

MINUTES  
FRANKLIN TOWNSHIP COMMITTEE  
WORK-SESSION/REGULAR MEETING  
THURSDAY, MAY 27, 2021  
7:30 PM

**(Location Changed to Online Application: Zoom - <https://us02web.zoom.us/j/84804870796>)**

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  
Cameron Keng, Chief Financial Officer  
Captain Timothy Snyder, Police Department  
George Reichert, Office of Emergency Management  
James Witkowski, Board of Education

Comments from the Public on Agenda Items Only:

Mayor Koury requested that any questions regarding Ordinances be held until each ordinance's respective public hearing.

No one from the public spoke regarding Agenda Items.

Proclamations & Presentations: None.

Approval of Minutes

Motion to approve the May 13, 2021 minutes Work-Session/Regular Meeting and Executive Session:

Donaruma Second: Burgess

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

Payment of Bills

The CFO explained that the Bills List included standard recurring expenses.

Motion to approve the Bills List: Homulak Second: Donaruma

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

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2021-04: Bond Ordinance Providing for the Acquisition of, and Payment of the Purchase Price for, Certain Real Property (Including Real Property Commonly Known as 43 Lower Landsdown Road) and Improvements thereon, by and

in the Township of Franklin, in the County of Hunterdon, State of New Jersey; Appropriating \$1,155,000 Therefor and Authorizing the Issuance of \$1,100,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof.

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

Mayor Koury offered those present an explanation of the Town Committee's timeline of events regarding the Township's efforts to purchase 43 Lower Landsdown Road. He provided a description of the property and the history of the Township's interest in the church, as it predated the current Committee. He explained the County's interest in the property and the approach of the Township to the County once it was discovered that they were preparing to purchase the property. He further explained that the Township had contracted to purchase the property for less than the amount reflected on the appraisals. He explained that the purchase was discussed in Executive Session to maintain the confidentiality of negotiation tactics and that the purchase had been open to the public since March 11<sup>th</sup>. He further explained the intent to utilize the church building as a relocated Municipal Building and the deficiencies of the current Municipal Building, focusing on its need for ADA compliance. He compared the cost of purchasing the existing church building to the price of building a new building and explained the Town Committee's attempt to defray the costs of the purchase.

John Bencoter, 171 Old Franklin School Road, expressed his appreciation for the mayor's statement and personal outreach to him. He explained that he is not uncomfortable with the purchase. He criticized the Town Committee's efforts to inform the public of the purchase and its purpose. He requested detailed records of the Township's efforts be made available to the public. He claimed that he did not have assurance that the purchase was beneficial to the Township and could not form an opinion without additional information. He stated that his point was for the Committee to provide more outreach and community engagement.

Mayor Koury reminded the public that the Township had a five-minute limit on public comments to provide an opportunity for all to speak.

Upon request by the Mayor, the CFO explained the Bond amount and that the amount was reached by conservative estimates. He further explained that there was a high likelihood that the amount would be less than currently stated in the Bond Ordinance and that remaining amounts would be cancelled. Mayor Koury explained that some items that would affect the final purchase cost were still in negotiation and were not prudent to disclose at this time. Mayor Koury explained that the Finance Subcommittee, the CFO, Bond Attorney and Auditors chose to Bond conservatively to take advantage of, and lock in, low interest rates. Upon request by the Mayor, the CFO explained the Township's current debt as comparatively low because of recent efforts to be fiscally responsible. Mayor Koury explained that Committeemen Donaruma and Homulak were still looing into the cost of moving the Police Department.

Upon questioning by an unidentified resident, the Town Committee explained the cost of building a new building and moving the Police Department.

Upon Mayor Koury's efforts to address criticism of the Town Committee's outreach efforts, Mr. Bencoter further explained that the Committee had three months to outreach to the community.

Dan Connor, Cherryville, stated that previous Committees had discussed the purchase of the property for years and criticized the Town Committee's outreach efforts. He acknowledged the benefit of the purchase but did not see it as appropriate to move forward at this meeting.

Upon request, the Township Clerk read a question received by Arlene & David Spector via e-mail:

"Since this involves a multimillion-dollar expenditure, wouldn't it have been appropriate to place this matter on the ballot and let the Township vote? Ultimately this will result in raising real estate taxes which affects the entire community."

Upon John Bencoter's questioning regarding possible County development, the Township Attorney explained that the County would be purchasing a portion of the property with Open Space Funds and would be deed restricted. Mayor Koury explained the need to keep details limited as the sale to the County was still in negotiation. He further explained the Township's efforts to reduce maintenance costs and attempts to sell other properties to return them to the tax rolls. He also explained that the Town Committee is still determining the most cost-effective manner to move the Police Department.

Upon request by the Mayor, the CFO responded to Mr. Bencoter's questions regarding the purchase's effect on taxes. He explained the effective range of 50 to 60 years and how it would affect the average homeowner each year. Committeeman Homulak explained that the Township could not get a final quote on the interest rate until the Township was under contract and that Municipal Bonding was different than the average real estate transaction. He explained that the municipality was in good financial shape and would not find a better opportunity. He further explained that if the Town Committee had not moved quickly, the Township may have lost the opportunity to purchase the property. He stated that the building makes sense for the Township's intended purpose and that the church is not currently on the tax rolls so there is no loss of tax revenue.

Mayor Koury reiterated the need for an ADA compliant Municipal Building and that the current building remained inadequate for COVID-19 restrictions. He warned that lack of ADA compliance placed the Township at risk of lawsuits. He explained that the Township's goals for land preservation was reaching its upper limit and reiterated the need for smart planning practices. He reiterated that municipal land purchase was handled differently than residential real estate transactions. He indicated that there may be some opportunity to utilize available COVID-19 relief funds to assist in some upgrades such as HVAC, generator, and security camera installation.

Dan Connor stated his belief that Franklin Township does poorly with Capital Investments, citing multiple property purchases the Township had made in the past. In response to Mr. Connor's statements, the Township Attorney clarified that discussion had taken place to reimburse the Township for its purchase of the two properties next to the current Municipal Building with COAH funds during Mr. Connor's tenure as a committeeman, but action had not taken place and the properties had been bonded by the municipality and were not deed restricted. Mr. Connor reiterated that he is uncomfortable with moving forward with the purchase and bond ordinance until more information is provided to the public.

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

Mayor Koury invited the Committee to discuss the Bond Ordinance.

Committeeman Donaruma indicated that he had expressed concern over the public's perception of the speed of the purchase, and that he supported the purchase of the property. He indicated that he was still looking into the most cost-effective manner to move the Police Department.

Committeeman Repmann indicated his comfort with the purchase and that he had spoken to individual residents regarding the purchase. He further indicated that the speed of the purchase was to prevent the loss of the opportunity and that the Township was still working with the County to purchase a portion of the property. He stated that the Township's goal was to fully move out of the current Municipal Building and sell the property on Sidney Road. He questioned why Mr. Benscoter had waited until the end of May to begin asking questions when he had a copy of the contract since the beginning of March.

Deputy Mayor Burgess acknowledged that the purchase did move quickly but reiterated the need for a new Municipal Building. She indicated that the Committee did not hide the purchase and that the purchase provides a step up. She praised the questions that were asked regarding finances. She expressed her appreciation of the due diligence efforts of Committeeman Homulak and the CFO.

Committeeman Homulak indicated that he had no further comments.

Mayor Koury reiterated the Township's historic interest in the property and that he felt comfortable with the purchase. He indicated his opinion that the current Committee was fiscally responsible and emphasized its efforts to spread costs. He further indicated that he believed it would be fiscally irresponsible not to proceed with the purchase as it could open the Township to the need of a future spur of the movement purchase in response to aging assets.

Motion to adopt: Burgess      Second: Donaruma

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

1. Public Hearing and Final Adoption of Ordinance 2021-05: Ordinance Authorizing the Purchase by Franklin Township of Real Property from Faith Wesleyan Church, Inc., Known as Block 8, Lot 1.02.

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

John Benscoter, 171 Old Franklin School Road, requested that the ordinance be altered to include the intended purpose of the purchase. The Township Attorney explained that the ordinance could not be changed but that the purpose could be reflected in the minutes. Mayor Koury agreed to add a side note to the minutes indicating that the purchase was "for the potential move of the Municipal Building".

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

Upon invitation by the Mayor, the Committee indicated they had no further discussion on this ordinance.

Motion to adopt (with a side note: "for the potential move of the Municipal Building"): Homulak  
Second: Donaruma

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

2. Introduction & First Reading of Ordinance 2021-07: Calendar Year 2021 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank.
  - a. Public Hearing and Final Adoption scheduled for June 24, 2021.

The CFO explained that the ordinance was a standard annual ordinance in connection to the introduction of the Budget and that it provides the Township with options if something comes up.

Motion to Introduce: Donaruma Second: Burgess

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

**Resolutions:**

1. Resolution 2021-21: Governor’s Council on Alcoholism and Drug Abuse – Fiscal Grant Cycle July 2020-June 2025 (Form 1B – 2022).

Motion to adopt: Burgess Second: Donaruma

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

2. Resolution 2021-22: Self-Examination of CY2021 Budget.

Motion to adopt: Repmann Second: Donaruma

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

3. Resolution 2021-23: Introduction of 2021 Municipal Budget of the Township of Franklin, County of Hunterdon, for the Year 2021.
  - a. Public Hearing and Final Adoption scheduled for June 24, 2021.

The CFO explained that the resolution introduces the 2021 Municipal Budget and showed a decrease in appropriations. He explained that the Township runs leaner due to Capital Planning and that effective Capital Planning assists the Township in making smaller purchases without incurring debt. He further explained that the Township is limited in sources of revenue.

Motion to adopt: Donaruma Second: Repmann

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

**Staff Administrative Reports:**

**Police:** Captain Snyder indicated that he did not have a report but was available to answer questions. Mayor Koury reminded those present that the following Monday was Memorial Day and encouraged everyone to drive safely and be mindful of deer.

**CFO:** The CFO thanked the Finance Subcommittee for the successful introduction of the 2021 Budget. Mayor Koury praised the Committee for their efforts and expressed his appreciation for the Subcommittees.

**Administrative:** The Township Clerk indicated that she did not have much to report and that most of her efforts were on meeting preparation. She further reported that Primary Election Day was approaching and that it would be held in person. She reminded those present that the Vote-By-Mail Drop Box was available next to the Municipal Building to drop off Vote-By-Mail Ballots. The Township Attorney reminded those present that if they had received a Vote-By-Mail Ballot they would need to place the ballot in the drop box or mail it via postal service.

Old Business: None.

New Business:

1. Cannabis Businesses Implementation

The Township Attorney explained the Township's options regarding opting in or out of the State's Cannabis legislation. She indicated that opting into the legislation would prevent opting out later, while the Township could opt out of the legislation and choose to opt in later. She further indicated that taking no formal action would automatically opt the Township into the legislation. She explained that responding to the legislation correctly would require action from the Land Use Board and would affect the Master Plan. She further advised the Committee of Kingwood Township's decision to opt out of the legislation to increase Kingwood's time to gather information before they choose how they would opt in. She indicated that the legislation would affect zoning conditions and that Franklin Township does not have an Industrial Zone. After brief discussion, the Town Committee agreed to opt out of the legislation to set a timeline to evaluate opt in options and requested that the Township Planner make a presentation. The Township Attorney confirmed that she would draft an ordinance to opt out of the legislation with the intention to evaluation opt in options.

Board of Health: None.

Committee Member Reports:

Committeeman Donaruma updated the Committee on his efforts to investigate options for expanding or moving the Police Department. He indicated that expanding the Police Department within the current building would be acceptable to maintain currently accepted State approvals. He further indicated that he is still awaiting return phone calls on the requirements for moving the Police Department to the new Municipal Building location. He updated the Committee on his efforts to contact Quakertown Volunteer Emergency Medical Services (QVEMS), indicating that QVEMS has submitted their State required forms but have not responded to his efforts to invite them to a Town Committee meeting. Mayor Koury requested that the Township Clerk send a formal invitation to QVEMS to attend a June meeting. The Township Clerk requested QVEMS' contact information.

Committeeman Repmann commented that James Witkowski has been reappointed to the School Board.

Committeeman Homulak reported that the Quakertown Fire Company would be holding its Annual Memorial Day Service at the school on Memorial Day morning. He further reported on the subcommittee's efforts to address updates to the Fire Prevention Ordinance. He also indicated that Quakertown Fire Company would be bring back Oktoberfest this year.

Deputy Mayor Burgess reported that the Environmental Commission met earlier in the week and discussed a potential fourth member, the need for a Land Use Board member, and goals for the year. She further reported that the Township's Sustainable Jersey Certification renewal had been delayed a year and was now due June 6<sup>th</sup>. She advised those present of COVID-19 vaccination opportunities.

Mayor Koury reported that the State had expressed interest in the preservation of Furlong Farm via direct purchase and that the Township Clerk had provided the minutes explaining the Township's decision not to proceed with County's efforts to preserve the property to Stephanie Miller, SADC Regional Acquisitions Coordinator. Mayor Koury explained the rationale behind denying the County's preservation request due to the property's location on a county road and that future technology may change development opportunities. He requested that the Township Clerk place the SADC's interest as a discussion topic on the June 10<sup>th</sup> meeting. Mayor Koury also reported that Governor Murphy's Executive Order #242 will lift COVID-19 restrictions in the State.

**BOE:** James Witkowski reported on efforts to renovate the school's windows and locker rooms, indicating that a trailer was now parked on school grounds. Mayor Koury congratulated Mr. Witkowski's return to the School Board and expressed his appreciation for the efforts of Virginia Evans during Town Committee meetings.

Comments from the Public:

No members from the public came forward to speak.

Executive Session: None.

Action by the Committee: None.

Adjournment:

Motion to adjourn: Burgess Second: Donaruma

All in favor. Motion carried.

Meeting was adjourned at 9:12 pm.

Prepared by Christine Burke, Township Clerk

  
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Adopted: 06/10/2021