

MINUTES
FRANKLIN TOWNSHIP COMMITTEE
WORK-SESSION/REGULAR MEETING
THURSDAY, APRIL 8, 2021
7:30 PM

(Location Changed to Online Application: Zoom - <https://us02web.zoom.us/j/89621667276>)

The meeting was called to order by Mayor Koury at 7:30 pm. Mayor Koury read the OPMA Statement and led the flag salute.

Roll Call: Mayor Philip Koury (present) Deputy Mayor Diane Burgess (present)
Sebastian Donaruma (present) Mike Homulak (present)
Craig Repmann (present)

Also present: Katrina L. Campbell, Municipal Attorney
Christine Burke, Municipal Clerk
George Reichert, Office of Emergency Management

Comments from the Public on Agenda Items Only:

No one from the public spoke regarding Agenda Items.

Proclamations & Presentations: None.

Approval of Minutes

Motion to approve the March 25, 2021 minutes Work-Session/Regular Meeting: Burgess

Second: Homulak

Roll call: Burgess (Aye) Donaruma (Aye) Homulak (Aye) Koury (Aye) Repmann (Aye)

Payment of Bills

Motion to approve the Bills List: Repmann Second: Homulak

Roll call: Burgess (Aye) Donaruma (Aye) Homulak (Aye) Koury (Aye) Repmann (Aye)

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2021-01: Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey to Amend, Revise and Supplement Chapter 182, "Fees," and Chapter 193, "Fire Prevention," of the Code of the Township of Franklin to Revise Fees and Requirements for Fire Prevention.

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

No one from the Public came forward to speak.

Motion to close Public Hearing: Burgess Second: Donaruma All in favor. Motion carried.

Motion to adopt: Donaruma Second: Homulak

Roll call: Burgess (Aye) Donaruma (Aye) Homulak (Aye) Koury (Aye) Repmann (Aye)

Resolutions:

1. Resolution 2021-15: Amended 2020 Budget Appropriation Transfer Resolution

The CFO explained that the recategorizations were requested by the Township Auditors in connection to the Township's Annual Financial Statements.

Motion to adopt: Donaruma Second: Burgess

Roll call: Burgess (Aye) Donaruma (Aye) Homulak (Aye) Koury (Aye) Repmann (Aye)

Old Business:

1. Proposal for Professional Services: Oak Grove Road Improvement Project

Upon questioning by Deputy Mayor Burgess, Mayor Koury indicated his belief that the project encompassed the entirety of Oak Grove Road. The Township Attorney indicated that a State grant may require the project to be monitored.

Motion to authorize: Burgess Second: Repmann

Roll call: Burgess (Aye) Donaruma (Aye) Homulak (Aye) Koury (Aye) Repmann (Aye)

2. Proposal for Professional Services: Doe Run Drainage Project

Motion to authorize: Burgess Second: Repmann

Roll call: Burgess (Aye) Donaruma (Aye) Homulak (Aye) Koury (Aye) Repmann (Aye)

New Business:

1. "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (P.L. 2021 c. 16)

Referencing Memorandums provided to the Town Committee by the Township Attorney and Township Planner, the Township Attorney explained the timeframe in which the Township could respond to the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (P.L. 2021 c. 16) and set its own limits and regulations within the confines of the Act. She indicated that all previous action regulating cannabis in the Township had been nullified by the Act and the Township had until August 22nd, 2021 to adopt any related ordinances or the Township would be automatically opted into the Act for a period of five years. Mayor Koury indicated that the Committee should be mindful that 60-61% of Franklin Township voters were in favor of the Act. Upon questioning by Committeeman Donaruma, the Township Attorney explained various scenarios allowing for opting into some portions of the Act but opting out of other portions and the timeframes allowed for each option. Committeeman Donaruma further expressed concern regarding the liability of the Township and the Township's Police Officers, specifying a portion of the Act that prevents officers from questioning teenagers regarding alcohol and marijuana use. The Town Committee further discussed the differences between cultivator and retailer licenses, permitted uses, tax structure, zoning regulations and regulation of public consumption. The Township Attorney indicated that cultivation of cannabis was considered an

industrial use, was not protected by Right-to-Farm and could not be grown on preserved farmland. The Township Attorney further indicated that any ordinances the Township wished to adopt should be introduced by the end of June and that both previously adopted legislation and legislation currently being passed by other municipalities should be utilized as a reference.

Staff Administrative Reports:

CFO: The CFO responded to questions by Deputy Mayor Burgess regarding the Township's estimated budget compared to the actual budget. Upon questioning by Mayor Koury, the CFO reported that the percentage of taxes paid had been increasing now that delinquent notices had been mailed.

Administrative: The Township Clerk reported that the Certification of Candidates for the Primary Election had been submitted on Monday, April 5th, 2021. She further reported that the Franklin Township Recreation Socially Distanced Fishing Derby was posted on the "Events" page of the Township Website and that the "Events" page would have increased utilization as the Township begins to advertise for Township events. She reported that the New Jersey Tree Recovery Campaign Day hosted by the Environmental Commission was scheduled for April 23rd, with a pickup date of the saplings to be the day before. Said event would be posted on both the "Events" page and in the Township's "News" feed. She further reported that the Township was scheduled to receive a Salem Oak sapling from the State and would be requesting that receipt of the sapling be postponed until next year so that it may be planted at the new Township property without disturbance.

Board of Health: None.

Committee Member Reports:

Committeeman Donaruma reported that a retired law enforcement officer expressed satisfaction with the Township's Police Department.

Committeeman Repmann reported that the Franklin Township Recreation Socially Distanced Spring Fishing Derby required residents to pre-register for the event. He further reported that Franklin Township Recreation had become involved with the Rural Awareness project regarding historic one-room schoolhouses. He reminded those present that the Township Clean-up Day had been postponed a week and would now take place on April 17th, 2021.

Deputy Mayor Burgess reported on Franklin Township's COVID-19 status and the Environmental Commission's efforts to host the New Jersey Tree Recovery Campaign Day. Mayor Koury thanked the Environmental Commission for their efforts. Deputy Mayor Burgess indicated that renewal of the Township's Sustainable Jersey Certification was due this year and would be submitting names of volunteers to be appointed to the Environmental Commission.

OEM: George Reichert reported that Franklin Township was not on the list of municipalities not in compliance with mitigation plan obligations.

Mayor Koury reported that the Land Use Board meeting was scheduled for April 14th, 2021. He further reported that he and the Township Attorney had met with NJDEP, Division of Fish & Game, regarding

the QVEMS property on Pittstown Road and maintenance of the trail behind the property. He indicated that the trail has not been maintained for passive recreation by residents and that options were discussed regarding allowing the County to take over maintenance of the trail. The Township Attorney indicated that the matter would have to be discussed with the County's Parks and Open Space Advisory Committee. The Committee briefly discussed options of ownership and maintenance by County or State. George Reichert commented on the State's history of purchase and maintenance of land in the Pittstown area while denying local access to the properties.

Comments from the Public:

James Witkowski, former BOE representative, expressed his appreciation of the efforts of the Town Committee.

Suzanne Figler, 214 Sidney Road, expressed approval of the New Jersey Tree Recovery Campaign Day and indicated that she had been assisting in its organization.

Executive Session:

The Township Attorney explained the need to enter Executive Session, that action could potentially be taken upon return to open session, and that all attendees of the meeting could wait in the Zoom application's Waiting Room except for the Committee, the CFO, the Township Clerk, and the Township Attorney. Upon confirmation of the absence of all but the required attendees, the Township Clerk stopped audio-visual recording of the meeting.

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

Committee entered Executive Session at 8:34 pm.

Topics discussed:

1. Contractual & Attorney/Client Privilege – Potential Land Sale by Township

Committee exited Executive Session at 8:46 pm.

The Township Clerk resumed audio-visual recording of the meeting.

Action by the Committee: None.

Adjournment:

Motion to adjourn: Repmann Second: Donaruma

All in favor. Motion carried.

Meeting was adjourned at 8:47 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 04/22/2021