

MINUTES
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH
WORK SESSION/REGULAR MEETING
THURSDAY, APRIL 11, 2024
7:30 PM

Franklin Township Municipal Building, 202 Sidney Road, Pittstown, NJ 08867

The meeting was called to order by Mayor Homulak at 7:30 pm. Mayor Homulak read the Open Public Meetings Act (OPMA) Statement and led the flag salute.

Roll Call: Sebastian Donaruma (present) Michael Homulak (present)
Craig Repmann (present) Deanna Seiple (present) Alexa Tarby (present)

Also present: Igor Bykov, Attorney (Lavery, Selvaggi, Abromitis & Cohen)
Christine Burke, Municipal Clerk
Chief Timothy Snyder, Police Department

Mayor Homulak briefly explained the agenda and indicated that an Executive Session would be added.

Comments from the Public on Agenda Items Only:

Upon questioning by a resident, Mayor Homulak explained that an explanation of Ordinance 2024-02 would be provided during the Public Hearing on that ordinance.

Proclamations & Presentations: None.

Approval of Minutes:

Motion to approve the March 21, 2024, Township Committee/Board of Health Work-Session/Regular Meeting & Executive Session minutes: Donaruma Second: Tarby
Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Payment of Bills:

Motion to approve the Bills List: Repmann Second: Donaruma
Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2024-02: Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey Amending and Supplementing Section 242-5 "Enforcement" of Chapter 242 – Nuisances, Prohibition of, to Vest the Zoning Officer with the Power to Enforce the Provisions of the Chapter.

Motion to open Public Hearing: Donaruma Second: Repmann All in favor. Motion carried.

Committee Member Reports:

Mayor Homulak reported that the Department of Public Works (DPW) had been contacted by Boy Scouts regarding various Eagle Scout projects, including the erection of a flagpole, a kiosk, and rain garden at the New Municipal Building. Committeeman Repmann indicated that DPW should advise the township's insurance provider of each project. The Township Attorney recommended having the scouts sign a Hold Harmless agreement. Mayor Homulak explained that the requests are currently in the planning stages.

Deputy Mayor Donaruma reported that he continues reaching out to the State on weekly basis regarding the Capoolong Creek Trail. He indicated that he had sent an email requesting who he needed to contact to escalate the receipt of the engineering report the State representative still hadn't received. He indicated that the State representative had forwarded his request to the engineering department.

Committeewoman Tarby reported on efforts to investigate a Local Recreation Improvement Grant (LRIG) option suggested by the County regarding the development of a park in the township. She explained that the grant suggestion made by the County was provided by the County to give the Township something to work on. She indicated that she had spoken with Committeewoman Seiple, the Township Attorney and the Township Engineer, and explained that the grant application submission deadline was too short notice to complete successfully and was largely geared for repairing or altering pre-existing recreation facilities. She further explained that the Township is currently seeking to focus on recreational options for the New Municipal Building grounds. Committeewoman Seiple further explained that the grant is an annual grant, and that the Township would look further into it when they have a better idea of what they want to do. The Township Attorney explained the grant requirements and, upon Mayor Homulak's questioning, that the grant was a Department of Community Affairs (DCA) grant and not a Green Acres grant. The Township Attorney reiterated that the grant was geared toward improving an existing recreational site and that a plan should be completed first.

Committeewoman Seiple reported that the Township's Easter Egg Hunt was "amazing". She advised those present that the Township's Fishing Derby would be held on May 4th and provided details regarding the event's time and location. Committeewoman Tarby reminded those present of the Hunterdon Polo Match scheduled for June 8th.

Committeeman Repmann reported that he had attended a meeting with representatives of the Town of Clinton and the affordable housing contractor Ingerman, regarding acquiring water and sewer rights for the affordable housing development behind the Cracker Barrel Restaurant. He explained that the Mayor of the Town of Clinton was helpful in getting the application for water submitted and providing leads to acquire sewer service. He further explained that the affordable housing project was specifically for senior affordable housing and would be very beneficial to the township. He briefly advised of the next steps to take regarding the project. He further advised that the Township Planner was working on changes to the Township's Affordable Housing Plan based on the new State legislation to mitigate any risks associated with the changes. He advised that though many may disagree with the changes the Township is still obligated to be compliant.

Comments from the Public:

Elizabeth Basile, 16 Upper Kingtown Road, questioned if the Stormwater proposal would be covered by grant funding. The Township Committee expressed their belief that it would be funded from the Budget. The Township Clerk clarified that the Township Engineer had indicated that it could be paid for by the Department of Environmental Protection (DEP) grant provided to each municipality whose tier designation had changed. Ms. Basile recommended that the raingarden Eagle Scout project be coordinated with the Environmental Commission who had already expressed interest in such a project at the New Municipal Building.

Jane Bowers, 32 Baker Road, indicated that the Department of Community Affairs (DCA) had conducted a housing inspection on 24 Baker Road and that the Fire Department had indicated that there was an illegal apartment on the property which had resulted in additional violations.

Rick Conley, 17 Landsdown Road, questioned the final judgement of the court hearing regarding the municipal complaint made against 24 Baker Road. Mayor Homulak explained that the "stuff" had been removed and that a final settlement had not yet been reached. The Township Attorney indicated that he had not yet spoken with the Zoning Officer regarding the outcome of the court hearing.

Upon questioning by Deputy Mayor Donaruma regarding the housing violations, the Township Attorney explained that if the DCA was involved the matter was above the municipality and the state would take the lead on the matter. Committeeman Repmann explained that the Zoning Officer had been coordinating with other agencies and praised her efforts to address the matter. Chief Snyder explained that the Police Department had not been involved in any housing violations.

Jim Tosh (sp?), 32 Baker Road, questioned if residents could attend the court hearings. Mayor Homulak and the Township Attorney explained that interested parties could attend the hearings via the online Zoom meeting application. Upon residents' complaints that they had been advised that they could not attend the hearings, the Township Committee indicated that they would investigate the matter. Another resident indicated that they had heard that there was "still stuff going on, on the property" and that negotiations were ongoing.

Mayor Homulak thanked the residents for their comments and explained that the matter was between the Zoning Officer and the Court. He further indicated that he was able to attend the court hearing though it was very brief. Deputy Mayor Donaruma explained that negotiations do not happen in open court session and provided an example of a court agreement. He further explained that residents could go to court hearings but that the negotiations between the prosecutor and the defense attorney are done privately. Rick Conley, 17 Landsdown Road, described his experience of attending the court hearing. The Township Committee briefly discussed court procedures. The Township Attorney indicated that he would confirm with the Zoning Officer and the Court Administrator regarding the miscommunication on attending court hearings.

Ingrid Taff, 41 Upper Kingtown Road, questioned court financial negotiations and where the money goes upon completion. The Township Attorney and Committeeman Repmann explained that the majority goes to court administration with a small portion going to zoning violations. Upon further questioning

by Ms. Taff, the Township Attorney explained that the results of the zoning violation do not go to affected citizens and that a citizen seeking compensation would need to file their own complaint with the court. A resident clarified the Zoning Officer's requested fine amount and the defendant's current counteroffer. It was clarified that the Fire Marshal's violations would be handled in a state rather than the municipal court.

Rick Ramalho, 18 Spring Hill Road, questioned if 24 Baker Road was still farmland assessed. The Township Committee indicated that the farmland assessment application is an annual application that takes place in the summer and that the property was sold toward the end of the prior year. Mr. Ramalho indicated that the application should be reviewed, and that worker housing is not against code on farmland assessed properties.

Executive Session:

Mayor Homulak explained the need to enter Executive Session, that action may be taken, and that all attendees of the meeting could wait outside of the meeting room except for the Committee, Police Chief Timothy Snyder, the Township Clerk, and the Township Attorney.

Upon confirmation of the absence of all but the required attendees, the Township Clerk stopped audio recording of the meeting.

Motion to enter executive session: Repmann Second: Donaruma
All in favor. Motion carried.

Committee entered Executive Session at 8:19 pm.

Topics discussed:

1. Personnel – Police Department – Staffing.
2. Attorney-Client Privilege/Litigation/Contractual – Lease of Township Owned Property – Quakertown Volunteer Emergency Medical Services (QVEMS).

Committee exited Executive Session at 8:41 pm.

Motion to exit executive session and resume regular meeting: Repmann Second: Donaruma
All in favor. Motion carried.

The Township Attorney explained the topics discussed in Executive Session, that no action would be taken, and that minutes would become available once the need for confidentiality was no longer required.

Action by the Committee: None.

Adjournment:

Motion to adjourn: Repmann Second: Not Recorded

All in favor. Motion carried.

Meeting was adjourned at 8:42 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 04/25/2024