

MINUTES  
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH  
WORK SESSION/REGULAR MEETING  
THURSDAY, AUGUST 22, 2024  
7:30 PM

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

The meeting was called to order by Mayor Homulak at 7:31 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 & Cohen, P.C.)  
Christine Burke, Municipal Clerk  
Cameron Keng, Chief Finance Officer/Human Resources (CFO/HR)  
Chief Timothy Snyder, Police Department  
Chief Bradley Patkochis, Quakertown Fire Company/Emergency Medical Services (EMS)

Mayor Homulak acknowledged the tragic accident that had taken place that morning at the intersection of Sidney Road and Hogback/Lower Landsdown Road. He requested that the families of those involved in the accident and the first responders on the scene be kept in everyone's hearts and minds. He explained that he would provide more information in his Committee Report.

Mayor Homulak briefly explained the agenda.

Comments from the Public on Agenda Items Only:

Elizabeth Basile, 16 Upper Kingtown Road, commented on the New Business topic regarding Quakertown Solar Farm Phase II and questioned if the public would be able to see the subject agreements. Mayor Homulak explained that the Township Attorney would debrief the Township Committee during the New Business discussion.

Proclamations & Presentations: None.

Approval of Minutes:

Motion to approve the July 11, 2024, Township Committee/Board of Health Work-Session/Regular Meeting & Executive Session minutes: Seiple Second: Donaruma  
Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Payment of Bills:

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



2. Resolution 2024-40: Resolution to Extend Grace Period for Third Quarter Taxes Due August 1, 2024.

Upon request by Mayor Homulak, the CFO explained the delay in receiving tax rates from the County and State, that statutory law requires that a grace period of at least 25 days be granted from the date of mailing, and that the resolution officially documents that requirement. Upon questioning regarding the date of the extended grace period, the Township Clerk clarified that the grace period had been extended to September 16<sup>th</sup>. Brief discussion followed regarding the delays in receiving the bills due to the utilization of Bulk Mail Rates. The Township Committee recommended utilizing a faster mailing rate in the future. Upon questioning by a member of the public, the CFO explained that the tax bills notate a significant increase due to the County and schools raising their taxes. Upon further questioning, the CFO indicated that he keeps a spreadsheet to track the tax increases of various taxing authorities and confirmed that the school was responsible for a large increase. He welcomed the resident to come to his office during regular business hours to view and discuss the tax increases over the years. It was noted that the school was placing a Bond referendum question on the General Election Ballot.

Motion to adopt Resolution 2024-40: Seiple

Second: Donaruma

Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Board of Health: None.

Old Business:

1. Master Plan Update – Prohibit Cannabis Businesses.

Deputy Mayor Donaruma explained that a recommendation was received from the public to remove Cannabis business language from the Master Plan and that the Township Committee had requested a cost estimate and a professional opinion from legal counsel. He briefly explained the professionals' responses and recommended proceeding with requesting the change. He acknowledged that the Township Committee could only make a recommendation to the Land Use Board (LUB), that efforts to change the Master Plan would have to be approved by the Land Use Board (LUB), and that the cost to do so would come from the Land Use Board's budget. He further acknowledged that the Township Code already prohibits Cannabis businesses. He also explained that he was aware that future Committees could adjust the language again but that an additional public hearing would be required, granting the public two opportunities to speak on the topic.

Committeewoman Seiple indicated that all her interaction with residents prior to her term in office suggested that the residents were not in support of Cannabis businesses in the Township. Upon questioning by Committeewoman Tarby, the Township Attorney explained that the Township Planner was solicited for the quote as the Township Planner traditionally prepares the Master Plan and its amendments. Upon further questioning by Committeewoman Tarby, it was acknowledged that a public hearing took place to amend the Master Plan to include the Cannabis language and that other topics were also addressed at that time. The Township Attorney advised that the next re-examination of the Master Plan was scheduled for 2029. Committeewoman Tarby expressed her support for adjusting the language of the Master Plan. Mayor Homulak reiterated that the prohibitive ordinance already protects

the Township from cannabis businesses and expressed his opinion that changing the Master Plan at this time was not fiscally responsible. Committeewoman Seiple acknowledged the comments from the public that lead to the discussion.

Motion to recommend the Land Use Board (LUB) remove or change the Cannabis language in the Master Plan (to reflect the Township's decision to prohibit Cannabis Businesses in the Township):  
Donaruma  
Second: Seiple

Roll call: Donaruma (Aye) Homulak (No) Repmann (No) Seiple (Aye) Tarby (Aye)

New Business:

1. Hunterdon County Municipal Park and Recreational Grant Program.

Committeewoman Tarby explained that she had spoken with the Department of Public Works (DPW) Supervisor, and it was recommended that the site of the old tennis courts not be repaired and updated. She further explained that the DPW Supervisor had indicated that he intended to utilize that site for a salt shed. Committeewoman Seiple explained that they were working with the County and the Township Engineer on making recreational upgrades to the New Municipal Building site. She further explained that they were working on long-term plans. They explained that the plans included incorporation of the county trail and two tennis courts with pickleball lines and a sound barrier. Deputy Mayor Donaruma and the Township Attorney explained that the grant could not be utilized to address the Capoolong Creek Trail and that the grant would not supply any significant funding to the repair of the trail. The Township Attorney advised that there was still time to submit the application but warned that the funding would have to be utilized within two years and contains language regarding a municipal match. He warned against using the grant funding solely for consultation purposes. The Township Committee briefly discussed possible alternate plans, including adding a pavilion or playground to the New Municipal Building site. Further discussion included construction and maintenance costs, and funding sources such as the Open Space Trust Fund and co-operative purchasing agreements. Mayor Homulak reminded the Committee that a final recommendation would be required for the September 12<sup>th</sup> meeting. Committeeman Repmann recommended that the Township Engineer include long-term maintenance costs in any proposal. Mayor Homulak reminded those present that the municipality did not own a large amount of space on the New Municipal Building site. Upon questioning by a resident, Committeeman Repmann explained the grant amount and the partial municipal match requirement.

2. Quakertown Solar Farm Phase II – Developers Agreement & Decommissioning Agreement.

The Township Attorney briefly explained that the project began before his appointment as the municipal attorney and that the prior attorney had provided the initial developers agreement. He further explained that Phase II of the project was supposed to begin in 2018 but was halted due to difficulties funding the project. He indicated that the project was now funded, and that the developer's agreement was the same as previously provided with some updated details. He confirmed that the developer's agreement follows the Land Use Board (LUB) resolution and provides the Township with some recourse if the developer does not follow the requirements of the resolution. Upon questioning by Mayor Homulak, the Township Attorney explained that the agreement was being forwarded to the Township

Committee to see if they had any concerns. The Township Attorney further explained that no action was required by the Township Committee and that the document would be forwarded to the Land Use Board (LUB) for approval. Upon brief discussion by the Township Committee, the Township Attorney explained that he had confirmed that the Land Use Board's Conflict Engineer had no issues with the agreement. Deputy Mayor Donaruma and Committeeman Repmann explained a resident's prior difficulties with the developer and residents' concerns regarding enforcement issues that arose during Phase I of the project. The Chief Finance Officer (CFO) recommended including an arbitration requirement to avoid litigation costs from enforcement.

Elizabeth Basile, 16 Upper Kingtown Road, spoke regarding the requirements discussed at the Land Use Board (LUB) meeting. Mayor Homulak indicated that the agreement was a Land Use Board (LUB) issue. Committeeman Repmann indicated that the Township Committee could procedurally review the document. The Township Attorney requested that Ms. Basile share any documents she possessed regarding the matter with him. He further indicated that any potential action required by the Township Committee could be taken at the next meeting.

### 3. Capoolong Creek Trail Group

Deputy Mayor Donaruma advised the Township Committee that the township's insurance provider had explained that the group could be insured under the Township if they were under the jurisdiction of a Township run organization such as the Environmental Commission. He further explained that insurance was required to apply for a special Department of Environmental Protection (DEP) permit to allow volunteers to maintain the trail. A brief discussion followed expressing liability concerns. The Township Attorney recommended postponing any approvals until an official document could be reviewed by the Township Committee. Deputy Mayor Donaruma explained that placing the group under the jurisdiction of the Environmental Commission would be faster than creating a new governmental group. The Township Attorney explained that a non-profit organization was required to submit the DEP application.

#### Committee Member Reports:

Mayor Homulak reported on the accident that had taken place that morning in the intersection of Sidney Road and Hogback/Lower Landsdown Road. He explained that the intersection was known to have safety concerns as a serious accident had taken place in the same intersection two years prior, resulting in efforts by the Township to address those safety concerns. He explained that the Township could only act on Township roads and that the Township had placed additional stop signs on Hogback Road to try to bring more awareness to the intersection. He further explained that Sidney Road is a County Road, and that the Township could not make any changes to that road. Deputy Mayor Donaruma explained that he had met with Chief Snyder and the County Engineer to walk the intersection after the accident two years prior and was told that there was nothing that could be done. He further explained that previous Committees had also attempted to address the safety concerns at the intersection. Mayor Homulak requested that the Township Committee support the drafting of a letter to the County Commissioners to address the safety concerns at the intersection. He further requested that residents support the Township Committee's request and advised that State Representative Peterson had also sent his support. Committeeman Repmann explained that the intersection at Race Street had also been reviewed for safety concerns.

Deputy Mayor Donaruma explained that the Capoolong Creek Trail had been addressed earlier in the meeting. He reported that he had attended the Jersey Central Power & Light (JCP&L) meeting with Committeewoman Tarby and explained that the presenter from JCP&L lives in Alexandria Township and had also lost power. He indicated that JCP&L was asking the New Jersey Board of Public Utilities (NJBPUB) for \$900 Million to address infrastructure repairs and upgrades, of which \$100 Million would be earmarked for Hunterdon County. He further indicated that JCP&L already prepared \$100 Million to update eighteen circuits, three of which were in Hunterdon County. He explained that JCP&L understood that 90% of outages are due to fallen trees but that BPU regulations limit what they can and can't do. He indicated that JCP&L explained that the acquisitions of transformers have a five-year lead time and that many upgrades and replacements are not going to happen overnight. Deputy Mayor Donaruma indicated that he would provide a copy of the presentation to post on the Township website. Committeewoman Tarby explained that JCP&L had requested that municipalities and residents send letters of support to the BPU regarding their request for additional funding. Mayor Homulak expressed his support. Deputy Mayor Donaruma addressed complaints that trucks seemed to just be sitting and doing nothing during the clean-up efforts after the storms in July. He explained that the crew of the vehicles were waiting for approval to begin working. Upon request and questioning by Committeeman Repmann, Deputy Mayor Donaruma indicated that he would attempt to set up a presentation for September and that BPU funding had been denied to JCP&L for tree trimming.

Committeewoman Tarby reported that she had met with Deputy Mayor Donaruma, the Office of Emergency Management (OEM) director, the Department of Public Works (DPW) supervisor and the Township Clerk regarding communication during emergencies. She explained that Chief Snyder had been consulted but was not available to attend the meeting. Deputy Mayor Donaruma explained that the Township did not want to give out old or incorrect information and that the Township's Police and Emergency Management Departments were small. He indicated that a small standard message containing links on where to find information could be placed on the Township website, and use the Township's Nixle account to blast out a generic message on where to get information when emergency events occur. He explained that it was more frustrating to have the Township give out information because it would not be accurate or up to date. Committeewoman Tarby explained that the two storm events experienced by the Township occurred in the opposite ends of the Township and that the residents of the unaffected areas were not aware of the emergencies occurring in the other parts of the community. Upon questioning by Mayor Homulak, Deputy Mayor Donaruma indicated that there would be no additional cost to implement a standard message to be sent during an emergency.

Committeeman Repmann reported that the Department of Public Works (DPW) had assisted with the installation of the septic improvements at the New Municipal Building. He explained that the exterior site improvements were scheduled to occur in September. Mayor Homulak commented that the project was on track for opening the building by the end of the year. Committeeman Repmann further reported that he had contacted the Hampton Inn and learned that they currently had an occupancy rate of 50% when they would prefer an occupancy rate of 80% or more. He explained that the reduction of occupancy rate has caused a reduction of the Township's occupancy tax. He indicated that it was important that the Township's businesses do well, and that the Township tax base would "take a huge hit" if the hotel "went under". He further indicated that the Township would be in trouble if it lost the



A resident commented that Sue Larson's, Senior Group, request for the inclusion of a Township directory in the tax bill mailing had been addressed, and the directory had been included with the tax bills. The Chief Finance Officer (CFO) explained that the inclusion of the directory was a team effort by the Township staff.

Natividade Morais, 62 Hogback Road, thanked the Township Committee for their efforts to address the intersection of Sidney Road and Hogback/Lower Landsdown Road and explained how the tragic accident personally affected her and her family. She expressed concerns regarding additional traffic due to the New Municipal Building and the proposed pickleball court. She commented on the inexperience of young drivers and explained that a memorial at the intersection would increase traffic.

Pete Strauss, 12 Stone Barn Road, named the students that had been killed and injured in the accident at the intersection of Sidney Road and Hogback/Lower Landsdown Road, and explained his personal interactions with the students. He indicated that something had to be done about the intersection and that inaction could not be accepted.

Christina Faragalla, 205 Sidney Road, explained her personal experience with the tragic accident and commented on how to address the concerns over the intersection of Sidney Road and Hogback/Lower Landsdown Road. She indicated that neighbors intended to put up signs on their properties. She encouraged support for the first responders.

Executive Session:

The Township Attorney 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, Chief Snyder, the Chief Finance Officer/Human Resources (CFO/HR), 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  
All in favor. Motion carried.

Second: Seiple

Committee entered Executive Session at 9:20 pm.

Topics discussed:

1. Personnel/Contractual – Shared Services – Franklin Township School – Class III Special Officer.
2. Personnel – Police Department – Staffing.
3. Attorney-Client Privilege/Litigation/Contractual – Lease of Township Owned Property – Quakertown Volunteer Emergency Medical Services (QVEMS).



Committee exited Executive Session at 9:51 pm.

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

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

Action by the Committee:

Motion to waive the 90-day waiting period insurance requirement to facilitate the recent Police Department recruit's attendance of the Police Academy in Passaic: Donaruma            Second: Seiple

Roll call: Donaruma (Aye)   Homulak (Aye)   Repmann (Aye)   Seiple (Aye)   Tarby (Aye)

Adjournment:

Motion to adjourn: Repmann   Second: Unrecorded                            All in favor. Motion carried.

Meeting was adjourned at 9:52 pm.

Prepared by Christine Burke, Township Clerk

  
\_\_\_\_\_

Adopted: 09/12/2024