

**MINUTES
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH
WORK SESSION/REGULAR MEETING
THURSDAY, OCTOBER 10, 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 (absent) Michael Homulak (present)
Craig Repmann (present) Deanna Seiple (absent) Alexa Tarby (present)

Also present: Igor Bykov, Attorney (Lavery, Selvaggi & Cohen, P.C.)
Christine Burke, Municipal Clerk

Mayor Homulak briefly explained the agenda.

Comments from the Public on Agenda Items Only:

No one from the public spoke on Agenda Items.

Proclamations & Presentations: None.

Approval of Minutes:

Motion to approve the September 26, 2024, Township Committee/Board of Health Work-Session/Regular Meeting & Executive Session minutes: Repmann Second: Tarby

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

Payment of Bills:

Motion to approve the Bills List: Repmann Second: Tarby

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

Ordinances:

1. Introduction & First Reading of Ordinance 2024-10: An Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey Authorizing the Lease for Hunting Purposes of Certain Property Owned by the Township and Not Required for Public Purposes.
 - a. Public Hearing and Final Adoption scheduled for November 14, 2024.

Mayor Homulak explained that the Township Committee had approved the solicitation of bids in September for the lease of municipal property not needed for public purposes, and that the ordinance addresses the results of the bid opening held on October 4th.

Mayor Homulak read the provided explanatory statement:

The Local Lands and Buildings Law, N.J.S.A. 40A:12-14 authorizes the lease by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use to the highest bidder by open public lease at auction or by submission of sealed bids after the required newspaper advertisements.

Currently, the Township owns Block 4, Lot 3.01, more commonly known as the "Frazee" property, and Block 35, Lot 26.01, more commonly known as the "Cherryville" property, each of which remain vacant but are also utilized as farmland via agricultural leases. While the property is not needed for public use, the Township leases the woodlands portions of each property for hunting purposes.

Provided by Christine Burke, Township Clerk

Motion to introduce Ordinance 2024-10: Repmann

Second: Tarby

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

Resolutions:

1. Resolution 2024-50: Extension of Time Request – Oak Grove Road Improvement Project – Phase III – Township of Franklin, Hunterdon County, NJ.

Mayor Homulak briefly explained the grant and that the grant was also addressed in the prior weeks. He further explained that the bid package was presented to the State for approval, but the approval was delayed due to questions posed by the State. He indicated that the law had provisions for such circumstantial delays and allowed for the request for an extension of time.

Motion to adopt Resolution 2024-50: Repmann

Second: Tarby

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

2. Resolution 2024-51: Resolution of the Township of Franklin, County of Hunterdon, State of New Jersey, Awarding the Bid for the 2023 Chevrolet Tahoe Black SSV 4WD or Equivalent to Whitmoyer Chevy, Inc.

Mayor Homulak briefly explained that the Township Committee had approved the solicitation of bids for a Police Department vehicle in September and that the resolution would now award the bid based on the results of the bid opening held on October 4th.

Motion to adopt Resolutions 2024-51: Repmann

Second: Tarby

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

Committeeman Repmann thanked the staff for their efforts to seek grant opportunities.

Board of Health: None.

Old Business: None.

New Business:

1. 2024 Best Practices Inventory

The Township Clerk explained that the Best Practices Inventory was an annual survey conducted by the State, that the 2024 survey included many finance questions, and that the Township had scored well resulting in full State funding. Mayor Homulak further explained how the annual inventory works.

Committee Member Reports:

Committeewoman Tarby reported that the Hunterdon Games had been cancelled. She explained the cause of the original postponement of the event and the Township's stance on the original postponement. She further explained that the rescheduled day was not good for the businesses involved in the event and that it was too difficult to continue with the rescheduling. She indicated that the money paid for shirts and other items would be forwarded to next year. She also reported that the Land Use Board (LUB) Attorney had forwarded a letter to the Land Use Board (LUB) with a clarification of the vote regarding altering the language of the Master Plan, indicating that the vote had passed.

Committeeman Repmann reported that a dialogue had been opened between the Ingerman engineer and High Bridge regarding sewer capacity for the proposed affordable housing project behind the Cracker Barrel restaurant. He explained that engineers make their own schedules, that no meeting date had been confirmed, but that the engineers were speaking.

Mayor Homulak commented that the Township Committee needed to start thinking about reorganizing for next year and begin passing along duties from the departing Committee members to the remaining and new Committee members. Upon questioning by Committeewoman Tarby, Mayor Homulak briefly explained matters regarding subcommittees.

Committeeman Repmann questioned a potential referendum regarding cannabis businesses in the Township. Committeewoman Tarby explained that the Land Use Board (LUB) Attorney's letter explained that because the vote to amend the Master Plan was originally deemed to have failed but upon further review had actually passed, the vote to request the referendum was considered out of order. Mayor Homulak indicated that the referendum question should be brought up again and that efforts to initiate a referendum were a Township Committee matter. Brief discussion followed regarding when to begin discussing a referendum question. The Township Attorney advised that the simplicity of understanding a referendum question depends on the interpretive statement. Committeeman Repmann clarified his understanding of the 2020 state referendum question that led to the legalization and taxation of cannabis businesses in New Jersey and acknowledged that others had different opinions regarding the interpretation of events during the original cannabis businesses discussion in the Township. Upon questioning by Mayor Homulak, Committeewoman Tarby indicated that she was not ready to decide regarding posing a question about authorizing cannabis businesses to the community. Committeeman Repmann recommended utilizing two questions, one regarding cultivation licenses and one regarding retail licenses, as most of the objections he had heard acknowledged environmental concerns. Committeewoman Tarby recommended waiting until after the Master Plan had been altered.

Comments from the Public:

Frank Tota, 16 Upper Kingtown Road, commented that there was no municipal referendum when the Township Committee originally held the discussion and that cost concerns had been cited. He read the wording of the original State referendum question and the interpretive statement regarding the legalization of cannabis businesses in New Jersey. He expressed concern regarding the Township posing its own referendum question.

Elizabeth Basile, 16 Upper Kingtown Road, questioned the police activity that appeared to take place at the Municipal Building around 10:00 PM the prior evening. The Township Committee indicated that they had no knowledge of any police activity at the Municipal Building at that time.

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, 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: Tarby

Committee entered Executive Session at 8:03 pm.

Topics discussed:

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

Committee exited Executive Session at 8:33 pm.

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

Second: Tarby

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 retain the appraisal services of Thomas J. Toohey for the purpose of conducting an appraisal of property located at 321 Pittstown Road, Pittstown, New Jersey: Repmann Second: Tarby

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


Adjournment:

Motion to adjourn: Repmann Second: Tarby

All in favor. Motion carried.

Meeting was adjourned at 8:34 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 10/24/2024