

MINUTES  
FRANKLIN TOWNSHIP COMMITTEE  
WORK-SESSION/REGULAR MEETING  
THURSDAY, AUGUST 11, 2022  
7:30 PM

**(Location Returned to Franklin Township Municipal Building  
202 Sidney Road, Pittstown, NJ 08867.)  
Masks are optional.**

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 (absent)  
Craig Repmann (9:28 pm via conference call)

Also present: John Ambromitis, Attorney (Lavery, Selvaggi, Ambromitis & Cohen)  
Christine Burke, Municipal Clerk  
Cameron Keng, Chief Finance Officer/Human Resources Officer  
Chief Timothy Snyder, Police  
Virginia Evans, Board of Education  
Amy Overman, JCP&L

**Comments from the Public on Agenda Items Only:**

Elizabeth Shaw, 18 Locust Grove Road, spoke regarding Ordinance 2022-07 indicating that she had a familiarity with the new State law that precipitated the ordinance and that she had several comments related to the subject. Her comments included compliance with the new law, a desire to see a list of abandoned and foreclosed properties, concern over responsible parties, the amount of time it takes to locate properties, fines, and a list to be made available upon request. She indicated that neighbors have expressed concern over specific properties in the Township. She questioned who would enforce the ordinance and expressed further concern regarding health issues.

The CFO explained that the Zoning Department would be responsible for enforcement and would receive requests to investigate complaints. He further explained the difference between abandoned property and property maintenance complaints. He indicated that many abandoned property complaints have been investigated by the Zoning Officer who finds evidence of people on the property. He further explained relevant definitions regarding bank-owned properties and advised those present to address their questions regarding abandoned properties and property maintenance to the Zoning Officer.

Frank Tota, 16 Upper Kingtown Road, spoke regarding abandoned and foreclosed properties and indicated that the new ordinance did not address inspections. The CFO clarified that abandoned property means that no one is at the property. Upon questioning by other members of the public, the Township Clerk, Mayor, and Deputy Mayor explained that the ordinance in question had not yet been

introduced, was scheduled for introduction later in the meeting at which time an explanation provided by the Township Attorney would be read, and that the ordinance would be available for public review after its introduction.

**Proclamations & Presentations:**

**1. Presentation – Amy Overman, JCP&L – Utility Bill Assistance Program and Electronic Vehicle Charging Station Incentive Programs**

Amy Overman, JCP&L, provided brochures and flyers regarding utility bill payment assistance and electronic vehicle charging station incentive programs. She described the types of incentives available for the creation of electronic vehicle charging station sites. The Township Committee expressed interest in including an electronic vehicle charging station at the New Municipal Building. The CFO explained some of the details of the process and the need for a cost-benefit analysis. Deputy Mayor Burgess explained that a charging station could be potentially useful to the public at the New Municipal Building due to the site's access to the trails. Additional discussion ensued regarding charge points, infrastructure costs, state incentives and other forms of financial assistance. In response to questioning by Committeeman Donaruma, Ms. Overman confirmed that with incentives and other forms of financial assistance, including grants, the installation of an electronic vehicle charging station could be cost-neutral to the Township. The CFO advised that Tesla chargers may not necessarily be the best on the market.

Bruce DeRites, 119 Locust Grove Road, posed energy efficiency questions. Ms. Overman responded. Mayor Koury advised those present that the Township was dealing with Donnelly Energy to address its energy efficiency needs.

Deanna Seiple, 593 Cherryville Road, asked questions regarding State grants and other sources of financial assistance. Ms. Overman responded.

Frank Tota, 16 Upper Kingtown Road, questioned why the New Municipal Building was not 100% electric. The CFO responded, citing a high cost of materials and advice from the Township's hired professionals indicating that a 100% electric system would be very energy consumptive.

The CFO responded to another resident's questions regarding solar panels at the New Municipal Building, indicating that the roof surface of the building was not sufficient to address the Township's needs.

Mayor Koury reminded those present of the need to be mindful of their energy usage due to the high temperatures and the drain on the power stations. Ms. Overman explained that the recent loss of power at one of the local stations was due to a fallen branch and that power was quickly restored. Brief discussion ensued regarding tree trimming in the Township and a focus on ash trees affected by emerald ash borer infestations. Ms. Overman provided contact information that Township officials and residents could use to advise of trees that needed to be addressed. Ms. Overman briefly commented on JCP&L's four-year tree-trimming cycle. Upon questioning by Mayor Koury, Ms. Overman indicated that she had not heard of any issues discovered by JCP&L's helicopter patrols that took place two weeks prior.

Approval of Minutes:

Motion to approve the July 14, 2022, minutes Work-Session/Regular Meeting & Executive Session:

Burgess                      Second: Donaruma

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

Payment of Bills:

Motion to approve the Bills List: Burgess                                              Second: Donaruma

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

Ordinances:

1. Second Reading and Final Adoption of Ordinance 2022-06: An Ordinance of the Township of Franklin, in the County of Hunterdon, New Jersey, Providing for Various Capital Improvement and Related Expenses in and for the Township of Franklin and Appropriating \$269,300.

Mayor Koury read the explanatory statement provided by the CFO:

The Township annually enacts a capital ordinance to fund the capital projects planned for the current year. It is an annually recurring ordinance that is expected. This capital ordinance funds the improvements of our roads and the purchase of police vehicles that were retired based on our capital schedule.

Mayor Koury explained the purchase of two new police vehicles. Chief Snyder and the CFO further explained that the Township had acquired a deal that was superior to the purchase of used vehicles.

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

No one from the public spoke regarding Ordinance 2022-06.

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

Motion to adopt: Burgess                                              Second: Donaruma

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

2. Introduction and First Reading of Ordinance 2022-07: Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey, Deleting in its Entirety Chapter 268 Entitled "Residential Maintenance", and Replacing the Same with Chapter 346 Entitled "Vacant Property Maintenance" to be Consistent with P.L. 2021, C. 444
  - a. Public Hearing and Final Adoption scheduled for September 8, 2022.

Motion to introduce: Donaruma                                              Second: Burgess

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

Mayor Koury read the explanatory statement provided by the Township Attorney:

On January 18 of this year, Governor Murphy signed into law Assembly Bill No. 2877, which standardized the Vacant Property Registration procedures for the municipalities of New Jersey. Specifically, the new law allows townships to impose vacant property registration fees on creditors, so long as a foreclosure proceeding has been initiated on the property in question. The new legislation now allows for commercial properties to be registered, which differs from the previous law that only imposed the registration requirements onto residential properties. In addition to the previously imposed five-hundred-dollar (\$500.00) registration fee, the new law also imposes an additional two-thousand-dollar (\$2,000.00) fee upon a creditor that files a foreclosure proceeding in the Superior Court if the property also meets the *abandoned* criteria enumerated by the law.

As a result of this law, New Jersey municipalities are required to amend their Vacant Property ordinances to reflect the changes precipitated by the new legislation. Moreover, if a township does not amend its existing Vacant Property Registration ordinance by August 1<sup>st</sup>, the Township is unable to enforce its existing ordinance until same is amended to be in compliance with the law.

The new law also repealed N.J.S.A. 40:48-2.12s and replaced it with N.J.S.A. 40:48-2.12s1 through 2.12s3.

The Township Clerk explained the publication and posting procedures that would take place after the conclusion of the Town Committee meeting and that interested residents could obtain a copy of the introduced ordinance from the website and from the Township Clerk's office during regular business hours.

**Resolutions:**

1. Resolution 2022-40: Resolution Authorizing Fireworks Display – South Ridge Community Church – 7 Pittstown Road – Fall Launch – Friday, September 23, 2022 (Rain Date – Friday, September 30, 2022 or Friday, October 7, 2022).

Motion to adopt: Donaruma                      Second: Burgess

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

2. Resolution 2022-41: Tax Sale Redemption of Lienholder – Certificate #21-00007 – BALA PARTNERS LLC – 298 Quakertown Road – Block 37, Lot 23.

Motion to adopt: Donaruma                      Second: Burgess

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

3. Resolution 2022-42: Resolution to Extend Grace Period for Third Quarter Taxes Due August 1, 2022.

Motion to adopt: Donaruma                      Second: Burgess

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

Mayor Koury reminded those present to pay their tax bills even if they had not yet received their paper statements sent in the mail.

Staff Administrative Reports:

**OEM:** Mayor Koury indicated that George Reichert, OEM Coordinator, had prepared a monthly report that indicated that the town was doing well. Upon questioning by a resident, Mayor Koury indicated that Mr. Reichert had informed the Township of his intention to retire but had not yet done so. The CFO indicated that Mr. Reichert was assisting the Township with a firefighter grant application.

**CFO:** The CFO indicated that taxes were due soon and that he was looking forward to receiving everyone's payments.

**POLICE:** Mayor Koury introduced Chief Timothy Snyder in his newly appointed position as Chief of the Police Department. Chief Snyder reported on the July monthly activities of the Police Department, specifying background investigations, other investigations, motor vehicle warnings, tickets, accidents, radio calls, alarm calls, assist calls, animal complaints, property checks, and others. He updated those present on the status of the school's request to hire a Special Class III Officer and indicated that he had spoken with the Superintendent of the School and that the school board would be discussing the matter at their next meeting. Chief Snyder responded to Mayor Koury's questions regarding an accident that had occurred at the intersection of Hogback Road and Sidney Road, explaining the difficulties of the intersection and the Township's limited ability to address the issue. Upon questioning by Deputy Mayor Burgess, Chief Snyder explained the County's jurisdiction regarding signage at the intersection. Chief Snyder responded to several members of the public regarding traffic signage, Police Department activity reports, and school bus stops on Locust Grove Road.

**BOE:** Virginia Evans, Board of Education, reported that the school was looking into security officer options because of recent legislation. She updated those present on the status of the underground fuel oil storage tank, indicating that the old tank had been removed and that the new tank was being installed. She indicated that the work should be completed by the first day of school. She commented on traffic concerns regarding parents dropping off students at the school, indicating that the school advises parents to drive to the school from the direction of Pittstown Road and had not sent any communications indicating to make U-turns. She responded to a resident's request for a status update on insurance payment for the damaged oil tank, indicating that matter was still being investigated. Mayor Koury advised those present that the school's Multi-Purpose Room was not being utilized due to a fire safety code concern and that the school would be going out to bid to correct the issue. Discussion followed.

**ADMINISTRATIVE:** The Township Clerk reported that the Clerk's Office continues to utilize the summer months to catch up on filing and scanning. Upon questioning by Mayor Koury, the Township Clerk confirmed that articles for the Township Newsletter had been sent to the publisher. Discussion between the Township Committee and members of the public followed regarding physical and online newsletter publications. Sharyn Sawczak, 7 Nixon Farm Road, indicated that she had never received a

Township Newsletter in the mail. The Committee advised her to reach out to the Deputy Township Clerk to investigate the matter. Ingrid Taff, 41 Upper Kingtown Road, questioned why the Township continued to utilize a newsletter publication that the Committee viewed negatively. The Committee responded that the newsletter was desired by some residents of the Township and that, as it was paid for via advertisements, was published at no cost to the Township.

Board of Health: None.

Old Business:

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

Mayor Koury advised that there were no updates on the status of the New Municipal Building project.

New Business:

1. Discussion Item – SADC – Farmland Preservation.

Mayor Koury indicated that the Township had received notice of a Farmland Preservation Application made to the SADC and that he wished to speak with the Township Planner before discussing the matter.

2. Discussion Item – CFO – Inflation.

The CFO advised those present of a 22% cost increase for insurance in the following year. He indicated that there was nothing the Township could do about the increase and indicated that the increase affects all municipalities in the State of New Jersey. He provided an explanation of how the increase would affect the Budget and provided a comparison between larger and smaller municipalities. The CFO responded to questions posed by the public.

Committee Member Reports:

Deputy Mayor Burgess commented on electric vehicle charging stations in the Township and questioned if there had been any efforts made toward purchasing electric vehicles for the Police Department. She reported that the Environmental Commission would be making a presentation at their September meeting regarding invasive species and wildflowers. She indicated that the Environmental Commission had requested an investigation regarding municipal garbage collection. The CFO responded that municipalities that included municipal garbage collection were experiencing cost increases of 100 to 150 percent.

Mayor Koury reported that the Land Use Board had met the previous day and approved a D Variance application. He indicated that the approved application would have no affect on taxes. He further reported that he had met with the Land Use Board Chairman to discuss a replacement for the vacancy on the Land Use Board.

Mayor Koury reminded those present that the "Hunterdon Games" would take place on August 20<sup>th</sup> in Finn Park (Union Township) and described the types of activities featured at the event.

Comments from the Public:

Jim Parker, 255 Oak Grove Road, read a statement regarding concerns over dead and dying ash trees due to the emerald ash borer, specifying the threat to public safety, property owners' responsibility for the trees upon their property, and the responsibilities of other stakeholders in the municipality. He expressed further concerns over the liability of waiting too long to address the problem and requested that residents be kept informed. Mayor Koury indicated that Alan Dilley, former Supervisor of the Department of Public Works, had worked on the concern several years ago and that he had negotiated a deal with Rich Tree Service to address the issue at that time. He further indicated that he was not certain if the deal continued to be valid. Deputy Mayor Burgess informed those present that residents could report trees of concern along Township roads to the Department of Public Works and the Township Clerk's Office. The Township Clerk indicated that concerns regarding trees along County roads could address their concerns to the County's Department of Public Works. The Committee requested that additional information be placed on the Township website.

Christina Faragalla, 205 Sidney Road, updated those present on the status of the Franklin Township team being assembled for participation in the "Hunterdon Games" and provided a roster of participants to the Committee. She indicated that she had 18 to 20 participants but would need 25 people to compete.

Elizabeth Basile, 16 Upper Kingtown Road, requested an update on that status of the Evan's property. The Township Committee indicated that there was no update and, upon further questioning by Ms. Basile, indicated that they were waiting to see what's happening with the State before making any other considerations regarding usage of the property.

Bruce DeRites, 119 Locust Grove Road, requested a status update on the purchase of radar speed detection signs as mentioned at the July 14<sup>th</sup> meeting. Committeeman Donaruma indicated that the CFO had brochures and was pricing available options before making a selection. Mr. DeRites indicated that he would prefer signs that do more than flash. Committeeman Donaruma indicated that the Township was looking into all options and warned that more elaborate signs cost more.

Frank Tota, 16 Upper Kingtown Road, indicated that he had attended the previous night's Land Use Board meeting and criticized the delay in posting minutes on the Township website. Mayor Koury indicated that approving and posting Land Use Board minutes was a Land Use Board matter and recommended contacting the Land Use Board Chairman. A resident asked questions regarding posting meeting recordings.

Ingrid Taff, 41 Upper Kingtown Road, requested a clarification of the mayor's statement that the approved Wendy's (D Variance) would not produce tax revenue. Mayor Koury explained that the commercial site pays one tax bill and that individual stores do not have an impact on that bill. The CFO further clarified that the tax bill for the site would only increase due to a reassessment of the property and the reassessment would only take place if there was a significant change to the property. Upon

further questioning, Mayor Koury indicated that the removal of a significant business on the site, such as the Walmart store, could trigger a reassessment. Mayor Koury provided a brief history of store changes in the Walmart Plaza.

Bruce DeRites, 119 Locust Grove Road, questioned the condition of Rogers Pond, indicating that it had been mentioned at the Environmental Commission meeting. Deputy Mayor Burgess explained the history of the site and its connection to the Capoolong Trail. She indicated that a study had been done on what the Township could do to the property and explained that the Township would need a grant and approvals from the Department of Environmental Protection (DEP). Committeeman Donaruma warned that taking any action on the site could get very expensive depending on what was found when work had begun. He further warned that once the Township began work on the site, the Township would take on all responsibility for the site. The CFO explained the best- and worst-case scenario costs. Deputy Mayor Burgess advised that the pond was full of duck weed and that the Township would continue to investigate possible solutions.

Executive Session:

Mayor Koury explained the need to enter Executive Session, that action could be taken, and that all attendees of the meeting could wait outside of the meeting room except for the Committee, the CFO/Human Resources Officer, 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: Donaruma Second: Burgess  
All in favor. Motion carried.

Committee entered Executive Session at 9:22 pm.

Topics discussed:

1. Personnel/Contractual – Police Department – Contract Negotiations
2. Personnel/Contractual – Department of Public Works
3. Personnel/Contractual – Construction Department – Plumbing Subcode Inspector

Committeeman Repmann entered the Executive Session 9:28 pm via conference call and exited the meeting at 9:38 pm.

Committee exited Executive Session at 9:41 pm.

Motion to exit executive session and resume regular meeting: Burgess Second: Donaruma  
All in favor. Motion carried.

Mayor Koury and the Township Clerk explained the topics discussed in Executive Session and that minutes would become available once the need for confidentiality was no longer required.



Action by the Committee:

Motion to authorize the Police Contract as discussed in Executive Session and drawn up by the labor attorney: Burgess      Second: Donaruma

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

Motion to authorize the hiring of Frederick Roll subject to the terms discussed in Executive Session and the contract drawn up by the labor attorney: Donaruma      Second: Burgess

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

Motion to authorize the hiring of Henry Bell for the position of Plumbing Subcode Inspector: Burgess  
Second: Donaruma

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

Adjournment

Motion to adjourn: Repmann   Second: Unrecorded      All in favor. Motion carried.

Meeting was adjourned at 9:44 pm.

Prepared by Christine Burke, Township Clerk

  
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Tabled: 09/08/2022  
Adopted: 09/22/2022