

MINUTES
FRANKLIN TOWNSHIP COMMITTEE
WORK-SESSION/REGULAR MEETING
THURSDAY, FEBRUARY 24, 2022
7:30 PM

(Location Changed to Online Application: Zoom - <https://us02web.zoom.us/j/84317006336>)

The meeting was called to order by Mayor Koury at 7:31 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 (absent)
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
George Reichert, Office of Emergency Management
Virginia Evans, Board of Education

Comments from the Public on Agenda Items Only:

The Township Clerk explained to those present to utilize the “raise your hand” function of the Zoom application if they would like to make comments on agenda items.

No one from the public spoke regarding Agenda Items.

Proclamations & Presentations: None.

Approval of Minutes

Motion to approve the February 10, 2022 minutes Work-Session/Regular Meeting: Repmann

Second: Burgess

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

Payment of Bills

The CFO explained that the Bills List was small due to timing and indicated that there has not been a lot of activity.

Motion to approve the Bills List: Donaruma Second: Repmann

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

Ordinances: None.

Resolutions:

1. Resolution 2022-16: Resolution Establishing Procedure for Public Comment Before the Franklin Township Committee.

Upon request by Mayor Koury, the Township Clerk explained that it was standard procedure for municipalities to set time limits on public comment to ensure that all members of the public who were interested in speaking were granted the opportunity. The Township Attorney recommended adopting the procedure by ordinance and explained that the time-limits had once been included on the agenda but had fallen off at some point. She also explained that most municipalities and the school board also include it on their agendas.

Motion to adopt Resolution 2022-16: Repmann Second: Burgess

Upon questioning by Mayor Koury, Deputy Mayor Burgess indicated that public comment procedures were established for the Land Use Board. Committeeman Donaruma indicated that long public comments were not historically typical of Town Committee meetings. He expressed his desire to place an end time on meetings to prevent meetings from going late into the night but did not approve of limiting public comments to three minutes and only one time. Deputy Mayor Burgess and Mayor Koury explained that the end time to the meeting is provided on the Annual Meeting Notice Resolution. Deputy Mayor Burgess recommended amending Resolution 2022-16 to allow the Committee the discretion to extend the time allowed to speak. Committeeman Repmann indicated he would be satisfied with the Committee's consensus. The Committee discussed amending the resolution further and the Township Attorney confirmed that it would be appropriate to amend the resolution at that time.

Motion to amend Resolution 2022-16 to extend the time limit for speakers from 3 minutes to 5 minutes in addition to allowing the Committee the discretion to extend a speaker's time and allow another opportunity to speak: Burgess Second: Repmann

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

Staff Administrative Reports:

OEM: George Reichert, Office of Emergency Management, reported that the Township had experienced two shooting incidents. Mayor Koury indicated that JCP&L had mobilized their repair crews for the upcoming storm and reminded those present of JCP&L's contact information if they were to experience an outage.

BOE: Mayor Koury introduced Virginia Evans, Board of Education, who provided an update on the work being done at the school. She reported that the school's Annual Budget was on schedule to be completed in April.

POLICE: Captain Snyder, Police Department, indicated that he did not have anything further to report.

CFO: The CFO reported on the recently completed first quarter tax collection, indicating that staff was still processing the remaining balance. He further indicated that the Finance Office had completed the Annual Financial Statement (AFS) and continued to work the Annual Audit and Annual Budget.

ADMINISTRATIVE: The Township Clerk reported that her office had received a lot of correspondence regarding Ordinance 2022-01, many of which included procedural questions and requests to forward the correspondence to the Township Committee. She indicated that the Clerk's Office remained fully functional. Mayor Koury clarified that Ordinance 2022-01 had been Tabled and no date or location had been scheduled for that ordinance.

Board of Health: None.

Old Business:

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

Mayor Koury requested Mike Chabra, Project Coordinator, speak regarding the status of the New Municipal Building. Upon discovering Mike Chabra's absence from the meeting, Mayor Koury indicated that Committeeman Homulak oversaw the subcommittee regarding the New Municipal Building. The Township Attorney explained that Ordinance 2022-02 was introduced at the last meeting with a public hearing scheduled for the next meeting. She explained that the ordinance authorized the sale of 13 acres of open space next to the New Municipal Building, along the Landsdown Trail, to the County as open space. She further explained that once that ordinance was adopted the closing would take place and the Township would sell that piece of property to the County. Upon questioning by Mayor Koury, the Township Attorney indicated that the County was purchasing the property for \$112,000.00. Mayor Koury indicated that the amount would go towards the purchase and upgrades being made to the New Municipal Building. Mayor Koury further indicated that a third draft of the building's layout plans were being forwarded to the Township Committee for their input. He explained that the New Jersey Department of Corrections (DOC) had been involved in the creation of the plans and were assisting in moving the Police Department to the new building.

New Business: None.

Committee Member Reports:

Deputy Mayor Burgess updated the Committee on the status of the COVID-19 pandemic in the Township. She indicated that the Township had 525 positive cases reported and that 25% of reported cases had occurred since the First of January. She indicated that the medical center only had two patients with COVID-19 and that they would begin proceeding with elective surgeries again. She reported that the Environmental Commission had held their meeting on Tuesday, February 22nd and that the March meeting would also be held on a Tuesday. She indicated that ink cartridge recycling was now available in the Municipal Building and that the Environmental Commission had requested 1000 trees for the New Jersey Department of Environmental Protection's (DEP) 2022 Tree Recovery Campaign. She advised those present that the Township had coordinated a well testing opportunity for the beginning of May. She requested that e-mail blasts be sent to subscribers for those events.

Committeeman Donaruma reported that he and Committeeman Homulak had met with the PBA (Police Department) regarding their contract.

Committeeman Repmann reported that Recreational Basketball was coming to an end and that they had experienced a successful season. He expressed his appreciation for the efforts of the program's coordinator, Mark Mroz, and the return of the program after the COVID-19 pandemic.

Mayor Philip Koury reported that the Land Use Board (LUB) did not meet the previous evening and that the meeting had been cancelled at the February 9th meeting. He explained that the next meeting would occur on March 9th. He further reported that he had been working with Lora Jones, Township Historian, on the preservation of a millstone from 1776 that was gifted to Rural Awareness. He explained that the millstone had been used in the Moore Furman mill in Pittstown and that the DPW Supervisor, Ed Busher, recommended to keep the millstone at the Public Works yard for safe keeping until it could be installed for display in the New Municipal Building. He indicated that Lora Jones and Rural Awareness had been shown the tentative schematics for the New Municipal Building so that they could provide input on the display of Franklin Township historic artifacts.

Comments from the Public:

Mayor Koury reminded those present to utilize the "raise your hand" function of the Zoom application if they wished to speak and requested that the Clerk begin accepting public comment.

Sharyn Sawczak, 7 Nixon Farm Road, requested advice on how to read a proposed resolution listed on an agenda prior to the meeting so that she could make comments during the "public comments on agenda items" portion of the meeting. The Township Clerk explained that draft documents are generally not posted on the website and that anyone interested in seeing a draft document listed on an agenda could contact the Clerk's Office. Mayor Koury and the Township Attorney explained that a document in draft form is still a deliberative document subject to change in the meeting. The Township Attorney further explained that the only exception would be an introduced ordinance as it must be posted and published in the newspaper. She reiterated that any person who had a question on an agenda item could contact the Township Clerk and ask about it, but draft resolutions could be significantly changed or not addressed at all during the meeting.

John Benscoter, 171 Old Franklin School Road, indicated that he would like to see the Town Committee set a timeline to cut off draft documents and post them to the website.

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

John Drwal, 3 Stone Barn Road

Lori Vail, 10 Tara Way

Dr. Ray Buch, 10 Duke Court

Michele Davino, 318 Sidney Road

Alexa Tarby, 115 Old Franklin School Road

Todd Taylor, 32 Locust Grove Road

Jim Parker, 255 Oak Grove Road
Dolores Reich, 56 Baker Road
Alex Rogovin, 6 Quaker Hill Drive
Matt Martini, Cherryville Farms, 14 Joe Ent Road
Karen Broughton, 219 Pittstown Road
Lydia den Hollander, 130 Old Franklin School Road
Scott Sautner, 10 Tara Way
Aly Taff, 41 Upper Kingtown Road
Bruce DeRites, 119 Locust Grove Road
Mike Marzo, 227 Pittstown Road
Maryann Drwal, 3 Stone Barn Road
Byron Brisby, 6 Quaker Ridge Court
Yvonne Magala, 16 Mathew Drive
Scott Martin, 190 Locust Grove Road
Roy Emerson, 15 Landsdown Road
Sandra Dagnall, 276 Oak Grove Road
Brett Palmer, 111 Locust Grove Road
Shirly Sakos, 10 Baker Road
Kristin Urmston, 106 Upper Kingtown Road
Irv Taylor, 133 Old Franklin School Road
Natividade Morais, 62 Hogback Road
Lorena Hoopes, 1166 Croton Road

Topics of concern regarding Ordinance 2022-01 and cannabis factories in Franklin Township included current zoning, prior history with difficult large business productions (Garden State Growers), community character, ethics and community values, air and soil quality, property values, water, depletion of aquifer, increase in crime, police enforcement, chemical fires in a manufacturing plant, farming community, gateway drug, land preservation, habitat of threatened and endangered species, light pollution, and the effects of cannabis production on horses.

Several members of the public requested that the Town Committee “kill” Ordinance 2022-01 with no further action taken and questioned the transparency of the Town Committee. They indicated that they had not heard any one in support of the ordinance and of no benefits from including cannabis businesses in the community beyond possible tax revenue.

Several members of the public provided their personal history with the Township, their reasons for moving to the Township, and the positive qualities of the Township.

The following members of the public questioned the details of the coordination of a focus group regarding Ordinance 2022-01 and cannabis business implementation in Franklin Township:

Toni Kuczynski, 88 Cherryville Stanton Road
Sandra Marzo, 227 Pittstown Road
Linda Peterson, Peterson Farm, 438 Quakertown Road
Shirly Sakos, 10 Baker Road

Mayor Koury advised Aly Taff that the February 10th meeting minutes were approved at this meeting and that she could locate them on the Township website once the Township Clerk uploads them. He explained that draft minutes are not posted to avoid inaccurate information from being circulated.

Mayor Koury advised Bruce DeRites that Ordinance 2022-01 had been Tabled and would not be discussed at the March 10th meeting. He clarified that the March 10th meeting would be conducted at the Franklin Township School.

Upon conclusion of the public comment period, Mayor Koury confirmed with the Township Attorney that it would be appropriate to respond to public commentary. He explained that Ordinance 2022-01 had been Tabled and that he did not foresee the ordinance being placed on the agenda in March. He responded to public concern regarding the timing and transparency of the status of Ordinance 2022-01 by explaining that updates would be placed on the Township website and E-mail Blasted to website subscribers. He further explained that direct mailing was cost prohibitive to the Township. He emphasized that the first reading and public hearing information would be published in the newspaper regarding any proposed ordinance. He explained that the proposed focus group was not a decision-making body and that he would be meeting with small groups of residents over numerous short periods to acquire public input. He indicated that any information gathered during the focus group sessions would be presented to the Town Committee who would use that information to make any decisions. Upon questioning by Mayor Koury, the Township Attorney clarified that any member of the Committee could request an item be placed on the agenda.

Mayor Koury responded to requests to just “drop” Ordinance 2022-01. He explained that the Committee had received, and were taking into consideration, numerous requests to place the topic as a Referendum for the residents to vote on and that a Referendum must be clear and concise.

Mayor Koury explained that the map that was posted in association with Ordinance 2022-01 was not a zoning map and only illustrated properties in the Township that encompassed 20 acres and county road frontage. He indicated that some properties included on the map could not be considered for development due to other factors. He accepted responsibility for the confusion and anxiety caused by the map.

Mayor Koury requested that any member of the public interested in becoming involved in a discussion group, to contact him with their name, address, and phone number. He indicated that no decision would be made in a vacuum. He reiterated that no Township Committee member had any nefarious or financial interest in cannabis related businesses.

Deputy Mayor Burgess expressed her appreciation for the public’s comments and, in response to criticism of the Environmental Commission’s lack of awareness of a specific endangered species map, clarified that the Environmental Commission and Land Use Board utilizes an endangered species map located in the Township’s Natural Resource Inventory when considering applications.

Upon questioning by Committeeman Donaruma, the Township Attorney explained the Committee's legal options regarding "pulling" the current form of Ordinance 2022-01. Committeeman Donaruma explained that until the ordinance was "dead", residents would continue to attend meetings and speak regarding this topic. The Township Attorney reiterated that the Committee could not legally take that action at this meeting since it wasn't on the agenda. Committeeman Donaruma recommended placing the removal of the ordinance on a meeting and then proceeding with research and focus groups. Mayor Koury expressed his concern that the public would become confused if the topic was brought back later as an amended ordinance.

Committeeman Repmann thanked Mayor Koury for addressing the public's comments.

Mayor Koury explained that the next meeting was scheduled to take place at the Franklin Township School in the Theater. Committeemen Repmann and Donaruma explained that they planned to attend but may be late. Deputy Mayor Burgess indicated that she could not attend due to a prior commitment in another location. Upon concerns that there would not be a quorum for the meeting, the Township Attorney advised the Committee that they would need to report their anticipated attendance to the Township Clerk and may have to re-book the school. She explained that, should the meeting information change, Ordinance 2022-02 would have to be readvertised. She offered teleconferencing as an option to allow Deputy Mayor Burgess to attend.

Executive Session: None.

Action by the Committee: None.

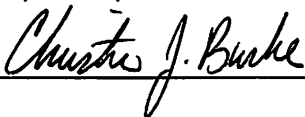
Adjournment

Motion to adjourn: Repmann Second: Burgess

All in favor. Motion carried.

Meeting was adjourned at 9:58 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 3/24/2022