

MINUTES
FRANKLIN TOWNSHIP COMMITTEE
WORK-SESSION/REGULAR MEETING
THURSDAY, FEBRUARY 10, 2022
7:30 PM

(Location Changed to Online Application: Zoom - <https://us02web.zoom.us/j/81271946525>)

The meeting was called to order by Mayor Koury at 7:32 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
Catherine Innella, Deputy Clerk
Cameron Keng, Chief Finance Officer/Human Resources Officer
Captain Timothy Snyder, Police Department
Darlene Greene, Township Planner
Mike Chabra, Project Manager, New Municipal Building

The Township Attorney issued a statement explaining that the meeting was being held over Zoom, was being recorded and that there was no in-person meeting. She explained that all members of the public would be muted by the host during the business portion of the meeting and that the host would unmute members of the public both on Zoom and on the telephone during the two public comments and any public hearings in which members of the public were invited to comment. She further explained that the chat function should not be used for public comment or to communicate with the Committee or other meeting participants and that the chat function was only to be used to report technical difficulties such as an inability to unmute during the public conversation. She stated that the chat conversation was being recorded and was considered a public record and advised that any written comments submitted to the Township in advance of the meeting would be read into the meeting at the appropriate time.

Comments from the Public on Agenda Items Only:

The Township Attorney issued a statement that the Committee would take comments from the public on agenda items only and that there would be a time at the end of the meeting that the Committee would take comments on any matter. She advised those present that there would be a specific public hearing later in the meeting at which time public comment would be taken regarding the adoption of Ordinance 2022-01 and explained that the Committee had asked that the public hold comments regarding the ordinance until the designated public hearing. She advised those present on how to utilize the "raise your hand" function of the Zoom application for both online and phone participants and explained that the host would call on members of the public one at a time. She further advised that anyone experiencing technical difficulties should first disable their camera function to preserve

bandwidth, and that if they were still experiencing technical difficulties, they could alert the host via the chat function but not to make comments over the chat unless directed to do so.

Upon questioning by the Township Attorney, the Township Clerk indicated that she did not receive any written comments other than those pertaining to Ordinance 2022-01.

Mayor Koury reminded those present to utilize the “raise your hand” function of the Zoom application and not to physically raise their hand in the video pane as there were too many participants to effectively see everyone.

No one from the public spoke regarding Agenda Items.

Proclamations & Presentations: None.

Approval of Minutes

Motion to approve the January 27, 2022 minutes Work-Session/Regular Meeting: Burgess

Second: Homulak

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

Payment of Bills

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

Motion to approve the Bills List: Donaruma Second: Burgess

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

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2022-01: An Ordinance Amending the Revised General Ordinances of the Township of Franklin, County of Hunterdon to Amend Chapter 220, “Land Use,” to Create Article XV “Cannabis Related Businesses”, and to Amend Chapter 322, “Taxation,” to Create Article II “Cannabis Transfer Tax”.

Mayor Koury moved this topic to later in the meeting.

2. Introduction and First Reading of Ordinance 2022-02: An Ordinance Authorizing the Sale of Property by the Township of Franklin, County of Hunterdon, State of New Jersey, to the County of Hunterdon, pursuant to N.J.S.A. 40A: 12-13.4.
 - a. Public Hearing and Final Adoption scheduled for March 10, 2022.

Mayor Koury explained that this ordinance permits the Township to sell a portion of the property purchased for the New Municipal Building site to Hunterdon County to off-set costs incurred from the acquisition and preparation of the new building.

Motion to introduce: Burgess Second: Repmann

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

Resolutions:

1. Resolution 2022-13: Refund Tax Overpayment – Disabled Veteran – <Redacted per P.L.2021, c.371 “Daniel’s Law”>

Motion to adopt: Donaruma Second: Homulak

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

2. Resolution 2022-14: Amend Resolution 2022-05: Resolution Appointing Various Municipal Positions (Amend Subcommittees)

Upon questioning by Committeeman Donaruma, the Township Clerk explained that this resolution memorializes the change made on January 27th to the Public Works Subcommittee.

Motion to adopt: Repmann Second: Burgess

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

3. Resolution 2022-15: Resolution Appointing Various Municipal Positions – Boards and Commissions

Upon questioning by Mayor Koury, the Township Clerk confirmed that the resolution contained Land Use Board and Environmental Commission appointments as directed by those boards. Deputy Mayor Burgess explained that an additional “vacancy” position needed to be removed from the Environmental Commission on the appointments list.

Motion to adopt as corrected: Donaruma Second: Burgess

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

Ordinances: (Continued)

1. Public Hearing and Final Adoption of Ordinance 2022-01: An Ordinance Amending the Revised General Ordinances of the Township of Franklin, County of Hunterdon to Amend Chapter 220, “Land Use,” to Create Article XV “Cannabis Related Businesses”, and to Amend Chapter 322, “Taxation,” to Create Article II “Cannabis Transfer Tax”.

Mayor Koury read a statement to those present thanking the attendees for joining the meeting and expressing his hope that some points of the cannabis ordinance and the timeline leading up to the meeting would be clarified. He explained that the ordinance was in response to the state-wide referendum held in November of 2020 legalizing adult-use of cannabis in New Jersey and allows municipalities to pass an ordinance that imposes a local tax on cannabis products. He further explained that the New Jersey State Legislature added state legislation that allowed for the growth, cultivation, processing, manufacturing, preparing, packaging, transferring, and retail purchasing and consumption of cannabis subject to the Cannabis Regulatory Commission.

Mayor Koury explained that the ordinance is a local law that could be passed by municipal governing authorities and was not an active application. He further explained that the ordinance would allow

applicants to apply for a “conditional use” variance and that applicants would also need a letter of support from the Town Committee to apply for a State issued license. He explained the Land Use Board’s responsibility in approving or rejecting an application based on the merits of the applicant’s case and that the Land Use Board would determine the validity of the application and the conditions that would need to be met for approval, such as water usage, lighting, odor, security, and transportation. He further explained that the ordinance does not absolve the Land Use Board from accepting or rejecting an applicant and that public comment would apply to any Land Use Board application.

Mayor Koury explained that people were entitled to their own opinions. He expressed his disapproval of manipulation of facts to indicate that the Town Committee had acted in an inappropriate manner and explained that previous Town Committees had also made decisions that affect the taxable base of the Township. He expressed his concerns over cost-of-living increases that make it increasingly difficult for senior citizens to continue living in the Township. He explained that the Town Committee only has the best interests of the residents in mind. He denounced claims that the meeting was being held via Zoom to hide the actions of the Committee or limit public participation and explained that all Town Committee meetings had been held via Zoom for the past two years.

Mayor Koury read a timeline explaining the events that lead to the ordinance’s creation.

Mayor Koury requested a motion to Table Ordinance 2022-01 in order to review the overwhelming amount of information received from the public and to see where any adjustments, revisions or clarifications need to be made. He indicated that he would like to hold a community workshop where residents and professionals would be present and provide comments. He further indicated that the ordinance would be introduced again with any adjustments, revisions or clarifications made by the community workshop.

Motion to Table Ordinance 2022-01 as requested by Mayor Koury: Repmann Second: Burgess

Committeeman Donaruma reiterated that the Committee had done nothing nefarious and that all actions taken were appropriate. He indicated that each Committee member was only expressing what they believed to be in the best interests of the Township. He expressed his approval for Tabling the ordinance. He further expressed a desire for more community input and outreach.

Committeeman Homulak thanked all in attendance at the meeting and expressed his approval for Tabling the ordinance, indicating that it was a time to pause and reflect on all the communication that had been received. He provided an explanation of his perspective, indicating that he anticipated that the Township would be placed in future financial risk as the commercial zone, particularly the WalMart and Hampton Inn, continue to experience hardship due to loss of business to online competitors and the COVID-19 pandemic. He provided a brief history of the Township and County’s development activities and explained some of the development ideas being proposed and implemented in the Town of Clinton. He further explained the detrimental impact losses in the Township’s business zone would have on Franklin Township’s tax collection and emphasized how much tax revenue is supplied to support the schools. He indicated that the ordinance was not viable in its current form. In response to Facebook posts and correspondence he had received from some residents who had indicated that they would be

willing to pay higher taxes to avoid development, he explained that other residents were stuck on fixed incomes and could not support significant tax increases. He requested that the community become involved and assist in finding innovative solutions that would provide the Township with more financial stability. He stated that he did not have any personal affiliations, interest in, or contact with any cannabis business. He further stated that he did not have any further political aspirations other than to serve the community.

Mayor Koury expressed his agreement with Committeeman Homulak's statements and reiterated that the Committee was working with the best interests of the community at heart. He stated that he also has no personal interest in cannabis companies.

Committeeman Repmann expressed his agreement with Committeeman Homulak's statements and stated that he has no personal interest in cannabis companies. He expressed his appreciation for the public's feedback regarding the ordinance and his hope that an agreement can be made to move forward.

Deputy Mayor Burgess explained her personal history in the Township and expressed her appreciation for those who had provided feedback regarding the ordinance. She explained her interest in the ordinance as a way to control developmental growth that the Township finds undesirable. She stated that she has no interest in cannabis companies and that she has not met with any cannabis companies. She reiterated her appreciation for the residents who had reached out with thoughts, ideas, suggestions, and questions. She encouraged residents to continue to be involved in the Township's various boards and commissions, indicating that several boards and commissions have a significant number of vacancies.

At 8:11 pm, Mayor Koury acknowledged that the meeting held 261 attendees. He encouraged those present to contact the Township Clerk and Deputy Clerk to be added to the Township's E-mail Blast subscribers list. He explained that the Committee had been conducting its meetings via the Zoom application for two years and that neither the Municipal Building nor the Franklin Township School could support the number of attendees present at the current meeting. He encouraged more community involvement.

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

Staff Administrative Reports: None.

Mayor Koury explained that the Board of Education and Office of Emergency Management usually attends the Town Committee meetings to provide bi-monthly updates. He further explained that the Administrative staff, Finance Officer and Police Department also submit reports.

Board of Health: None.

Old Business:

1. New Municipal Building (43 Lower Landsdown Road) – Status Update

Mayor Koury indicated that no update on the New Municipal Building would be made.

New Business: None.

Committee Member Reports: None.

Comments from the Public:

The Township Attorney issued a statement indicated that the Committee would take public comment on any matter that the public wished to bring before the Committee. She again advised those present on how to utilize the “raise your hand” function of the Zoom application for both online and phone participants and explained that the host would call on members of the public one at a time. She further advised anyone experiencing technical difficulties that they could alert the host via the chat function but not to make comments over the chat unless directed to do so. She reiterated that the Township Clerk had indicated that she did not receive any written comments related to items other than Ordinance 2022-01 which would not be holding its public hearing that night.

Upon Linda Peterson’s attempt to question the Committee regarding her concerns, the Township Attorney explained that the public comments section of the meeting was not for questions and answers.

The following members of the public spoke in opposition to Ordinance 2022-01 and the allowing of cannabis factories in Franklin Township:

Linda Peterson, Peterson Farm, 438 Quakertown Road
Gregory Mayer, 68 Wyckoff Avenue
Colin Blanchard, 15 Alexandria Drive
Brad Urmston, 106 Upper Kingtown Road
Todd Taylor, 32 Locust Grove Road
Alex Rogovin, 6 Quaker Hill Drive
Tom Jablonski, 655 Sidney Road (West)
David Bala, 314 Quakertown Road
John Drwal, 3 Stone Barn Road
David Evans, Esq. (Attorney from Flemington representing Franklin Township residents.)
Kristin Urmston, 106 Upper Kingtown Road
Michele Davino, 318 Sidney Road
Jane Bowers, 32 Baker Road
Carlos Gonclaves, 42 Hogback Road
Jay Lynch, 440 Pittstown Road
Don Broughton, 219 Pittstown Road
Bruce DeRites, 119 Locust Grove Road
Scott Sautner, 10 Tara Way
Natividade Morais, 62 Hogback Road

Mike Mahler, Pittstown, NJ
John McAleer, Mechlin Corner Road, Alexandria Township
Alex, Mechlin Corner Road, Alexandria Township
Gary Walia, 175 Locust Grove Road
Scott Martin, 190 Locust Grove Road
Ingrid Taff, 41 Upper Kingtown Road
Brett Palmer, 111 Locust Grove Road
Greta Eichlin-Bell, 37 & 39 Quakertown Road
Roy Emerson, 15 Landsdown Road
Kate Brown 770 County Road 513, Alexandria Township
Dr. Ray Buch & Linda (his wife), 10 Duke Court
Daniel Carlton, 30 Hogback Road
Bob Murphy, 248 Quakertown Road
Mike Mullen, 304 Hamden Road
Jennifer & Josh Roznowski, 426 Pittstown Road
Sarah Johnson, 38 Upper Kingtown Road
Brad Banken, 60 Upper Kingtown Road
Sandra Dagnall, 276 Oak Grove Road
Mr. Mani, 65 Upper Kingtown Road
Dolores Reich, 56 Baker Road
Arline Janet Reut, Alexandria Township
Alexa Tarby, 115 Old Franklin School Road
Michelle Miller, 39 Sky Manor Road
Frank Tota, 16 Upper Kingtown Road
Toni Kuczynski, 88 Cherryville Stanton Road
Rich Prakopcyk, 171 Oak Grove Road
Sharyn Sawczak, 7 Nixon Farm Road
Sal Carmelino, 1115 Croton Road
Elizabeth Ramirez, 37 Wolverton Road
Lori Vail, 10 Tara Way

The following members of the public requested that Town Committee meetings be held in-person:

Bruce DeRites, 119 Locust Grove Road (both in-person and on Zoom)
Brett Palmer, 111 Locust Grove Road
Dolores Reich, 56 Baker Road

Topics of concern regarding Ordinance 2022-01 and cannabis factories in Franklin Township included impervious coverage, economic factors, water impacts, aesthetic value, smell, tax benefits, property values, security, family values and ethics, aggressive and predatory behavior by cannabis companies, rural and agricultural nature of the Township, current zoning, lighting, environmental impacts, lifestyle changes, chemical pollution, enforcement, property values, quality of life, public health, flooding, crime, and traffic.

Several members of the public criticized interpretations of the 2020 state referendum.

The following members of the public spoke in support of a municipal referendum being placed on the current year's election ballot regarding the allowance of cannabis factories in the Township:

Alex Rogovin, 6 Quaker Hill Drive

Daniel Carlton, 30 Hogback Road

Bob Murphy, 248 Quakertown Road

Toni Kuczynski, 88 Cherryville Stanton Road

Lori Vail, 10 Tara Way

Upon Mayor Koury's attempt to address Tom Jablonski's request to clarify the map presented in association with Ordinance 2022-01, the Township Attorney clarified that the map was not part of the ordinance and was created only to illustrate which properties met the size and county road requirements of the ordinance. Mayor Koury further clarified that environmental impact studies would be conducted by an applicant should they apply to the Land Use Board.

Upon Bob Murphy's demand to be answered, Deputy Mayor Burgess and the Township Attorney explained that the Committee was currently looking to re-examine the ordinance and was not prepared to answer procedural questions regarding placing a referendum question on the election ballot. Committeeman Donaruma explained the steps for requesting a formal action. Mayor Koury explained that the Committee was relying on the Township professionals to walk them through the next steps. Committeeman Donaruma emphasized the Committee's desire to address the misinformation that is being circulated. Mayor Koury explained where the public could locate information. Deputy Mayor Burgess reiterated the Township's opportunities for community involvement.

Linda Peterson recommended using GIS to provide a better map. She requested a map of potential open space and farmland preservation properties.

Kevin Carrol, Environmental Commission, questioned if the ordinance addressed the carbon aspect of a cannabis facility.

Upon Ingrid Taff's questioning, the Township Attorney explained that the correspondence received by the Township Clerk to be read into the record at the public hearing for Ordinance 2022-01 could be obtained by submitting an Open Public Records Act (OPRA) request to the Township Clerk and that the Committee was in possession of that correspondence. She further explained that it would be at each Committeeperson's discretion to respond to each correspondence.

Arline Janet Reut criticized Committeeman Repmann's facial expressions during the meeting.

Michele Miller questioned how to sign up for the website email blasts.

Joshua Weichler, Pittstown Road, indicated that he was neither for nor against Ordinance 2022-01 and criticized other speakers for "showing up at the eleventh hour" to express their criticism of the Town Committee and their efforts. Mayor Koury explained that Mr. Weichler was a member of the public that had attended the previous night's Land Use Board meeting but was not a member of that board. Mr.

Weichler apologized to those present upon being chastised for his choice of words and clarified his statement.

Mayor Koury ended public comment at 11:35 pm and expressed his appreciation for the comments.

The Town Committee discussed upcoming meeting locations.

Elizabeth Ramirez was moved to the Zoom meeting "Waiting Room" for repeated interruptions at 11:48 pm.

Mayor Koury confirmed that the February 24th meeting would take place online via the Zoom application but would contain no discussion regarding Ordinance 2022-01. He indicated that the Town Committee would attempt to move the March 10th meeting to the Franklin Township School, but the Committee had no assurance of availability.

Executive Session: None.

Action by the Committee: None.

Adjournment

Motion to adjourn: Burgess Second: Donaruma

All in favor. Motion carried.

Meeting was adjourned at 11:49 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 2/24/2022