

REORGANIZATION MEETING

The Franklin Township Committee held their annual reorganization meeting on Wednesday, January 3, 2024, at the hour of approximately 7:00 p.m. Denise Becton, Municipal Clerk, 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, Attorney Benbrook swore in Committeeperson-elect Bonnie Butler, for a (3) three year, Full-term, on the Franklin Township Committee, Term of office January 1, 2024 - December 31, 2026.

Roll Call of Committeepersons present: Bonnie Butler, Mike Ferri, David Guth, Richard Herzer, Mike Toretta (5)Yes, (0) No, (0) Absent.

Present were: Kevin Benbrook, Municipal Attorney, Jim Onembo, Zoning/Code Enforcement Officer, Joe Biel, DPW Foreman

First order of business will be Attorney Benbrook to swear in Committeeperson Elect Bonnie Buter for a 3-year term.

Second order of business will be nominations for Mayor for the year 2024 were opened, Mike Toretta nominated David Guth and Rich Herzer seconded the motion. Bonnie Butler made a motion to close nominations for Mayor seconded by Mike Ferri. All in favor to close nomination for Mayor.

Roll Call Vote for Mayor: Bonnie Butler, Mike Ferri, David Guth, Rich Herzer, Michael Toretta, (5) Yes, (0) No (0) Absent, Motion carried.

Chair declares David Guth is Mayor for 2024.

Third order of business will be nominations for Deputy Mayor for the year 2024 were opened, Mike Toretta nominated Rich Herzer and David Guth seconded the nomination. Bonnie Butler made a motion to close nominations for Deputy Mayor and seconded by Mike Ferri. All in favor to close nomination for Deputy Mayor.

Roll Call Vote for Deputy Mayor: Richard Herzer, Mike Ferri, Bonnie Butler, Michael Toretta, David Guth. (5)Yes, (0) No, (0) Absent. Motion carried

Chair declares Rich Herzer is Deputy Mayor for 2024.

Attorney Benbrook swore in David Guth as Mayor for a one (1) year term, and Rich Herzer as Deputy Mayor, for a one (1) year term for the year 2024.

At this time, the remainder of the meeting was turned over to Mayor Guth.

Attorney Benbrook also swore in members of Franklin Township Agriculture Advisory Committee, Musconetcong River Management Council and Franklin Township Fire/EMS Line Officers/Fire Police for 2024.

ROLL CALL OF COMMITTEE PRESENT: Richard Herzer, David Guth, Mike Ferri, Bonnie Butler, Michael Toretta. (5) Yes, (0) No, (0) Absent

APPROVALS

On motion by Bonnie Butler and seconded by Rich Herzer the following Regular Meeting Minutes of December 4, 2023, and the Executive Meeting Minutes of December 4, 2023, and the Year End Meeting Minutes of December 27, 2023, were accepted as posted. All in favor, Bonne Butler-Yes, Mike Ferri-Yes, Rich Herzer-Yes, Mike Toretta-Yes, David Guth-Yes.

REPORT/UPDATES

NJSP – no representation present this evening

INTRODUCTION/ADOPTION

Continuing, Mayor Guth, presented various **Resolutions 1-23** by number and briefing as to what each one represented as follows:

RESOLUTION 2024-1

**RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN
AND STATE OF NEW JERSEY DESIGNATING
REGULAR MEETING DATES / TIMES**

BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren, and State of New Jersey that the regular meetings of the Township Committee for the year 2024 shall be held the first Monday of each month, unless otherwise indicated below, at the Franklin Township Municipal Building, Broadway, N.J. at the hour of 7:00 p.m.

WHEREAS Section 13 of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that at least once a year, not later than January 10th of such year, this public body shall post and mail to newspapers designated by said body, a schedule of the location, time and date of such work sessions and regular meetings of said body during the succeeding year.

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

The Franklin Township Committee chose the following meeting dates for the year **2024**.

TAKE NOTICE that pursuant to provisions of Section 231 of the "Open Public Meetings Act" Chapter 231, PL 1975 the following is a schedule of the Regular Meetings of the Franklin Township Committee of the Township of Franklin, County of Warren to be held for the year **2024**. All meetings unless otherwise indicated, shall be held at 7:00 p.m. at the Franklin Township Municipal Building, 2093 Rt. #57, Broadway, N.J. 08808. **Please check our website monthly as to any changes to meeting dates/times.**

- | | |
|--|--|
| January 3 (<i>Re-Org Mtg.</i>) (<i>Wednesday</i>) | August 5 |
| February 5* | September 9 |
| March 4 | October 7 |
| April 1 | November 4 |
| May 6 | December 2 |
| June 3 | December 30 (<i>Year End Mtg. @ 4pm</i>) |
| July 1 | January 6, 2025 (<i>Re-Organization Mtg.</i>) |

Workshop Meetings listed below will be held, IF, there are Agenda Items to discuss, on the second Monday of the following months at 7:00 pm at the Municipal Building, 2093 Rt. 57, Broadway, NJ, official action MAY be taken at all workshop meetings:

March 11, April 8, May 13, June 10

***The Budget Workshop meeting will be held prior to the March 4th meeting at 5:00 p.m.**

Dated: January 3, 2024

Disposition

1. Express-Times NJ Zone

2. Star Ledger
3. Clerk's Office
Municipal Building Broadway, N.J.
08808

RESOLUTION 2024-2

BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren, and State of New Jersey that the regular meetings of the Franklin Township Historical Commission for the year **2024** shall be held the third Monday of each month at the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, N.J. at the hour of 7:00 p.m. unless otherwise noted.

The Franklin Township Historical Commission chose the following meeting dates for the year **2024**.

TAKE NOTICE that pursuant to provisions of Section 231 of the "Open Public Meetings Act" Chapter 231, PL 1975 the following is a schedule of the Regular Meetings of the Franklin Township Historical Commission, of the Township of Franklin, County of Warren to be held for the year **2024**. All meetings unless otherwise indicated shall be held at 7:00 p.m. at the Franklin Township Municipal Building, 2093 Rt. #57, Broadway, N.J. 08808.

| | |
|----------------------------|--------------------------|
| January No Meeting | July No Meeting |
| February No Meeting | August No Meeting |
| March 18 | September 16 |
| April 15 | October 21 |
| May 20 | November 18 |
| June 17 | December 16 |

Dated: January 3, 2024

Disposition

1. Express-Times NJ Zone
 2. Clerk's Office
- Municipal Building Broadway, N.J.
08808

RESOLUTION 2024-3

WHEREAS, the Township Committee of the Township of Franklin, County of. Warren, State of New Jersey deems it necessary to incorporate a purchase order system so that the State Directive requiring an encumbrance system be enacted, and

WHEREAS, by Order of the Mayor and Committee that system be initiated, utilizing pre-numbered purchase orders, and encumbering any purchase of \$1,000.00 or over

WHEREAS P.L. 1983, chapter 8, Local Fiscal Affairs Law, N.J.S.A. 40A 59-2 has been amended to require that each municipality designate a Cash Management Plan for the deposit of local unit's monies.

BE IT RESOLVED that the following Cash Management Plan be adopted by the Township of Franklin.

A. Designation of Official Depositories:

1. The following institutions are designated Official Depositories.
PNC Bank Unity Bank Valley Bank
Chase Manhattan Bank Fulton Bank

2. Designated Official Depositories are required to submit to the Financial Officer of the Township of Franklin a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act notification of eligibility which must be filed semi-annually in the Department of Banking, as of June 30th, and December 31st, of each year.

3. Designated Official Depositories are required to submit to the Financial Officer a copy of the Institutions' Annual Report on an annual basis.

B. Deposit of Funds

All funds shall be deposited within forty-eight hours (48) of receipt in accordance with State Statutes.

1. Operating funds shall be deposited into interest bearing accounts to maximize earnings.

2. Trust funds may be deposited into interest bearing accounts, Non interest bearing accounts should be regularly monitored for availability of funds for investment except where either State, Federal laws or Local Ordinances prohibit the earnings of interest on such funds.

C. Designation of Allowable Investment Instruments

The Township may permit deposits and investments in such depositories as permitted in section 4 of P.L. 1970 Chapter 23666 (c. 17:9-44)

D. Definitions of Acceptable Collateral and Protection of Township Assets.

1. All designated depositories must conform to all applicable state statutes.

2. All depositories shall obtain the highest amount possible F.D.I.C., and or F.S.L.I.C. coverage of all Township Assets. (Demand and Certification of Deposits.).

3. Collateral will be required for all deposits and investment of the Township except for those in the State Cash management fund, collateral must have a market value of not less than 100% of all deposits and investments

E. Reporting Procedures:

The Financial Officer shall prepare for the Township Committee the following investment reports.

1. Monthly reporting: A listing of all investments as part of the Financial Officer's monthly report.

2. The Financial Officer shall prepare a schedule of outstanding investments for the independent auditors as of December 31st, of each year and at other such times as required by the auditors.

F. Maximum Maturity Policy:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provisions of regulation promulgated by either the Federal or State Government.

G. Bonding:

The following Official shall be covered by surety bonds, said surety bonds to be examined by the Independent Auditor to insure their proper execution:

- Financial Officer
- Tax Collector

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by a Public Employees Faithful Performance Bond in the minimum amount of \$5,000.00.

H. Compliance:

The Cash Management Plan of the Township of Franklin shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

RESOLUTION 2024-4

BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren, and State of New Jersey, that all merchants of Franklin Township, County of Warren, doing retail business within the Township be obligated to obtain a mercantile license in the amount of \$50.00 during the month of January. Penalty after **February 28, 2024**, to be an additional \$10.00.

RESOLUTION 2024-5

BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren, and State of New Jersey that the following job titles for the year 2024 be made,

| | |
|-----------------------------------|--|
| DPW Foreman | Joe Biel, Sr. |
| Road Laborer II | |
| Road Laborer I | Mike Mecsey |
| Road Laborer/Part-Time | Joe Sheridan |
| Municipal Clerk | Denise L. Becton |
| Office Assistant | |
| Chief Financial Officer | Margaret Pasqua |
| Tax Collector | Cameron Keng |
| Tax Assessor | Craig Brotons |
| Asst. Treasurer | Denise L. Becton |
| Construction Official | NJ Dept. of Comm. Affairs |
| Dog Licensing Official | Denise L. Becton |
| Animal Control Officer | Share w/Washington Twp., Long Valley, NJ |
| Health Officer | (5) Twsp. Comm. Members & Zoning Officer |
| Emergency Management Coordinator | Shawna Tabert |
| Deputy Emergency Mgt. Coordinator | David Guth |
| 9-1-1 Coordinator | Shawna Tabert |
| Zoning Officer | James Onembo |
| Land Use Board Secretary | Kelley D. Smith |
| Open Space Clerk | Denise L. Becton |
| Tax Search Officer | Cameron Keng |
| Assessment Search Officer | Denise L. Becton |
| Registrar Vital Statistics | Denise L. Becton |

Deputy Registrar Vital Statistics
Alternate Deputy Registrar
Municipal Judge
Municipal Prosecutor
Alt. Prosecutor
Public Defender
Alt. Public Defender
Sgt. At Arms
Court Administrator
Recycling Coordinator
Site Manager
Maintenance/Event Supervisor

Kelley D. Smith, Harmony Twp.
Honorable Nicole Lena, Share w/Town of Belvidere
Share w/Town of Belvidere
John Caleca, Share w/Town of Belvidere
Scott Wilhelm, Esq., Share w/Town of Belvidere
Gregory Gianforaro, Share w/Town of Belvidere
Share w/Town of Belvidere
Dawn Decker, Share w/Town of Belvidere
Kevin Murray

**Resolution 2024-6
TEMPORARY BUDGET**

WHEREAS Title 40A:4-19 known as the Local Budget Law, provides that where any contracts, commitments or payments are to be made prior to the final adoption of the **2024** budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided, and.

WHEREAS the total appropriations in the **2023** budget, less appropriations made for the Capital Improvement Fund, Debt Service, Relief for the Poor (Public Assistance) and Deferred Charges are as follows:

General Fund: **\$2,438,454.68**

AND,

WHEREAS 26.25% of the total appropriations in the **2023** budget, less the appropriations made for Capital Improvement Fund, Debt Service, Relief for the Poor (Public Assistance), and Deferred Charges are as follows,

General Fund: **\$640,094.35**

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin, County of Warren that the temporary appropriations be made in the amount of **\$640,094.35** for the General Fund and that a certified copy of this resolution be transmitted to the Chief Financial Officer for recordkeeping.

**FRANKLIN TOWNSHIP
WARREN COUNTY, NEW JERSEY
RESOLUTION 2024-7**

A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Franklin Township Committee has a need to acquire professional services as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, the following professionals have submitted contracts for services as indicated:

- Municipal Attorney; Kevin Benbrook of the firm Benbrook & Benbrook, LLC
- Municipal Engineer; Mike Finelli of the firm Finelli Consulting Eng., Inc.
- Municipal Planner; Jim Kyle of the firm Kyle Planning and Design
- Municipal Bond Counsel; John Draikiwicz of the firm Gibbons P.C.
- Municipal Auditor; John J. Mooney, CPA, RMA, Nisivoccia, LLP
- Open Space/Farmland Preservation Advisor; The Land Conservancy of NJ

WHEREAS, each professional, has completed and submitted a Business Entity Disclosure Certification which certified that they, have not made any reportable contributions to a political or candidate committee in the

previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, the required certificate for the availability of funds has been filed by the chief financial officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned bond counsel services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin authorizes the Mayor and Clerk of the Township of Franklin to enter into a contract with the professionals as described herein on behalf of the Township of Franklin for 1 year; for the calendar year **2024** and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication.

RESOLUTION 2024-8

TOWNSHIP OF FRANKLIN WARREN COUNTY, NEW JERSEY

RESOLUTION AUTHORIZING THE TAX ASSESSOR TO FILE TAX APPEALS ON BEHALF OF THE TOWNSHIP OF FRANKLIN

WHEREAS, the Mayor and Committee of the Township of Franklin are aware that the Tax Assessor of the Township of Franklin may be required from time to time to correct errors made in computing the tax assessments of properties located within the Township; and

WHEREAS, the Mayor and Committee of the Township of Franklin are aware that the laws of New Jersey permit any taxpayer of the Township to file a Petition of Appeal with the Warren County Board of Taxation or to the Tax Court of the State of New Jersey to adjust this valuation of property or to correct errors made therein; and

WHEREAS, the municipality must be represented at such hearings by its Tax Assessor and by the Municipal Attorney who by law shall be authorized to settle such appeals with taxpayers of the Township of Franklin when it appears that such settlement is in the best interest of the Township and the Taxpayer; and

WHEREAS, in the event a settlement is reached, the laws of the State of New Jersey require that a Stipulation of Settlement be prepared memorializing the agreement which was reached which Stipulation must then be filed with the Warren County Board of Taxation; and

WHEREAS, the Tax Assessor of the Township of Franklin has requested the Mayor and Township Committee to enact a Resolution specifically authorizing the Tax Assessor to enter into agreements with taxpayers of the Township of Franklin to correct errors and to settle appeals including the authority to execute Stipulations of Settlement with taxpayers and appellants.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Franklin that the Tax Assessor is hereby authorized to adjust errors found in the tax assessments covering property within the Township of Franklin, negotiate and enter into settlements of appeals by taxpayers of their tax assessments and in all respects the Tax Assessor is authorized by law including the signing of all such stipulations and settlement agreements.

BE IT FURTHER RESOLVED that the Township Attorney of the Township of Franklin is hereby authorized to represent the Township in connection with all matters concerning the assessment of taxes including, but not limited to, negotiation of settlements, the preparation of settlement stipulations, and the signing of all documents as may be required by law on behalf of the Township of Franklin;

AND BE IT FURTHER RESOLVED that the Tax Assessor and the Township Attorney be and the same are hereby authorized to appear on behalf of the Township of Franklin before the Warren County Board of

Taxation and the Tax Court of the State of New Jersey and to do and perform all lawful acts before such Board and Court on behalf of the Township of Franklin as may be provided by law including the authority to enter into settlement agreements and judgments by consent.

RESOLUTION 2024-9

WHEREAS, the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, desires not to refund tax overpayments under the amount of \$10.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of said Township of Franklin that all tax over-payments under the amount of \$10.00 shall not be refunded but shall be applied to the subsequent quarter's tax receivable.

RESOLUTION 2024-10

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

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, 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.

NOW, THEREFORE BE IT 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. Effective **January 3, 2024**, there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.

3. 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.

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

5. A certified copy of this Resolution be provided by the Township Clerk to the Tax Collector, Township Attorney and Township Auditor for the Township of Franklin.

Dated: January 3, 2024

RESOLUTION 2024-11

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Local Board of Health for a period of one (1) year.

Jim Onembo
Rich Herzer
Mike Toretta
David Guth
Mike Ferri
Bonnie Butler

Resolution 2024-12

WHEREAS there exists vacancies on the newly enacted Public Safety Committee and;
WHEREAS the following appointments to fill said vacancy for a period of one year has been enacted, and;
NOW, THEREFORE, BE IT RESOLVED, that the following individuals take their place on the Public Safety Committee for a period of one-year effective January 3, 2024.

- Township Committee - Bonnie Butler–Mike Toretta
- Fire Chief Dave Brown
- Deputy Fire Chief Joe Parkin
- EMS Captain Karen Chiu
- OEM Coordinator – Shawna Tabert
- Deputy OEM Coordinator- David Guth
- Margaret Pasqua, CFO

**RESOLUTION 2024-13
APPOINTMENT OF MUNICIPAL
AGRICULTURE ADVISORY BOARD**

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Municipal Agriculture Advisory Board that shall be appointed by the Mayor of the Township of Franklin. The appointments are for a (3) year term expiring **12/2026**.

- Ron Sigler
- Bonnie Butler
- Sam Santini
- Richard Gardner
- Jason Banghart

RESOLUTION 2024-14

Historical Commission

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Historical Commission that shall be appointed by the Mayor of the Township of Franklin. The appointments are for the terms below.

| | | |
|-------------------------|-------------|-----------------|
| Amy Perkins | 2-year term | exp. 12/31/2025 |
| Bev Altrath – Alternate | 2-year term | exp. 12/31/2025 |
| Marsha Colaluce | 2-year term | exp. 12/31/2025 |

RESOLUTION 2024-15

WHEREAS there remains on the records and books of the Township of Franklin delinquent taxes and municipal charges owing as of **December 31, 2023**; and

WHEREAS, the statutes of the State of New Jersey, expressly N.J.S.A. 54:5 et seq., provide for the enforcement and collection of such delinquencies through a tax lien sale; and

WHEREAS the Tax Collector is empowered by statute to conduct and preside over the sale of liens.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Franklin, that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with New Jersey law, on or before **December 31, 2023**.

RESOLUTION 2024-16

SCHOOL BOARD RECOGNITION MONTH

WHEREAS New Jersey's public schools serve more than 1.2 million children from Kindergarten through Grade 6; and,

WHEREAS the direction of public education in New Jersey is chartered locally by individual school boards, whose 4,800 members serve as advocates for public education as they work with administrators, teachers, parents, and local residents; and

WHEREAS Boards of Education provide accountability to the democratic system of governing the schools by communicating the needs of the district to the community while impressing upon administrators the public's expectations for the school district; and

WHEREAS School Board members receive no remuneration for their services; and

WHEREAS The Township of Franklin is justly proud of the academic, athletic, and social achievements of the students in our community; and,

WHEREAS, the New Jersey State Board of Education and the New Jersey School Boards Association have declared January 2024 to be School Board Recognition Month, a time that all residents might acknowledge the contributions made by our local school board members; and

NOW, THEREFORE, BE IT RESOLVED, that the Franklin Township Committee does hereby commend the service of the Franklin Township Board of Education and its members to our community and its children; and be it further,

RESOLVED, that the Franklin Township Committee proclaims January as **SCHOOL BOARD RECOGNITION MONTH** in Franklin Township and urges all citizens to join in recognizing the dedication of local school board members, past and present, as we work together to improve educational opportunities for our children.

Dated: January 3, 2024

RESOLUTION 2024-17

Public Agency Compliance Officer

WHEREAS The Township of Franklin (hereinafter "Public Agency") in accordance with N.J.A.C. 17:27-3.5 that each agency shall designate a Public Agency Compliance Officer; and

WHEREAS the New Jersey Department of Treasury, Division of Contracts Compliance and Equal Employment Opportunity in Public Contracts; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of The Township of Franklin, in the County of Warren and State of New Jersey, as follows:

1. The Township of Franklin hereby designates Denise L. Becton as its Public Agency Compliance Officer.

**RESOLUTION
2024-18**

**JOINING THE WARREN COUNTY
COOPERATIVE PRICING COUNCIL (WCCPC)**

A RESOLUTION AUTHORIZING THE TOWNSHIP OF FRANKLIN TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE WARREN COUNTY COOPERATIVE PRICING COUNCIL HEREIN AFTER REFERRED TO AS THE "LEAD AGENCY" FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK MATERIALS AND SUPPLIES FOR THEIR RESPECTIVE JURISDICTIONS.

BE IT RESOLVED by Franklin Township of the Township of Franklin, County of Warren, and State of New Jersey:

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Franklin

Pursuant to the provisions of N.J.S.A. 40A: 11-11(5), the mayor is authorized to enter into a Cooperative Pricing Agreement with the Warren County Cooperative Pricing Council for the purchase of work, materials and supplies.

The Warren County Cooperative Pricing Council entering into contracts on behalf of the Township of Franklin shall be responsible for complying with the provisions of Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

All Resolutions or parts inconsistent with this Resolution shall be and the same are hereby repealed.

RESOLUTION 2024-19

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.

| | | |
|-------------------------|--------|------------|
| Deputy Mayor, Class I | 1yr. | exp. 12/24 |
| Jim Onembo, Class II | 1yr. | exp. 12/24 |
| Rich Herzer, Class III | 1 yr. | exp. 12/24 |
| Michael Balogh, Alt. #1 | 2 yrs. | exp. 12/25 |
| OPEN POSITION, Alt. #2 | 2 yrs. | exp. 12/25 |
| Henry Meltzer, IV | 4 yrs. | exp. 12/27 |
| Gary Corde, IV | 4 yrs. | exp. 12/27 |

RESOLUTION 2024-20

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Open Space Commission 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.

| | | |
|----------------------------|-------|------------|
| Rich Herzer | 1 yr. | exp. 12/24 |
| Sara Pyskaty | 3 yr. | exp. 12/26 |
| Jason Banghart | 3 yr. | exp. 12/26 |
| Kim Lorencz | 3 yr. | exp. 12/26 |
| Rick Gardner, Alternate #1 | 1 yr. | exp. 12/24 |

**RESOLUTION 2024-21
RISK MANAGEMENT CONSULTANT**

WHEREAS Franklin Township (Warren) has resolved to join the Public Alliance Insurance Coverage Fund (“PAIC) following a detailed analysis of the PAIC proposal for the **2024** Fund year: and

WHEREAS the Bylaws of PAIC require that each entity designate a Risk management Consultant to perform various professional services as detailed in the Bylaws and Risk management Plan; and

WHEREAS, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee;

NOW THEREFORE, BE IT RESOLVED that Franklin Township, Warren County, NJ does hereby appoint Charles R. Frinzi/Ahart, Frinzi & Smith as its Risk Management Consultant in accordance with the Fund’s Bylaws.

RESOLUTION 2024-22

PUBLIC ALLIANCE INSURANCE COVERAGE FUND RESOLUTION FOR RENEWAL OF MEMBERSHIP

WHEREAS, Franklin Township (W), hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

WHEREAS, said renewal membership terminates as of January 1, 2024, at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

WHEREAS, the **Local Unit** is afforded the following types of coverages:

- Workers’ Compensation
- Package (property, boiler & machinery, crime, auto & general liability including Police Professional)
- Public Officials Liability
- Excess Liability
- Auto & General Liability (including Police Professional)
- Public Officials Liability
- Environmental Impairment Liability

WHEREAS, the **Public Entity** desires to renew said membership.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2024, and ending January 1, 2026 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the

Public Entity must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.

3. The **Public Entity** hereby appoints as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

RESOLUTION 2024-23

Musconetcong River Management Council

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Municipal River Management Council that shall be appointed by the Mayor of the Township of Franklin. The appointments are for the year 2024.

Beth Styler Barry - Primary
Vacant - Alternate

FIRST READING AND INTRODUCTION – Ordinances

ORDINANCE 2024-1

ORDINANCE TO AUTHORIZE CHARITABLE ORGANIZATIONS TO SOLICIT CONTRIBUTIONS IN THE ROADWAYS OF THE TOWNSHIP OF FRANKLIN

BE IT ORDAINED By the Township Committee of the Township of Franklin, in the County of Warren, New Jersey, that, pursuant to N.J.S.A. 39:4-60, that the Franklin Township Fire Department and the Franklin Township EMS be and hereby are authorized to solicit contributions on any municipal, county, or state highway or intersection located within the Township of Franklin; and

BE IT FURTHER ORDAINED that any other charitable organization as defined in N.J.S.A. 45:17A-20 may, upon written request and approval by the Township Committee, solicit contributions on any municipal, county or state highway or intersection located within the Township of Franklin; and

BE IT FURTHER ORDAINED that solicitation on any county highway or intersection is herein made subject to the approval of the Warren County Board of Commissioners; and

BE IT FURTHER ORDAINED that solicitation on any state highway or intersection is herein made subject to the approval of the Commissioner of Transportation.

SECTION II.

All ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

SECTION III.

This ordinance shall be in full force and take effect immediately after final passage and publication, as required by law.

PUBLIC NOTICE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 3rd day of January 2024, at a meeting of the Township Committee of the Township of Franklin and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Township Committee of the Township of Franklin to be held on the 5th day of February 2024, at the Municipal

Denise L. Becton, Clerk

Introduced: January 3, 2024
Adopted: February 5, 2024

On motion by Rich Herzer and seconded by Mike Ferri the aforementioned **Ordinance 2024-1** be adopted as read. Final reading and adoption to take place on February 5, 2024, **at 7:00 p.m. or near that hour.**

| Roll Call Vote | Yes | No | Absent/Abstain | | | |
|-----------------------|------------|-----------|-----------------------|------------|--|----------------|
| Bonnie Butler | X | | | | | |
| Rich Herzer | X | | | | | |
| Mike Ferri | X | | | | | |
| Mike Toretta | X | | | | | |
| David Guth, Mayor | X | (5) Yes | (0) No | (0) Absent | | Motion carried |

DISCUSSIONS:

Donated property on Rt. 57 - Attorney Benbrook updated the committee and he still has not heard back from Mark Bellin. This is a sizeable tract, and we should advertise and put it out to public auction. Committeeperson Butler inquired about request for proposals and reaching out to the municipal planner. Attorney Benbrook will email the municipal engineer, municipal planner, and the Land Use Board Attorney to get working on this and will personally follow up with Mark Bellin.

Proposal of Sale of the old Playmakers' Property – Henry Riewerts of Fiedler Real Estate and Bill Haggerty presented to the township committee a proposal for residential landscaping. This is an area that was declared an area in need of redevelopment reminded Attorney Benbrook. This would also have to go before and approved by our Land Use Board as well. We can also opt to go out to public auction. Attorney Benbrook to follow up with our Municipal Planner.

INTRODUCTION/ADOPTION

Mayor Guth, presented **Resolution 2024-24** represented as follows:

RESOLUTION 2024-24

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> |
|---|--------------|------------|------------------------|-------------|
| 2517 Rt. 57 (10/18/23) | 34 | 16 | Amy Poleselli | \$80 |
| 2506 Rt. 57 (10/17/23) | 3 | 11 | Samuel & Kirtida Dalal | \$75 |
| 2537 Rt. 57 (10/17/23) | 34 | 20 | Playmaker's | \$60 |
| 116 Edison Rd. (10/18/23) | 41 | 12.02 | T&M Pallet | \$65 |
| 47 Halfway House Rd. (10/18/23) | 18 | 38 | Arthur Homeyer | \$60 |
| 2236 Rt. 57 (09/07/23) | 25 | 6 | Elizabeth H Lake | \$60 |

The within **Resolution 2024-24** was moved by Committeeperson Bonnie Butler and seconded by Committeeperson Rich Herzer and upon roll call vote was passed.

| Roll Call Vote: | Yes | No | Absent/Abstained |
|------------------------|------------|---------------------------|-------------------------|
| Bonnie Butler | X | | |
| Mike Ferri | X | | |
| David Guth | X | | |
| Rich Herzer | X | | |
| Mayor Mike Toretta | X | (5) Yes (0) No (0) Absent | Motion Carried |

Dated: January 3, 2024

REPORTS/UPDATES

Engineer – Not present for tonight’s meeting.

Attorney – The filing of the Verified Complaint and accompanying documents via Ecourts/JEDS for the Tigar property has been uploaded and confirmation received. Thank you to Jim Onembo and Kelley Smith for providing additional documents for this complaint to be filed.

Committee Reports:

Bonnie Butler – The Musconetcong Watershed Association received a Technical Assistance grant from Together Noth Jersey to develop a community vision plan for the Village of Asbury. A presentation will be given at our next meeting. Hoping to get some action from Warren County as to the 3-way sketch submitted on Main Street in Asbury. Attorney Benbrook informed the Musconetcong River was designated as a Wild and Scenic River.

Rich Herzer – Nothing further to report.

Mike Ferri - Nothing further to report.

Mike Toretta – Nothing further to report.

David Guth – Nothing further to report.

Open Space- Deputy Mayor Herzer informed no meeting.

Zoning Officer- Report submitted/on file – Mr. Onembo inquired as to the township’s responsibility with lead paint inspections and our recently adopted ordinance. Per our attorney by statute the homeowner has the right to secure their own vendor to perform the inspections. The township currently has no need to hire a Lead Paint Certification service. We also do not need the grant and/or the extension and can be returned to the state.

DPW- Joe Biel – Thank you to Committeeperson Ferri for the removal of trailers at the road garage. Committeeperson Toretta contacted CLAPP at Warren County for community service through the probation department. Per our attorney this program is covered by our insurance. Christmas tree pickup is scheduled for the second week of January, curbside.

OEM/911 Coordinator – Deputy Guth informed the application for federal assistance has been submitted and approved by the USDA.

Fire Department/EMS – Chief Brown had nothing to report.

FTYA- no representation

Open Public Session:

At approximately 7:55 p.m. Mayor Guth opened the floor to the Public. Unanimous vote.

Hearing nothing from the public, Open Public Session was closed at 7:55 p.m. Unanimous vote.

At this time, the committee will commence into an Executive Session on motion by Mike Toretta and seconded by Bonnie Butler at 7:55 p.m.

EXECUTIVE SESSION

BE IT RESOLVED on this 3rd day of January 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

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 January 2024 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at approximately 7:55 p.m.

On Motion by Mike Toretta and seconded by Bonnie Butler to exit to executive session at 7:55 p.m. Unanimous Vote.

On motion by Bonnie Butler and seconded Rich Herzer to return to the regular session at 8:16 p.m. Unanimous Vote.

On motion by Mike Ferri and seconded by Mike Toretta, hearing no objection, meeting stands adjourned at 8:16 p.m.

Respectfully submitted,

Denise L. Becton

Denise L. Becton, RMC/CMR
Municipal Clerk