

REGULAR MONTHLY MEETING

The Franklin Township Committee held their regular scheduled monthly meeting on Monday, April 1, 2024, at the hour of approximately 7:00 p.m. Deputy Mayor Richard Herzer 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

Absent: David Guth, Mayor (4) Present, (1) Absent

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

CONSENT AGENDA:

(One Roll Call to approve the following agenda items 2-3)

2. **APPROVAL OF**
 - a. Re-Org Meeting **RE: March 4, 2024**
 - b. Executive Meeting **RE: March 4, 2024**
 - c. Social Affair Permit **RE: WC Wiffle Ball Tournament 8/9-10/2024**
 - d. On-Premises 50/50 Raffle **RE: WC Tech School PTA, Fri., May 10, 2024**
 - e. Off-Premises Tricky Tray **RE: WC Tech School PTA, Fri., May 10, 2024**

3. **RESOLUTIONS – FIRST READING/ADOPTION**
 - a. Proclamation **RE: Older Americans Month May 2024**
 - b. Res. 2024-32 **RE: Authorize submission of Form 1B Strategic Plan for Franklin/Mansfield/Washington Municipal Alliance grant for fiscal year 2025**
 - c. Res. 2024-33 **RE: Authorize public sale of Block 1 Lot 4, 2636 Rt. 57, Stewartsville, NJ**
 - d. Res. 2024-34 **RE: Appointment of 2024 Court Personnel**
 - e. Res. 2024-35 **RE: Appointment of Alternate #2 Land Use Board**

On motion by Committeeperson Toretta and seconded by Committeeperson Butler, as listed above (minutes, social affair permit, raffle licenses, proclamation, and resolutions) were approved on the Consent Agenda.

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/PROCLAMATION-

INTRODUCTION/ADOPTION of:

Older Americans Month 2024

A Proclamation

Whereas May is Older Americans Month, a time for us to recognize and honor Franklin Township, Warren County, NJ older adults and their immense influence on every facet of American society; and

Whereas, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

Whereas, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

Whereas, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

Whereas Franklin Township must ensure that older Americans have the resources and support needed to stay involved in their communities — reflecting our commitment to inclusivity and connectedness; and

Now, therefore, the Mayor and Township Committee of Franklin Township, Warren County, NJ do hereby proclaim May 2024 as Older Americans Month. This year's theme, "Powered by Connection," emphasizes the profound impact of meaningful interactions and social connection on the well-being and health of older adults in our community.

We call upon all residents to join us in recognizing the contributions of our older citizens and promoting programs and activities that foster connection, inclusion, and support for older adults.

David Guth, Mayor
Dated: April 1, 2024

Attest: Denise L. Becton
Municipal Clerk

RESOLUTION 2024-32

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 Township Council of the Township 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 Township 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 Township 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 Township of Franklin, County of Warren, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Franklin/Mansfield/Washington Municipal Alliance grant for fiscal year 2025 in the amount of:

GCADA Grant	\$938.00
Cash Match	\$234.50
In-Kind	\$703.50
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
David Guth, Mayor, Franklin Township, Warren County, NJ

**RESOLUTION NO. 2024-33
FRANKLIN TOWNSHIP
WARREN COUNTY, NEW JERSEY**

**A RESOLUTION TO AUTHORIZE THE SALE OF REAL PROPERTY NOT NEEDED FOR
PUBLIC USE
BLOCK 1, LOT 4**

BE IT ORDAINED by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that, pursuant to N.J.S.A. 40A:12-13(a), the following real property has been determined to be not needed for public use and shall be sold by open public sale at auction to the highest bidder after advertisement in the official newspaper by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to such sale:

Block 1, Lot 4 consisting of 40.02 +/- acres of vacant land with an address of 2636 Route 57, Stewartville, New Jersey.

BE IT FURTHER ORDAINED, that the governing body shall not establish a minimum bid price, but shall reserve the right to reject all bids. This reservation shall be included in the advertisement of sale.

BE IT FURTHER ORDAINED, that pursuant to statutory requirement, a copy of this Ordinance shall upon second reading, public hearing and approval, be posted on the bulletin board or other conspicuous space, in the Franklin Township municipal building, and the Ordinance shall be published in the Township's official newspaper within five (5) days following adoption of the Ordinance.

RESOLUTION 2024-34

RESOLUTION AUTHORIZING THE MUNICIPAL COURT OF THE TOWNSHIP OF FRANKLIN TO ENGAGE A MUNICIPAL JUDGE, PROSECUTOR AND OTHER COURT PERSONNEL

WHEREAS, the Township of Franklin, Warren County, New Jersey, has entered into an interlocal municipal services agreement for the creation of a shared municipal court with the Town of Belvidere; and

WHEREAS, this court is known as the Municipal Court of the Township of Franklin; and

WHEREAS, the Municipal Court requires the services of a Judge, Municipal Prosecutor, Court Administrator, and other Court personnel for the Calendar Year 2024; and

WHEREAS, pursuant to the Interlocal Services Agreement, the Municipal Court of Franklin appoints the Judge, Prosecutor and other Court personnel appointed by the Town of Belvidere as the lead agency.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of Franklin, County of Warren, State of New Jersey, that the following Court appointments be and hereby are made for the Municipal Court of the Township of Franklin for Calendar Year 2024:

Municipal Court Judge – Honorable Nicole Lenar – 3 Year Term – 1/1/2024 – 12/31/2026
Prosecutor – Steven Siegle
Court Administrator – Tara Caffarelli
Public Defender - Scott Wilhelm, Esq.

RESOLUTION 2024-35

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Land Use Board that shall be appointed by the Mayor of the Township of Franklin. The appointments for the year **2024** for the coming year were made on **January 3, 2024** as follows.

Joseph Sciortino, Alt. #2 2 yrs. exp. 12/25

NJSP – A trooper present this evening had nothing formal prepared. They have been addressing speeding complaints on Old Main Street and Route 57. A question from Marsha Colaluce and the speeding she has noticed West on Route 57 and the disregard of 50 mph to 40 mph were noted.

NEW BUSINESS

OPEN PUBLIC AUCTION – Bids Received:

2185 Rt. 57 Block 17 Lot 12 – Attorney Benbrook noted that there is a minimum bid of \$10,000 for this property and one bidder is in the audience this evening. A bid of \$10,000, going once, going twice, sold.

Reservior Road Block 1 Lot 11 – no one present to bid.

72 Montana Road Block 8 Lot 10 – no one present to bid.

On motion by Committeeperson Butler and seconded by Committeeperson Payne accepting the bid for 2185 Rt. 57, Block 17 Lot 12, in the amount of \$10,000.

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

RECOMMENDATION OF AWARD- Storm Sewer Replacement on Millbrook Road

Four (4) bids were open/received by Mike Finelli of Finelli Consulting Engineers, Inc., on March 28, 2024, at 10:00 a.m.

1. Salmon Brothers, Newton, NJ \$127,800
2. Tom Bartha & Son, Belvidere, NJ \$145,295
3. KDP Developers, Phillipsburg, NJ \$163,928
4. Cedar Ridge Lawn Care, Hampton, NJ \$240,282.08

A recommendation by Engineer Finelli to proceed with the apparent low bidder Salmon Brothers, Inc. in the amount of \$127,800. We previously were awarded a NJDOT Grant in the amount of \$87,600.

On motion by Committeeperson Butler and seconded by Committeeperson Toretta to accept Salmon Brothers bid of \$127,800.

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

OLD BUSINESS

PUBLIC HEARING: Ordinance 2024-2

ORDINANCE 2024-2

CALENDAR YEAR 2024

MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

-Motion to open Public Hearing - Committeeperson Butler made the motion and seconded by Committeeperson Payne, 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

REPORTS/UPDATES

Engineer –

Millbrook Road FEMA Restoration Project – received the final draft of plans for the retaining wall. This consists of two components, Hydrology where the engineer puts together a draining analysis to conclude how deep the water is coming down the brook and secondly, the soil, two borings were done got down between 6-8 ft and hit rock. This will be sent to the Design Engineer to complete the analysis. We are aware of the time frame schedule to complete this project and hope by mid-May to potentially award the contract.

The Dioxanne project – waiting on two agency approvals, one from the railroad the other from the county then we can go out to Bid.

2024 NJDOT Grant – Good Springs/Willow Grove Road, we don't need to do anything with this tonight.

Attorney –

Attorney Benbrook addressed the Tigar property and will coordinate with Zoning Officer Onembo and the August deadline to clean up the property.

On motion by Committeeperson Toretta and seconded by Committeeperson Butler authorizing Attorney Benbrook to move forward to finalize the Consent Order on the Tigar Property.

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

A letter was sent to the homeowner on Good Springs Road and the ongoing water issue draining from the property onto the roadway.

Open Space/Agricultural Advisory Commissions – Committeeperson Butler informed that a joint meeting was held on March 25th. There isn't a lot of preserving being done at this time, however, there is a pending formula to equalize densely populated property that will help provide more money per acre giving an incentive to preserve. As to COAH the state is starting to recognize and factor those properties located in the Highlands.

Zoning Officer – report submitted and on file – Court hearing tomorrow.

Franklin Twp. Fire/EMS – no formal report.

DPW – report submitted and on file - Hopeful after speaking with contractor the brush pile will be gone within a week.

Recycling Coordinator – No report submitted.

OEM/911 Coordinator – No report submitted.

FTYA- no representation present.

Committee Reports:

Bonnie Butler – Nothing further to report.

Sarah Payne - Nothing further to report.

Michael Toretta – Nothing further to report.

Rich Herzer – Nothing further to report.

David Guth - absent

At approximately 7:44 p.m. Deputy Mayor Herzer opened the floor to the Public. Unanimous vote.

Cathy Montgomery – residing in the first home on Stewartville Road, her property was recently surveyed and inquired about the proposed Hunter’s Rest duplexes with WC Habitat. Engineer Finelli responded as to the clean up of the site, potential of 4 duplexes and achieving COAH components.

Karen Chiu – inquired as to the size of the proposed layout and entry of fire/ems apparatus.

Marsha Colaluce – addressed if any Historic value and salvageable. Mr. Onembo informed that the site is dangerous to navigate inside but can assist with a tour.

Marvin Kocher – residing at 9 Thatcher Avenue concerned as to drainage issues and water flow with constant rainstorms. Appears to be getting worse and was wondering if the township had a game plan on correcting.

Open public session closed by Deputy Mayor Herzer at 8:04 p.m.

On motion by Committeeperson Toretta seconded by Committeeperson Payne to commence into Executive Session at the hour of 8:04 p.m.

EXECUTIVE SESSION

BE IT RESOLVED on this 1st day of April 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 Property – Block 41 Lot 12.02
Personnel – Tax Collector’s Office**

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 1st day of April 2024 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at approximately 8:44 p.m.

On motion by Committeeperson Toretta and seconded by Committeeperson Payne to exit to executive session at 8:04 p.m. Unanimous Vote.

On motion by Committeeperson Toretta and seconded by Committeeperson Butler to return to the regular session at 8:19 p.m. Unanimous Vote.

Attorney Benbrook summarized the executive session discussions, a pending summons in our Municipal Court and the Tax Collector’s Office, no action taken.

On motion by Committeeperson Butler and seconded by Committeeperson Herzer to approve the bills received by the CFO as submitted. Note, Committeeperson Payne pulled the NJAW bills for February/March for the CFO to research that they aren’t duplicate payments prior to mailing.

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 Payne, hearing no objection, meeting stands adjourned at 8:21 p.m.

Respectfully submitted,

Denise L. Becton

Denise L. Becton, RMC/CMR
Municipal Clerk