

MINUTES  
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH  
WORK SESSION/REGULAR MEETING  
THURSDAY, OCTOBER 12, 2023  
7:30 PM

**Franklin Township School, 226 Quakertown Road, Pittstown, NJ 08867**

The meeting was called to order by Mayor Philip Koury at 7:30 pm. Mayor Philip Koury read the Open Public Meetings Act (OPMA) Statement and lead the flag salute.

Roll Call: Mayor Philip Koury (present) Deputy Mayor Michael Homulak (present)  
Sebastian Donaruma (absent) Craig Repmann (present) Deanna Seiple (present)

Also present: Igor Bykov, Attorney (Lavery, Selvaggi, Ambromitis & Cohen)  
Christine Burke, Municipal Clerk  
Cameron Keng, Chief Finance Officer (CFO)

Comments from the Public on Agenda Items Only:

John Benscoter, 171 Old Franklin School Road, questioned if Rural Awareness was placed on the agenda for a second printing of the *Franklin as We Were* book. Mayor Koury indicated that the topic was not included on the agenda but would be included in his committee report. Mr. Benscoter explained the results of the sale of the first printing and provided a check to the Township Clerk for reimbursement of the Township's financial support. Upon questioning by Mayor Koury, Mr. Benscoter explained the limited number of printed books.

Proclamations & Presentations: None.

Approval of Minutes:

Motion to approve the September 28, 2023, minutes Township Committee Work-Session/Regular Meeting & Executive Session: Homulak Second: Repmann

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

Payment of Bills:

Motion to approve the Bills List: Repmann Second: Seiple

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

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2023-04: An Ordinance of the Township of Franklin, in the County of Hunterdon, New Jersey, Providing for Various Capital Improvements, Equipment, Vehicles and Related Expenses in and for the Township of Franklin and Appropriating \$450,000.

Mayor Koury read the following explanatory statement:

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 equipment and vehicles for municipal purposes based on our capital schedule.

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

No members of the public spoke regarding Ordinance 2023-04.

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

Motion to adopt Ordinance 2023-04: Homulak      Second: Repmann

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

2. Introduction & First Reading of Ordinance 2023-06: Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey Amending and Supplementing Section 220-24.2 Entitled "Ground Array Solar Energy System" to Permit the Installation of Ground Array Solar Energy Systems in RR-5.0 Zones and to Lower the Minimum Acreage Requirement Concerning Same.
  - a. Public Hearing and Final Adoption scheduled for November 9, 2023.

Motion to introduce: Seiple      Second: Repmann

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

Mayor Koury read the following explanatory statement:

In the latter half of 2022, residents interested in utilizing ground-mounted solar energy systems had expressed a hardship in placing such systems on their properties based upon the current Land Use Ordinance. Throughout 2023, the Land Use Board and Township Planner reviewed the Township's Ordinance to seek ways to reduce or eliminate such hardships.

The Township Planner has made recommendations, with the approval of the Land Use Board, to amend and supplement Section 220-24.2 entitled "Ground Array Solar Energy System" to permit the installation of such systems in RR-5.0 Zones and to lower the minimum acreage requirement concerning same.

Mayor Koury further explained that the acreage requirement used to be 7 acres and would now be 5 acres. The Township Attorney provided further explanation.

3. Introduction & First Reading of Ordinance 2023-07: Bond Ordinance Providing for Various Improvements to Municipal Buildings and Grounds, by and in the Township of Franklin, in the County of Hunterdon, State of New Jersey; Appropriating \$1,100,000 Therefor and Authorizing the Issuance of \$1,047,619 Bonds or Notes of the Township to Finance Part of the Cost Thereof.
  - a. Public Hearing and Final Adoption scheduled for November 9, 2023.

Motion to introduce: Seiple                      Second: Homulak  
Roll call: Donaruma (Absent)   Homulak (Aye)   Koury (Aye)   Repmann (Aye)   Seiple (Aye)

Mayor Koury read the following explanatory statement:

The purpose of this bond ordinance is to finance the costs associated with the improvements made for the renovation of the municipal building, including the police headquarters under the requirements dictated by the Department of Corrections. It was within the expected budget for the total renovation.

Resolutions:

1. Resolution 2023-51: Memorializing Resolution – Increase Tax Assessor Salary

Motion to adopt: Repmann    Second: Seiple  
Roll call: Donaruma (Absent)   Homulak (Aye)   Koury (Aye)   Repmann (Aye)   Seiple (Aye)

2. Resolution 2023-52: Green Team Advisory Committee
3. Resolution 2023-53: Sustainable Land Use Pledge (Re-Affirmation of Resolutions 2014-60 & 2021-42)

Diane Burgess, Environmental Commission Chairperson, explained that Resolutions 2023-52 and 2023-53 should be done annually and that she had already spoken with the Municipal Clerk to include them among the resolutions presented at the Re-Organization meeting. She indicated that both resolutions are required for the Township’s application for Sustainable Jersey Certification.

Motion to adopt Resolutions 2023-52 & 2023-53: Repmann    Second: Homulak  
Roll call: Donaruma (Absent)   Homulak (Aye)   Koury (Aye)   Repmann (Aye)   Seiple (Aye)

4. Resolution 2023-54: Opposing H.R. 3372, Which Would Establish a 10-Year “Pilot Program for States to Test 91,000 Pound Trucks”.

Mayor Koury explained that the resolution was requested by the Hunterdon County Commissioners and provided a brief explanation indicating that such an increase in tonnage would increase wear on county roads and bridges that would result in costly repairs. The Township Clerk explained that both Resolution 2023-54 and 2023-55 were requested by the Hunterdon County Commissioners.

Motion to adopt: Repmann    Second: Homulak  
Roll call: Donaruma (Absent)   Homulak (Aye)   Koury (Aye)   Repmann (Aye)   Seiple (Aye)

1. Resolution 2023-55: Supporting Assembly Bill No. 975 and Senate Bill No. 2643 Sponsored by Assembly Minority Leader John DiMaio and Senator Doug Steinhardt, Requiring Commercial Motor Vehicles to be Equipped with Certain Global Positioning Systems (GPS).

Upon questioning by a resident, Deputy Mayor Homulak explained that the bill would require commercial grade GPS, capable of additional support to avoid low bridges and overpasses, and roads that can't support truck weights. He further clarified that the GPS system was not intended to track commercial vehicles. Committeeman Repmann explained that liability for road and bridge repairs would be placed on commercial vehicles instead of County roads.

Motion to adopt: Seiple Second: Homulak

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

Old Business: None.

New Business: None.

Committee Member Reports:

Deputy Mayor Homulak thanked all who attended the Quakertown Fire Company's Oktoberfest event. He reminded those present that the auction of the property next to the current Municipal Building would take place the following Wednesday.

Committeeman Repmann reported that he had attended the 78/22 Coalition meeting and indicated that they had started working on items for the following year. He further reported that he had spoken to Mayor Kovach, Town of Clinton, regarding the affordable housing project behind the Cracker Barrel Restaurant.

Committeewoman Seiple reported that she had spoken with a resident interested in the maintenance of the Capoolong Trail and indicated that she would also attempt to assist. She further reported that the Fall Newsletter was complete and would be sent out upon the approval of the Township Committee.

Mayor Koury reported on the status of the Land Use Board (LUB) hearing, briefly describing the applicant's request, and indicating that the hearing was ongoing. He briefly commented on the status of the construction project intended to improve the Route 78 exit and explained that the state was still in the process of getting easements from the Cracker Barrel restaurant. He further reported that he was working with the Department of Public Works (DPW) supervisor regarding the cost of having the department maintain a property that was not currently being maintained by the owner. He explained that a municipal lien would be placed on the property so that the Township would not be placed at financial risk. The Township Attorney and CFO explained that such an option was available through the Township's Property Maintenance Ordinance. Upon questioning, the CFO explained how the enforcement process works and that the property maintenance complaint process had already been completed. John Benscoter, 171 Old Franklin School Road, commented on other properties in the Township that needed maintenance.

Mayor Koury advised the Township Committee that he had received a request from Rural Awareness for support of an additional printing of the *Franklin as We Were* anthology book. He requested a motion to authorize additional funding.

Motion to authorize \$1000 to support Rural Awareness to make an additional printing of the anthology book: Seiple Second: Homulak

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

Mayor Koury further reported on efforts to compose a notice or letter to be included on the Township website and in the Township newsletter regarding the utilization of illegal fireworks within the Township.

Mayor Koury further reported that he had attended a meeting with an official from the State's Division of Fish and Wildlife, the Township Attorney, and the Township Clerk regarding the maintenance of the Capoolong Creek Trail. He described how New Jersey Fish and Wildlife funds the maintenance of their trails, specifying fishing and hunting licenses and a tax placed on firearms ammunition. He explained that the state had agreed that the trail had been heavily damaged from wash-out and that the state was seeking grant funding to assist in repairing the trail. He further explained that the state representative had indicated that the state may be interested in handing off maintenance of the trail to the county but that he was not personally able to offer that option. Mayor Koury indicated that he would follow-up with the state official after their November 13<sup>th</sup> meeting regarding grant funding. Mayor Koury explained that the Township had been trying to address the problem for years.

Comments from the Public:

Bruce DeRites, 119 Locust Grove Road, questioned the efforts to address the maintenance of the Capoolong Creek Trail and commented on other trail maintenance efforts throughout the state. Mayor Koury and the Township Attorney explained that no county representatives were present at the meeting. Mayor Koury further explained that the Capoolong Creek Trail was maintained by Fish and Wildlife and that other divisions may be involved in other state trail maintenance projects.

Elizabeth Basile, 16 Upper Kingtown Road, commented on senator response to address the Capoolong Trail maintenance efforts.

Diane Burgess, Environmental Commission Chairperson, briefly commented on the Township's history of attempting to address the Capoolong Trail's maintenance. She indicated that Fish and Wildlife had expressed a reluctance to spend money on trail maintenance.

Elizabeth Basile, 16 Upper Kingtown Road, commented that Green Acres funding was utilized to purchase the trail.

Diane Burgess, Environmental Commission Chairperson, indicated that the New Jersey Department of Transportation (NJDOT) would be holding public information sessions on electric vehicle infrastructure. She further commented that Jersey Central Power & Light (JCP&L) was willing to financially assist the Township in setting up an electric vehicle charging station and recommended the New Municipal Building site for such a station and further recommended seeking additional grant assistance. Mayor Koury requested that the Environmental Commission and Green Team pursue further information.

Committeewoman Seiple questioned the recommended site at the New Municipal Building, indicating that access to the highway would be preferable. Ms. Burgess explained that the site would see additional vehicular traffic due to the trail access point.

Bruce DeRites, 119 Locust Grove Road, requested an update on the leaking gas tank located at Garden State Growers. Deputy Mayor Homulak explained that the Fire Marshall had Garden State Growers remove and remediate the leaking gas tank and recommended that Mr. DeRites contact the Construction Office to inquire about the status of permits.

Rick Conley, 17 Landsdown Road, commented that Committeeman Donaruma had indicated that the two Fire Marshalls were going to write a report.

Elizabeth Basile, 16 Upper Kingtown Road, asked questions regarding the bond associated with the New Municipal Building renovation project. The CFO explained that the bond would have a 25-to-30-year life. Mayor Koury explained that the public hearing for the bond ordinance was scheduled for November 9<sup>th</sup>, that questions should be directed to the CFO during the review period, and that the bond was within the estimated cost for the project. Upon further questioning by residents, the CFO and Township Clerk explained that the introduction of the bond ordinance was the beginning of the process, that the bond ordinance would be posted for public review on the Township website, that the notice would be published in the official Township newspaper, and that questions can be directed to the CFO. Mayor Koury and the CFO explained that \$1 Million is the minimum amount that can be bonded. Upon further questioning by Ms. Basile, the CFO explained that a 25-year spread for paying off the bond is for fairness to the residents, limiting how much an outgoing resident pays into the cost while allowing for an incoming resident to contribute to the cost. Mayor Koury explained that it spreads expenses over the life of the project. Committeeman Repmann commented on the financial practices of previous committees. Mayor Koury requested that the CFO be present at the November 9<sup>th</sup> meeting.

Executive Session:

Mayor Koury explained the need to enter Executive Session, that action would 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: Homulak Second: Repmann  
All in favor. Motion carried.

Committee entered Executive Session at 8:33 pm.

Topics discussed:

1. Personnel/Contractual – Police Contract
2. Personnel – Administrative and Part-time Salaries
3. Contractual – Shared Services – Union Township School Class III Special Officer
4. Contractual/Attorney-Client Privilege – New Municipal Building Renovations Project
5. Contractual/Attorney-Client Privilege – Quakertown Volunteer Emergency Medical Services (QVEMS) Lease

Committee exited Executive Session at 9:35 pm.

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

The Township Attorney explained the topics discussed in Executive Session, that action would be taken, and that minutes would become available once the need for confidentiality was no longer required.

Action by the Committee:

Motion to approve contractual negotiations between the Township and the Police as discussed in Executive Session: Homulak                      Second: Seiple  
Roll call: Donaruma (Absent)   Homulak (Aye)   Koury (Aye)   Repmann (Aye)   Seiple (Aye)

Adjournment:

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

Meeting was adjourned at 9:36 pm.

Prepared by Christine Burke, Township Clerk

  
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Adopted: 10/26/2023