

**MINUTES
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH
WORK SESSION/REGULAR MEETING
THURSDAY, NOVEMBER 9, 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
Chris Vallat, Office of Emergency Management (OEM) Coordinator
Alexa Tarby, Newly Elected Committee Member (2024-2026)

Comments from the Public on Agenda Items Only:

Elizabeth Basile, 16 Upper Kingtown Road, questioned the Shared Services Agreement with the Franklin Township School. Mayor Koury explained that the agreement was with the Franklin Township School and was different from the unapproved agreement with the Union Township School. Deputy Mayor Homulak indicated that the agreements would be further explained when the Township Committee reached the Old Business section of the agenda.

Proclamations & Presentations: None.

Approval of Minutes:

Motion to approve the October 26, 2023, minutes Township Committee Work-Session/Regular Meeting & Executive Session: Homulak Second: Repmann
Roll call: Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye) Seiple (Abstain)

Payment of Bills:

Motion to approve the Bills List: Repmann Second: Homulak
Roll call: Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye) Seiple (Aye)

Ordinances:

1. Public Hearing and Final Adoption 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.

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

Mayor Koury explained that the ordinance had been approved by the Land Use Board (LUB).

No members of the public spoke regarding Ordinance 2023-06.

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

Motion to adopt Ordinance 2023-06: Homulak Second: Seiple

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

2. Public Hearing and Final Adoption 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.

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

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.

Mayor Koury further read the Purpose(s) Statement of the Bond Ordinance Introduction Notice:

Various Improvements to Municipal Buildings And Grounds Which Shall Include, But Not Be Limited To, Various Interior Or Exterior Improvements, As Applicable, To Facilities, Buildings And Real Property; Acquisition And Installation, As Applicable, Of Furnishings, Fixtures And Equipment, Lighting, HVAC, Water, Gas, Electric, Septic And/Or Other Utility Improvements; Parking, Landscaping, Curbs, Sidewalks, Walkways Or Other Improvements.

No members of the public spoke regarding Ordinance 2023-07.

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

Motion to adopt Ordinance 2023-07: Homulak Second: Seiple

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

Mayor Koury expressed his anticipation of participating once the project is complete.

Resolutions: None.

Old Business:

- 1. Shared Services Agreement – Franklin Township School – Class III Special Law Enforcement Officer.**

Mayor Koury, Deputy Mayor Homulak and the Township Clerk explained that discussions for a security officer for the Franklin Township School began in 2022. Deputy Mayor Homulak indicated that Committeeman Donaruma performed most of the discussion and negotiation with the Franklin Township School, explained that the officer would remain in the Township, and that the agreement requires that the Franklin Township School pays for all associated costs of the officer, including salary and training. He further explained that the officer is managed by the Police Department and is already hired. Mayor Koury explained that the Township Committee had already agreed to the contract with the Franklin Township School, but that information and documentation had been lost upon the resignation of the School’s Business Administrator earlier in the year. Deputy Mayor Homulak reiterated that the Township Committee had already approved an agreement on the contract but that formal action needed to be taken.

**Motion to approve the Agreement with the Franklin Township School for a Class III Special Police Officer:
Homulak Second: Repmann**

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

- 2. Shared Services Agreement – Union Township School – Class III Special Law Enforcement Officers.**

Deputy Mayor Homulak explained that Superintendent Diaz is the school supervisor for both the Franklin Township School and the Union Township School, and that Superintendent Diaz had conversations with Committeeman Donaruma requesting a similar agreement to the one approved for the Franklin Township School, for the Union Township School. He further explained that Union Township utilizes the State Police for their law enforcement agency and that the State Police do not supply Class III Special Law Enforcement Officers, resulting in Union Township needing other options for school security. He continued to explain that the Township Committee discussed the request for a Shared Services Agreement with Union Township School at the previous meeting in Executive Session and found that the agreement was not favorable for Franklin Township. He indicated that other options are available to Union Township School, including utilizing the Sherriff’s Office. Mayor Koury explained that the volume of service for the Union Township School would be outside of Franklin Township. Deputy Mayor Homulak explained that the Township Committee was not opposed to the principle of the agreement, and approved of security officers in schools, but were concerned about liabilities and the strain on Township resources, including financial, vehicles and staff, when there is no benefit for Franklin Township. Mayor Koury explained the Township Committee’s efforts to ensure that shared services between the school and the Township support efforts to financially benefit Franklin Township residents via cost savings or an increase in services.

Alexa Tarby, Newly Elected Committee Member (2024-2026), questioned if the Township Police Department’s hiring of Class III Special Law Enforcement Officers could be used as an outsource and a

source of income for the Township. Mayor Koury explained that Union Township School had agreed to pay an administration fee and for officer training. He further explained that the Franklin Township Police Department would supervise the officers and expressed concerns for the costs and risks of administration. He reiterated that the Township Committee is not against having an officer in every school that wants it but was concerned with the additional liability and work being done by Franklin Township. Alexa Tarby recommended having the school pay for the insurance liability.

Upon Mayor Koury's request for a status update on the study to combine the Franklin Township School with the Union Township School, Committeewoman Seiple explained that the push to merge schools was initiated by the State and that municipalities have given the effort pushback.

Rick Conley, 17 Landsdown Road, stated that Franklin Township had decided in years prior to accept the costs of maintaining a municipal Police Department. He indicated that Union Township had the same opportunity. He further indicated that he was not in favor of the Shared Service.

Committeeman Repmann explained that Deputy Mayor Homulak had provided Union Township with viable options for school security based on the investigative work done by Franklin Township when the request was first received.

Elizabeth Basile, 16 Upper Kingtown Road, questioned sick days and summer break procedures. The Township Attorney explained that the contract contains language that explains the procedures. Mayor Koury explained that the Franklin Township Police Department has historically provided traffic control for the Franklin Township School but was uncertain if a regular officer would be assigned to the school in the event of an absence. Upon further questioning by Elizabeth Basile, the Township Attorney explained that Chief Snyder would monitor and follow police employment practices regarding significant absences. Committeeman Repmann explained that the School Board is in control of the special officer and would be the decision maker.

Rick Conley, 17 Landsdown Road, explained that he had driven past the Franklin Township School and seen the Franklin Township Police vehicle. He indicated that the officer would have to pick up the vehicle from the Police Department. Deputy Mayor Homulak and the Township Attorney explained that the officer is under the supervision of the Police Department and conducts his duties like all the other officers. Rick Conley commented on the deterrent effect of having a police vehicle outside the school. Committeeman Repmann questioned how effective the deterrent would be at the Union Township schools.

Mayor Koury commented that Grow-A-Row has paid for an officer to sit outside their facility and that the Township does not pay for that officer to be there.

New Business:

1. 2024 Township Committee/Board of Health Meeting Schedule
 - a. Dates & Location

Mayor Koury recommended that the Township Committee continue holding their meetings on the second and fourth Thursdays of each month and that the meetings be returned to the Municipal Building. The Township Committee unanimously agreed. Mayor Koury thanked the Franklin Township School and the Township Clerk for coordinating their efforts to conduct Township Committee meetings at the school throughout 2023.

2. 2023 Year End Meeting
 - a. Confirm Date, Time & Location

Mayor Koury explained that the Year End Meeting was generally a quick meeting meant to pay bills and close out the Township's books. He recommended returning the meeting to the Municipal Building. Deputy Mayor Homulak recommended conducting the Year End Meeting on the online Zoom application. Upon confirmation that there was no deterrent to conducting the meeting remotely, the Township Committee agreed to conduct the Year End Meeting on the online Zoom application on Thursday, December 28th at 10:00 AM.

Committee Member Reports:

Deputy Mayor Homulak indicated that he had covered his report in Old Business.

Committeeman Reppmann reported that he had attended an online Zoom application meeting with the Township Planner and Ingerman, the company contracted to develop affordable housing on the Township-owned property behind the Cracker Barrel Restaurant. He indicated that the Township would assist in formally requesting water and sewer allocation from the Town of Clinton. Upon questioning by Elizabeth Basile, 16 Upper Kingtown Road, Committeeman Reppmann indicated that he was aware that the Township had an overlay area indicating that the property has water and sewer from the Town of Clinton. He explained that the Town of Clinton is indicating that all water and sewer allocations have been given to other developers. He further explained that some of those developers have been sitting on those allocations for years and indicated that when the Town of Clinton needs water and sewer, the allocations are found. He indicated that the Township is seeking assistance from the Town of Clinton to supply the necessary water and sewer allocations. Brief discussion followed.

Committeewoman Seiple reported on the Franklin Township School's efforts to conduct a Roary's Color Run Fundraiser for school equipment indicating that anyone seeking to donate will have until November 29th. She further reported that the Franklin Township Board of Education will be conducting a public hearing on amending the School Business Administrator/Board Secretary Contract on November 13th during their Regular Meeting. She further reported that the Franklin Township School had been awarded funds in Preschool Education Aid (PEA) for the 2023-2024 school year. She indicated that the funds allow the school to provide preschool to eligible 3- and 4-year-old students in the community at no cost to families, and encouraged those who are eligible to apply.

Mayor Koury reported that the Land Use Board (LUB) meeting originally scheduled to be held the prior evening, had been cancelled due to lack of business. He further reported that the New Jersey Department of Transportation (NJDOT) grant for Lower Kingtown Road Improvements, applied for earlier in the year, had been approved. He indicated that he had responded to resident complaints regarding road maintenance, specifically regarding potholes.

Chris Vallat, Office of Emergency Management (OEM) Coordinator, introduced himself and confirmed with the Township Committee that Ken Mandoli is the Deputy OEM Coordinator. He explained that he did not have much to report, that he was performing updates as required every other year, and that he would begin applying for grants next year. He explained that the timing of his appointment affected his ability to apply for grants this year. Mayor Koury explained that George Reichert, the previous OEM Coordinator, had retired earlier in the year. Upon questioning by Mayor Koury, Mr. Vallat explained that the investigation into the gas leak at Garden State Growers in August had been turned over to the Department of Environmental Protection (DEP) and other authorities. Mayor Koury explained to the public that while the Township Committee may not be aware of an incident, it did not mean that the Township's emergency officials were not involved.

Comments from the Public:

Elizabeth Basile, 16 Upper Kingtown Road, requested an update on efforts to address repairs and maintenance of the Capoolong Trail. The Township Attorney explained that the State was having a meeting with a federal agency in mid-November and that the Township was not directly involved. Mayor Koury explained that the Township had requested an update after the conclusion of the meeting. The Township Attorney and Mayor Koury advised that the state has explained difficulties in addressing the needed repairs due to abutment concerns to private property and the Division of Fish and Wildlife's access to funding. Upon further comments and questions by Ms. Basile, the Township Attorney explained that her frustration is shared by the Township Committee, staff, and professionals.

Frank Tota, 16 Upper Kingtown Road, questioned who would be liable if someone is harmed on the Capoolong Trail, citing that people are always on the trail. The Township Attorney explained that liability should fall upon the State. Mayor Koury explained that the County owns a portion of the trail. Committeeman Repmann explained that the Township does not own any portion of the trail. The Township Attorney indicated that he would follow-up after the State's meeting with the federal agency and report back as soon as he had further information.

Executive Session:

Mayor Koury explained the need to enter Executive Session, that action may be taken, and that all attendees of the meeting could wait outside of the meeting room except for the Committee, the Township Clerk, and the Township Attorney. Newly elected Committee-member, Alexa Tarby, was also invited to observe.

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 8:34 pm.

Topics discussed:

1. Personnel/Contractual – Department of Public Works (DPW) Contract
2. Personnel/Contractual/Attorney-Client Privilege – Retired Employee Benefits
3. Contractual/Attorney-Client Privilege – Quakertown Volunteer Emergency Medical Services (QVEMS) Lease

Committee exited Executive Session at 9:04 pm.

Motion to exit executive session and resume regular meeting: Homulak Second: Repmann
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 authorize the mayor to sign the Department of Public Works (DPW) Contract as discussed in Executive Session: Repmann Second: Homulak

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

The Township Committee wished everyone a “Happy Thanksgiving”.

Adjournment:

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

Meeting was adjourned at 9:06 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 12/14/2023