Executive Meeting **RE: May 6, 2024**
  - c. Special Meeting **RE: May 20, 2024**
  - d. Executive Meeting **RE: May 20, 2024**
  - e. Resignation Letter **RE: Cameron Keng, Tax Collector, effective 5/3/24**
  - f. Resignation Letter **RE: Michael Mecsey, DPW Road Laborer, effective 5/31/24**
  - f. Agreement **RE: Renewal of Franklin Twp. BOE and Franklin Township (Snow/ice removal in exchange for Community Room floor cleaning/buffing)**
  - g. Res. 2024-48 **RE: Chapter 159 Clean Communities**
  - h. Res. 2024-49 **RE: Authorizing an increase of Change Fund/Tax Collector**
  - i. Res. 2024-50 **RE: 2024-2025 Liquor Licenses**
  - j. Res. 2024-52 **RE: FY2024 Emergency Management Performance Grant and Emergency Agency Assistance**

On motion by Committeeperson Butler and seconded by Committeeperson Payne, as listed above in item number 2. Approval of (minutes/resignation letters/agreement/resolutions) were approved on the Consent Agenda. \*Committeeperson Toretta abstained \***ONLY** from the Executive Session minutes of May 20<sup>th</sup>.

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: Resolutions 2024-48**

**RESOLUTION 2024-48  
CHAPTER 159**

Insertion of Item of Revenue in the Budget-2024 Clean Communities Grant

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Township of Franklin has received cash in the amount of \$16,685.11 from the State of New Jersey, Solid Waste Administration, for the 2024 Clean Communities Grant and wishes to amend the 2024 Budget to include as a revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Franklin, in the County of Warre, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of..... \$16,685.11

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Item of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:  
State and Federal Revenues Offset with  
Appropriations:

State of New Jersey Solid Waste Administration  
2024 Clean Communities Grant

**BE IT FURTHER RESOLVED** that the sum of .....\$16,685.11  
Be and the same is hereby appropriated under the caption of:

General Appropriation

(a) Operations Excluded from CAPS

State and Federal Programs offset by  
Revenues:

State of New Jersey  
Solid Waste Administration  
2024 Clean Communities Grant

**BE IT FURTHER RESOLVED** that the Towns Clerk forwards two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

**INTRODUCTION/ADOPTION of: Resolutions 2024-49**

**RESOLUTION 2024-49  
AUTHORIZING AN INCREASE IN THE CHANGE FUND FOR  
THE TOWNSHIP OF FRANKLIN, WARREN COUNTY, NJ  
TAX COLLECTOR'S OFFICE**

**WHEREAS**, From time to time the Tax Collector is required to make change for cash payments received;

**WHEREAS**, there exists a need to maintain such a fund for use of operation of the Franklin Township Tax Collector's Office, and

**WHEREAS**, New Jersey State regulations allow change funds to be established by an initial resolution and to continue from year to year without additional governing body action until such time as they take action to have funds returned; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Franklin, Warren County, NJ that the Tax Collector's office increase their respective change fund to an amount not to exceed \$300.00 for the purpose of making change to insure the proper exact payment due is paid.

**BE IT FURTHER RESOLED** that said change fund be used to make change only and shall not be used to purchase goods and/or services of any kind.

**INTRODUCTION/ADOPTION of: Resolutions 2024-50**

**RESOLUTION 2024-50**

**WHEREAS**, the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, has received applications for the renewal year 07/01/2024 to 06/30/2025 of liquor licenses; and

**WHEREAS**, each application for renewal was accompanied by the following municipal fees: Plenary Retail Consumption \$826.80, Plenary Retail Distribution \$609.60 and Club License \$63.00; and

**WHEREAS**, each application also electronically submitted to the Division of Alcoholic Beverage Control a \$200.00 check; and

**WHEREAS**, the following submitted electronically to the State of New Jersey **Plenary Retail Consumption Liquor License** retail applications;

**Wedgewood Inn, LLC**, 2165 Rt. 57, Broadway, NJ, 08808  
License# 2105-33-001-005

**Playmakers Sports Bar & Grill, LLC**, 288 Anderson Rd, Asbury, NJ,  
License# 2105-33-003-012

**WHEREAS**, the following electronically submitted to the State of New Jersey a **Plenary Retail Distribution License** renewal application;

**Village Discount Liquors, LLC**; 2299 Rt. 57, Broadway, NJ,  
License# 2105-44-004-003;

**WHEREAS**, the following **Club License** was submitted to the Franklin Township, by Paper File Only, Application, municipal fees of \$63 and state fees of \$200. State Fee and Application mailed directly to the State of New Jersey for license renewal.

**Warren County Rod & Gun Club No. 1**, 279 Bloomsbury Rd., Asbury, NJ,  
License# 2105-31-006-001

**WHEREAS**, the applicants received tax clearance issued by the New Jersey Division of Taxation; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Franklin, County of Warren, and State of New Jersey, that the applications received for Plenary Retail Consumption and Plenary Retail Distribution and Club License have been duly inspected and that all appropriate documentation and fees have been submitted along with said applications and as such, the licensee applications are deemed complete and renewals of the same are hereby granted and that aforementioned liquor licenses for the year July 1<sup>st</sup> 2024 to June 30<sup>th</sup> 2025 be accepted and approved for issue

**NOW, THEREFORE, BE IT RESOLVED**, that the Clerk of the Municipality is directed to execute the license certificates and deliver the same on behalf of the Township of Franklin.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Franklin that this resolution shall take effect immediately.

#### **INTRODUCTION/ADOPTION of: Resolutions 2024-52**

**Franklin Township  
COUNTY OF WARREN  
RESOLUTION #2024-52**

**RESOLUTION AUTHORIZING THE FRANKLIN TOWNSHIP TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2024 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY AGENCY ASSISTANCE**

**WHEREAS**, the Franklin Township Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY24-EMPG-EMAA-2105 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

**WHEREAS**, the Franklin Township will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

**WHEREAS**, the wards period is from July 1, 2024 to June 30, 2025; and

**WHEREAS**, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

**WHEREAS**, the Franklin Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Franklin Township, in the County of Warren, State of New Jersey;

1. That the Council accepts the award of the FFY24 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency management are authorized to sign that appropriate subgrant award documents.
3. That copies of this resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

**NEW BUSINESS**

**Franklin Township School, Tim Duryea, Board Secretary 2024 Budget**

Mr. Duryea presented the committee with the school’s budget. The school is considered a High-Performance District and per QSAC they scored 96% out of 100%. Student enrollment is steadily climbing. Due to a state aid grant they have four preschool classes. In aggregate the tax levy increased approximately 3.27%. As to expenditure, the salary line is the largest increase. Health/Dental insurance premiums are increasing by approximately 8%. Contracting with the Washington Township Police Department for a full-time SRO Officer. A roofing project has been put on hold and moved to the 2025 budget. COVID grants will disappear by September 30<sup>th</sup> of this year.

**Coin Toss - Rolling Thunder, July 6<sup>th</sup>, Route 57**

A letter was received to hold a coin toss by Rolling Thunder at the corners of Route 57 and Millbrook Road. Per our Code, it is required that the permittee obtain approval from the NJDOT as well as the County before soliciting on their roadways. The committee will place this item on July 1<sup>st</sup> meeting agenda for the group to obtain the necessary approvals prior to entertaining.

**Recommendation of Award - Restabilization of Millbrook Rd.**

Four bids were received for the Storm Repair and Re-Stabilization project as follows and opened May 29<sup>th</sup> by Donna Becker of Finelli Consulting Engineers:

- 1. CMS Construction, Inc. \$531,219.00
- 2. Tom Bartha & Son Excavating \$769,105.00
- 3. Colonnelli Brothers, Inc. \$895,397.00
- 4. Seacoast Construction, Inc. \$1,639,145.00

**FRANKLIN TOWNSHIP  
WARREN COUNTY/STATE OF NEW JERSEY  
RESOLUTION 2024-51**

**A RESOLUTION OF AWARD, RESTABILIZATION OF MILLBROOK ROAD**

**Be it resolved**, that on June 3, 2024, the Township Committee of the Township of Franklin, Warren County, NJ hereby awarded CMS Construction, Inc, Plainfield, NJ to perform the necessary job for the Re-Stabilization of Millbrook Road Project as specified in their Bid package received and opened May 29, 2024, for the price of \$531,219.00; and

**Be it resolved**, A FEMA funded project received with a total amount of \$2,500,425.00; and

**Be it further resolved**, the Chief Financial Officer certifies that the Township has sufficient funds to award this contract for the Bid,

**ATTEST:**

*Denise L. Becton*

*David Guth*

\_\_\_\_\_  
Denise L. Becton  
Municipal Clerk

\_\_\_\_\_  
David Guth  
Mayor

On motion by Committeeperson Herzer and seconded by Committeeperson Toretta accepting the bid from CMS Construction of \$531,219.00, Resolution 2024-51 be adopted/approved.

<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		
David Guth, Mayor	X (5)Yes	(0) No	(0) Absent Motion carried

**Ordinances (First Reading/Introduction of)**

**Ord. 2024-4 - 2024 Salary Ordinance**

**Ordinance 2024-4**

**SALARY ORDINANCE  
TOWNSHIP OF FRANKLIN  
WARREN COUNTY, NJ**

**BE IT ORDAINED**, by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey that;

1. The Compensation of each member of the Township Committee of the Township of Franklin, County of Warren and State of New Jersey shall be and the same is hereby set at 2,900.00 per annum. payable quarterly, Mayor \$4,938.00 per yr.
2. The salaries and wages of the Officers and other employees of the Township of Franklin, County of Warren, and State of New Jersey hereinafter set forth, shall be as follows:

Tax Assessor, per year	\$28,038.00
Tax Collector, per year	\$26,500.00
CFO, per year	\$28,560.00
Assistant Treasurer, per year	\$ 6,120.00
Municipal Clerk, per year	\$75,256.00
Office Assistant, per year	\$20.00/hour
Certified Protecting Child from Abuse	\$250/annually
Zoning/Code Enforcement Officer, per year	\$25,077.00
Land Use Board Secretary, per year	\$21,822.00
LUB Special Meetings to be paid at \$150, per mtg.	Out of Applicants Escrow
Open Space/Agriculture Advisory Clerk, per year	\$ 3,060.00
Maintenance/Event Supervisor	\$ 10.00/hour
Emergency Management Co-Ord., per year	\$ 5,100.00
Deputy OEM	\$ 1,280.00
911 Co-Ord., per year	\$ 1,020.00
Recycling, per year	\$ 6,120.00
DPW Foreman	\$ 72,806.00
DPW Road Laborer I	\$ 52,020.00
All Department of Public Works. - Employees time and a half over 8-hour day	
Day Laborer	\$ 25.00/hour
Emergency Call Out – Snowplow Drivers	\$ 25.00/hour-NON CDL \$ 30.00/hour-CDL
Emergency Call Out – (NON-Snowplow related)	\$ 45.00/hour
Part-Time Seasonal Roadside/Lawnmowing	\$ 30.00/hour
Part-Time Road Laborer/Mechanic	\$ 30.00/hour

**ALL AUTHORIZED TOWNSHIP OFFICIALS OR EMPLOYEES OF THE TOWNSHIP WHILE ON OFFICIAL BUSINESS FOR THE TOWNSHIP, WHEN A SWORN VOUCHER IS APPROVED BY THE TOWNSHIP COMMITTEE, SHALL BE PAID PER THE IRS STANDARD MILEAGE RATE, PER MILE, FOR USE OF THEIR OWN PERSONAL VEHICLE.**

3. All Ordinance or parts of ordinances which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

That this Ordinance shall remain in effect for one year. That said Ordinance will be presented for final reading and adoption at a public meeting to be held on June 3, 2024, at or near the hour of 7:00 p.m. following publication in the Express Times/NJ Zone.

On motion by Committeeperson Herzer and seconded by Committeeperson Toretta the aforementioned Ordinance **2024-4** be adopted as read. Final reading and adoption to take place on June 3, 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

**Ord. 2024-5 - An Ordinance to establish a new Chapter 101 of the Code of the Township of Franklin entitled “Mobile Retail Food Vendors”**

**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”**

**BE IT ORDAINED** by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that the Code of the Township of Franklin is hereby amended to add a new Chapter 101 entitled “Mobile Retail Food Vendors” as follows:

**Section 1**

**CHAPTER 101  
MOBILE RETAIL FOOD VENDORS**

**§101-1 Scope.**

The provision of this chapter shall apply to mobile food operations engaged in the business of cooking, preparing, and/or distributing food or beverage from mobile retail food vendors on public property within the Township of Franklin.

**§101-2 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**MOBILE RETAIL FOOD VENDOR**

Any movable restaurant or retail food establishment in or on which food and beverage are transported, stored, or prepared for retail sale. The term "mobile retail vendor" shall include the following:

- A. **MOBILE RETAIL MOTORIZED FOOD VENDOR** — An establishment that is located upon a licensed, registered, motorized vehicle from which any food, beverage, grocery item or snacks, including but not limited to, candy, gum soda, and bottled water is cooked, prepared, served or otherwise offered for sale to the public.

B. **MOBILE RETAIL NONMOTORIZED FOOD VENDOR** — Movable, nonmotorized unit (e.g., pushcart) from which any food, beverage grocery item or snacks, including but not limited to candy, gum soda, and bottled water is cooked, prepared, served or otherwise offered for sale to the public.

**§101-3 License.**

A. All mobile retail food vendors operating within the Township of Franklin on public or private property shall be required to have a mobile retail food license issued by the Township of Franklin.

B. A mobile retail food vendor license and/or permit shall not be sold, or in any manner transferred to any other entity or individual, absent the express written consent of the Township of Franklin.

C. All applicants for a license shall submit the following documentation:

1. Certificate of registration issued by the N.J. Division of Taxation;
2. Proof of ownership or rental of an approved vehicle or pushcart;
3. Proof of general liability insurance providing a minimum of one million dollars (\$1,000,000.00) coverage for non-motorized mobile food vendor vehicles;
4. Proof of motor vehicle insurance as per N.J.S.A. § 39:6B-1 if the mobile food vendor operates from a motor vehicle in addition to proof of general liability insurance providing a minimum of one million dollars (\$1,000,000.00) coverage;
5. A type 2 propane permit if the vehicle or pushcart is carrying more than five (5) pounds of propane;

**§101-4 License fees and parking permits.**

A. Mobile retail motorized food vendor business license. The application fee for a license or any renewal of a license shall be \$500. The license shall be valid for a period of one (1) year from the date of issuance.

B. Mobile retail motorized food vendor parking permit. Mobile retail motorized food vendors operating within the Township of Franklin are required to purchase an annual parking permit. Permits are available as follows:

<b>Time Length (weekly)</b>	<b>Annual Amount</b>
4 days	\$1,600
7 days	\$2,500

There shall be a 1-day license that shall have an application/license fee of \$100. 1-day licenses shall be limited to 4 per individual or entity per year.

There shall be an event license for any mobile retail food vendors operating at any event at the Warren County Fairgrounds in the amount of \$250. The license shall be limited to the duration of the event.

C. Mobile vendor licensees shall be required to display the mobile retail vendor license/permit prominently in a location visible to customers and public at large.

**§101-5 Hours of operation.**

A. Weekdays: Monday through Friday, mobile retail food vendors may operate between the hours of 6:00 a.m. and 9:00 p.m.

B. Weekends: Saturday and Sunday, mobile retail food vendors may operate between the hours of 8:00 a.m. and 11:00 p.m.

#### **§101-6 Enforcement.**

A. Unless otherwise specified herein, this chapter shall be enforced by any Code or Zoning Enforcement Officer of the Township of Franklin.

B. Any license issued under the terms and provisions of this chapter may be suspended or revoked by the Township Committee of the Township of Franklin whenever it shall appear that the licensee is operating the mobile food concession in a disorderly or improper manner, including, but not limited to, operating in an unsanitary manner, generating excess noise, generating trash and debris, or in any other fashion that would constitute a nuisance. A licensee shall be served with notice of any intent to revoke a license and shall have the opportunity to have a hearing before the Mayor and Township Committee, upon written request.

#### **§101-7 Supplemental regulations.**

A. Mobile retail food vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters.

B. The Town reserves the right to temporarily move any mobile retail food vendor to a nearby location for emergency purposes as determined in the sole discretion of the Town.

C. The sale of any product other than food and drinks shall be expressly prohibited. This shall include, but shall not be limited to, the sale of cigarettes or any form of electronic smoking device and alcoholic beverages of any form.

D. Mobile food vendors shall provide trash and recycling receptacles within ten (10) feet of their site and shall collect all trash and debris within twenty-five (25) feet before leaving their site. Collected trash must not be deposited in public trash receptacles.

E. No mobile food vendors shall occupy the street and the sidewalk at the same time, i.e. park a motorized vehicle in the street and dispense food from the sidewalk or set up a pushcart on the sidewalk and dispense food in the street.

F. No mobile food vendor shall serve food or drink to a motorist or occupants of a vehicle blocking the passage of traffic.

G. No mobile food vendors shall occupy street space blocking the passage of traffic.

H. Mobile food vendors vehicle and pushcarts shall be self-contained; no coolers to be placed on streets or sidewalks.

I. Grills, generators, or other items related to the mobile food vending operation shall be physically attached to the vehicle or pushcart.

J. Mobile food vendors must have a portable water tank/sink for hand washing attached to their vehicle as per N.J.A.C. 8:24-5.3.

K. All motorized vehicles must abide by all existing traffic regulations.

L. No mobile food vendors shall operate in any area where parking of motor vehicles is prohibited, restricted or regulated. Such areas shall include, but not be limited to, sidewalks, bus stops, taxi stands, fire hydrants, parking metered areas, loading zones, areas where parking is prohibited, such as from the corner of an intersection as indicated by curb markings, areas reserved for physically handicapped motor vehicle operators, crosswalks, driveways and any other areas so restricted, prohibited or regulated for the parking of motor vehicles.

#### **101-8 Violations and penalties.**

A. The license of a person who violates any provision of this Chapter or the applicable provisions of Chapter 24 of the State Sanitary Code, may be revoked or suspended upon 10 days' notice served upon the licensee. Said notice shall contain the specific provision of this Chapter or of the State Sanitary Code which has been violated and the specifications which shall constitute the violation. Suspensions/revocations for non-health related reasons may be appealed to the Township Committee. Suspensions, revocations for sanitary/health reasons may be appealed to the Franklin Township Board of Health or its designee. Any licensee of a mobile food vendor whose license has been revoked shall not



be qualified to receive a new license or have said license restored to said person.

B. In addition to license suspension or revocation, any person violating any provision of this chapter shall, upon conviction thereof before the Municipal Court, be subject to a fine not exceeding \$1,000. The amount of such fine shall be determined by the sound discretion of the Municipal Judge. In addition to the aforementioned penalties, and as provided for herein, violations of this chapter may subject the license to suspension or revocation as provided for herein.

**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.

**V. Codification.** This Ordinance shall be a part of the Code of the Township of Franklin as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Franklin in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

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 June 3, 2024, 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 July 1, 2024, 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.

On motion by Committeeperson Herzer and seconded by Committeeperson Toretta the aforementioned Ordinance **2024-5** be adopted as read. Final reading and adoption to take place on July 1, 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**

**Engineer**

**2025 NJDOT Grant** – The 2025 NJDOT Grant deadline for applications is July 1<sup>st</sup> recommending we submit for the resurfacing of Millbrook Road first and second Good Springs Road. The committee is all in favor of the engineer proceeding with the application.

**The Dioxane project** –

On motion by Committeeperson Toretta and seconded by Committeeperson Herzer authorizing the engineer to go out to BID for this project.

<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			
David Guth, Mayor	X	(5)Yes	(0) No	(0) Absent Motion carried

## **Attorney**

**Tree Removal Ordinance** – An ordinance was drafted/circulated and is a requirement to add Tree Removal to our Stormwater Ordinance, Tier A transition. The ordinance will be placed on the July 1<sup>st</sup> agenda for introduction.

**Kober's Solar** – This project does not look good with permits from the Board of Public Utilities.

**Lincoln Equities** – A conference call with the NJDEP as to a potential bobcat corridor may require a habitat built into the site. This is a potential project only and no application has been received.

**Zoning Officer** – Report submitted and on file. Attorney Benbrook will look into increasing the fees for Mercantile Licenses to \$75 annually with a \$100 late fee after February 28<sup>th</sup> for 2025.

**DPW** – Report submitted and on file – A special storm related brush clean-up was posted to begin today, June 3<sup>rd</sup>, however the chipper is broken down and waiting on a part. We can possibly rent or borrow a neighboring municipality's chipper if we must.

**NJSP** – no one present

**Franklin Twp. Fire/EMS** – Chief Brown reported that there were 21 EMS calls and 9 fire calls. Total year to date EMS calls 114 and Fire 43 in Franklin Township.

**OEM/911 Coordinator** – OEM Tabert – Report submitted and on file -

**Recycling Coordinator** – No report submitted

**FTYA**- No representation present

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

## **Township Committee Reports:**

**Bonnie Butler** – Per our CFO the American Rescue Funds must be used by the end of this year. \$70,000 has been put to the side for improvements to be made at the road garage; salt shed and maintenance of the building, the rest of the funds put towards oil/chip of township roads. Foreman Biel working on obtaining salt shed quotes from manufacturers.

**Sarah Payne** – Attended the Emergency Management meeting presented by Warren County for municipal leaders, encouraging leaders to get involved.

**Michael Toretta** – Would like to see the American Rescue monies used for roads and to paint the DPW building. The small building to the right is falling down and should be fixed.

**Rich Herzer** – Would like to see our septic pumped regularly due to activity in our Community Center. The clerk informed she believes that Eddy Patient has this on a schedule.

**David Guth** – The mayor attended the Mayor's Conference last month, very informative.

At approximately 8:26 p.m. Mayor Guth opened the floor for Public Session.

**Karen Chiu** – Montana Road – The small building to the right at the DPW, believes this is a historical building and needs to be saved and designated.

Barry Rebo – Willow Grove Road – Thank you for the Dioxane update do we have a time frame when this project will be complete. He cannot sell his home until there is water in the house. Engineer informed the project should start approximately August and will at least take 8 months to a year before water might be able to be used. Completion comes down to the NJAWC and their scheduling of the project.

Jackie Martinson – Bloomsbury Road – Addressing the phone call our attorney had with the NJDEP and Lincoln Equities and a bobcat corridor being built into the project. The attorney confirmed again that there is no application for this project. There is still a traffic issue on this road. Homes have well water, and we don't need anything to happen to the aquifer.

Wayne Ferguson – Millbrook Road – Thank you to our Fire/EMS. Just curious as to how many false alarms the fire department receives on an annual basis. Chief Brown statistically less than 10%.

Karen Somers – Bloomsbury Road – Concern as to speeding on this road. Mayor informed of conversations already had with the Lieutenant of the NJSP, and they are enforcing this matter as they can. Also, this is a county road and can be discussed at a Board of Commissioners meeting as to speed and posting of.

Open public session closed by Mayor Guth at 8:46 p.m.

On motion by Committeeperson Herzer seconded by Committeeperson Toretta to commence into Executive Session at the hour of 8:46 p.m.

**EXECUTIVE SESSION**

**BE IT RESOLVED** on this 3rd day of June 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.

**Contract Negotiations – Fire Department – Insurance**

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 June 2024 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at approximately 8:46 p.m.

On motion by Committeeperson Herzer and seconded by Committeeperson Toretta to exit to executive session at 8:46 p.m. Unanimous Vote.

On motion by Committeeperson Herzer and seconded by Committeeperson Toretta to return to the regular session at 9:28 p.m. Unanimous Vote.

On motion by Committeeperson Herzer and seconded by Committeeperson Butler to approve the bills received by the CFO as submitted. Cintas bills are to be paid and cancel this vendor. Moving forward DPW employees are to purchase their uniforms and will be reimbursed per our Policy Manual.

<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 Toretta, hearing no objection, meeting stands adjourned at 9:33 p.m.

Respectfully submitted,

*Denise L. Becton*

Denise L. Becton, RMC/CMR  
Municipal Clerk