

REGULAR MONTHLY MEETING

The Franklin Township Committee held their regular monthly meeting on Monday, October 2, 2023, at the hour of approximately 7:00 p.m. Mayor Mike Toretta, opened the meeting in accordance with the "Open Public Meeting Act" Chapter 231, P.L. 1975 having been duly advertised and a copy posted in the office of the Municipal Clerk.

Following the flag salute, **Roll Call of Committeepersons present:** Mike Ferri, Richard Herzer, Mike Toretta, Mayor (3)Yes.
Bonnie Butler and David Guth were absent (2) Absent

Present were: Kevin Benbrook, Municipal Attorney (joined the meeting at 7:27 p.m.), Mike Finelli, Municipal Engineer, John Mooney, Auditor (only for his discussion) Jim Onembo, Zoning Officer, Joe Biel DPW Foreman, Shawna Tabert, OEM, Denise L. Becton, Municipal Clerk

CONSENT AGENDA:

(One Roll Call to approve the following agenda items 1-3)

1. **APPROVAL**
 - a. Meeting Minutes **RE: August 7, 2023**
 - b. Executive Minutes **RE: August 7, 2023**
 - c. Change in Depositories **RE: PNC Bank to Unity Bank (proposal)**
2. **EXECUTION OF**
 - a. Municipal Alliance **RE: Contract Document 2023-2024 (Franklin & Mansfield Township, Washington Boro)**
 - b. Shared Services **RE: Between Washington Borough/All member municipalities of Warren County Regional Animal Control Agreement-5 Years January 1, 2024-December 31, 2028**
3. **RESOLUTIONS**
 - a. Resolution 2023-58 **RE: Tax Sale Lien Redemption-154 Millbrook Rd., B11 L15**
 - b. Resolution 2023-59 **RE: Tax Sale Cert#22-00001 Block 15 Lot 11.02 (2029 Rt. 57)**
 - c. Resolution 2023-60 **RE: Authorizes Electronic Tax Sales Fee**
 - d. Resolution 2023-61 **RE: Authorize Electronic Tax Sale**
 - e. Resolution 2023-62 **RE: Authorizing Subgrant Award of FFY2023 of Emergency Management Performance Grant and Emergency Agency Assistance**
 - f. Resolution 2023-63 **RE: Time Extension Request Authorization, Millbrook Rd., Section 2 Resurfacing**
 - g. Resolution 2023-64 **RE: Removal of debris, brush, noxious growth, various properties**

On motion by Committeepersons Rich Herzer and seconded by Mike Ferri the above Consent Agenda items were approved.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler			X
David Guth			X
Rich Herzer	X		
Michael Ferri	X		
Mike Toretta, Mayor	X	(3)Yes (0) No (2) Absent	Motion carried

INTRODUCTION OF: RESOLUTION 2023-58 thru RESOLUTION 2023-64

**RESOLUTION #2023-58
TOWNSHIP OF FRANKLIN, WARREN COUNTY
TAX SALE REDEMPTION OF LIENHOLDER**

WHEREAS, Tax Sale Certificate #2018-001, Block 11 Lot 15, (154 MILLBROOK ROAD), was issued to (USBANK CUST TOWER DBVIII), in the amount of \$3,905.34 on NOVEMBER 19, 2018.

WHEREAS, the lien was redeemed on SEPTEMBER 5, 2023, in the amount of \$3,905.34 in accordance with provisions of NJSA 54:5-60 et seq; and

WHEREAS, the lien was redeemed due to foreclosure; and

NOW, THEREFORE, BE IT RESOLVED, on the 5 day of SEPTEMBER 2023, by the Township Committee of the Township of Franklin, Warren County, State of New Jersey, as follows:

1. That this resolution shall take effect immediately upon adoption.

Mike Toretta

ADOPTED: 09/5/2023

Mike Toretta, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise Becton, RMC
Municipal Clerk

The within **Resolution 2023-58** was moved by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler			X	
Mike Ferri	X			
David Guth			X	
Rich Herzer	X			
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent		Motion Carried

**RESOLUTION #2023-59
TOWNSHIP OF FRANKLIN, WARREN COUNTY
TAX SALE REDEMPTION OF LIENHOLDER**

WHEREAS, Tax Sale Certificate #22-00001, Block 15 Lot 11.02, (ROUTE 57, 2092), was issued to (GEORGE BANGHART JR), in the amount of \$20,464.17 on NOVEMBER 16, 2022.

WHEREAS, the lien was redeemed on OCTOBER 2, 2023, in the amount of \$62,448.83 in accordance with provisions of NJSA 54:5-60 et seq; and

NOW, THEREFORE, BE IT RESOLVED, on the 2 day of OCTOBER 2023, by the Township Committee of the Township of Franklin, Warren County, State of New Jersey, as follows:

1. The Chief Financial Officer issue a check in the amount of \$62,448.83 payable to George Banghart JR, 74 Good Springs Road Asbury NJ 08802.
2. That this resolution shall take effect immediately upon adoption.

Mike Toretta

ADOPTED: 10/2/2023

Mike Toretta, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise Becton, RMC
Municipal Clerk

The within **Resolution 2023-59** was moved by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
Bonnie Butler			X
Mike Ferri	X		
David Guth			X
Rich Herzer	X		
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent	Motion Carried

RESOLUTION #2023-60
TOWNSHIP OF FRANKLIN, WARREN COUNTY
FEE RESOLUTION

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the TOWNSHIP OF FRANKLIN wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Governing Body of the TOWNSHIP OF FRANKLIN that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2023 electronic tax sale.

Mike Toretta

ADOPTED: 10/2/2023

Mike Toretta, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise Becton, RMC
Municipal Clerk

The within **Resolution 2023-60** was moved by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
Bonnie Butler			X
Mike Ferri	X		
David Guth			X
Rich Herzer	X		
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent	Motion Carried

RESOLUTION #2023-61

**TOWNSHIP OF FRANKLIN, WARREN COUNTY
ELECTRONIC TAX SALE**

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of FRANKLIN wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of FRANKLIN, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

ADOPTED: 10/2/2023

Mike Toretta

Mike Toretta, Mayor
Township Committee

Attest and Affix Seal:

Denise L. Becton

Denise Becton, RMC
Municipal Clerk

The within **Resolution 2023-61** was moved by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler			X	
Mike Ferri	X			
David Guth			X	
Rich Herzer	X			
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent		Motion Carried

**Franklin Township
COUNTY OF WARREN
RESOLUTION #2023-62**

RESOLUTION AUTHORIZING THE FRANKLIN TOWNSHIP TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2023 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY AGENCY ASSISTANCE

WHEREAS, the Franklin Township Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY23-EMPG-EMAA-2105 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Franklin Township will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the wards period is from July 1, 2023 to June 30, 2024; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Franklin Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Franklin Township, in the County of Warren, State of New Jersey;

1. That the Council accepts the award of the FFY23 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency management are authorized to sign that appropriate subgrant award documents.
3. That copies of this resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

The within **Resolution 2023-62** was moved by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler			X	
Mike Ferri	X			
David Guth			X	
Rich Herzer	X			
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent		Motion Carried

Dated: October 2, 2023

**FRANKLIN TOWNSHIP
WARREN COUNTY/STATE OF NEW JERSEY
RESOLUTION 2023-63**

A RESOLUTION OF TIME EXTENTION REQUEST, MILLBROOK ROAD SECTION 2 RESURFACING

Be it resolved, that on October 2, 2023 the Township Committee of the Township of Franklin adopted Resolution 2023-63 to formally approve the request for a(n) Six (6) month award extension for the above stated project.

BE IT FURTHER RESOLVED that the Township Committee of the Township of Franklin and Clerk, or those authorized on their behalf, are to submit a formal request for a(n) Six (6) month award extension for the above referenced project to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that Township Committee of the Township of Franklin and Clerk are hereby authorized to sign the Six (6) month award extension request on behalf of Franklin Township (Warren) and that their signature constitutes acceptance of the terms and conditions of the grant agreement.

ATTEST:

Denise L. Becton

Mike Toretta

Denise L. Becton
Municipal Clerk

Mike Toretta
Mayor

The within **Resolution 2023-58** was moved by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler			X	
Mike Ferri	X			
David Guth			X	
Rich Herzer	X			
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent		Motion Carried

Dated: October 2, 2023

RESOLUTION 2023-64

WHEREAS, the General Code of the Township of Franklin, Chapter 48, Article 1 and Article 2 Regulating the growth of Brush, Noxious Weeds and Grass, Etc. Authorizes the Township of Franklin to remove debris, brush, and noxious growth after Providing the notice required by the ordinance; and

WHEREAS, the required notice was sent to the below properties by certified mail return receipt requested and regular mail; and

WHEREAS, ten days has elapsed since the notices were received;
and

WHEREAS, the property owners failed to remove the debris, brush and noxious growth within ten days of their receipt of the notice; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ caused the debris, brush, and noxious growth to be removed; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ has certified to the Mayor and Committee the cost of the removal of the debris, brush and noxious growth.

THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKLIN, AS FOLLOWS:

1. The certification of the costs of removal of the debris, brush and noxious growth has been examined and found to be correct.
2. The tax collector is hereby directed that the following costs shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate as taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

Property Address	Block	Lot	Property Owner	Cost
2517 Rt. 57 (08/03, 08/18, 08/30, 9/12, 9/26/23)	34	16	Amy Poleselli	\$400
2537 Rt. 57 (08/03, 08/18, 08/30, 9/12, 9/26/23)	34	20	Playmaker's	\$300
116 Edison Rd. (08/03, 08/18, 08/30, 9/12, 9/26/23)	41	12.02	T&M Pallet	\$325
2506 Rt. 57 (08/03, 08/18, 08/30, 9/12, 9/26/23)	3	11	Samuel & Kirtida Dalal	\$375
47 Halfway House Rd. (08/03, 08/18, 08/30, 9/12, 9/26/23)	18	38	Arthur Homeyer	\$300
2236 Rt. 57 (09/07, 09/19/23)	25	4	H Elizabeth Lake	\$210

The within **Resolution 2023-64** was moved by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
Bonnie Butler			X
Mike Ferri	X		
David Guth			X
Rich Herzer	X		
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent	Motion Carried

Dated: October 2, 2023

NEW BUSINESS

Storm damaged roads discussion with Municipal Auditor, John Mooney – A special emergency in 2023

that has raised an expenditure for the next 5 years which equivalates to \$500,000 per year that will need to be offset. There are two options, we can increase the 2024 municipal taxes by approximately .31 cents which is equivalent to approximately \$400 to the average taxpayer. If FEMA money begins coming in during 2024, we can use those funds in 2025 bringing the tax rate back down to the 2023 level. The other option is to use the deferred school tax increasing our fund balance and are available for our use to offset the expense in the budget. As of 12/31/22 we have approximately \$1.1 million that could be deferred for use during this emergency. The auditor will address all the matters covered with our CFO to make sure we are all on the same page.

Engineer Finelli will obtain an update as to the Dioxane Water Project and the reimbursement of grant money to the township.

Mayor Toretta redirected agenda discussions until the municipal attorney is present and proceeded with the Engineer's Report.

Let the record reflect that Attorney Benbrook joined the meeting at 7:27 p.m.

REPORTS/UPDATES

Engineer Report – Engineer Finelli informed us that a contract was awarded to Tom Bartha & Son, for the repair of Montana Road, in the amount of \$98,400 and was awarded the emergency repairs based on the emergent condition exception to the Local Public Contracts Law. Other bidders were KDP Developers in the amount of \$127,820 and Union Paving & Construction in the amount of \$133,400. Construction to Montana Road started today in hopes to be completed in a week. The Dioxane Project final preliminary design has been sent/received by 4 agencies: Railroad, County, NJAW, Fire Department. A check in the amount of \$2500 is pending to be sent to the Railroad. Resolution 2023-63 passed this evening to authorize the extension for Millbrook Road Section 2 Resurfacing can be used to replace the storm drains and the grant money can be used for this in coordination of storm damages.

Moved by Committeeperson Mike Ferri and seconded by Committeeperson Rich Herzer and upon roll call vote was approved to authorize the extension.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler			X	
Mike Ferri	X			
David Guth			X	
Rich Herzer	X			
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent		Motion Carried

After a discussion with the Highlands Council, the engineer doesn't see much hope that the Highlands will grant money to the township for soft cost.

Attorney Report – Attorney Benbrook informed that there is still no clear answer after speaking with our municipal planner if the Dollar Tree is still interested in building on the old Playmakers site on Route 57. A discussion as to how to proceed and what properties to offer either to contiguous property owners or by auction. Confusion as to the Tigar piece the township foreclosed on Block 41 Lot 12.01 the bank also foreclosed on as well after receiving the amount for a lien redemption from our previous tax collector. The bank wants to continue or initiate a suit against the township. Attorney Benbrook informed us of the fees we incurred on our end \$31, 414.24, Planner fees \$3,500 and attorney fees that we want to be reimbursed if we choose to give it back to the bank. With the reimbursement funds received from the bank this would then be owned again by Tigar, and the bank taking it back via a foreclosure then a Sheriff's Sale. Another matter as to a Tax Sale Certificate redeemed by George Banghart, his name was misspelled on one and two liens were redeemed. We now owe the former owner the payoff. This matter will be addressed in November when all committee persons are suspected of attending. Farm Leased Land Notices have been prepared and will hold a verbal auction at the start of our December 4th meeting. Franklin Township farmers will be given the priority, then adjoining farmers, Warren County Farmer then all others. The current contract farmers have been informed not to start any work or fees until contracts have been awarded.

Moved by Committeeperson Mike Ferri and seconded by Committeeperson Rich Herzer and upon roll call vote was approved authorizing Attorney Benbrook to go out to BID, auction December 4th at the start of that township meeting.

Roll Call Vote:	Yes	No	Absent/Abstained	
Bonnie Butler			X	
Mike Ferri	X			
David Guth			X	
Rich Herzer	X			
Mayor Mike Toretta	X	(3) Yes (0) No (2) Absent		Motion Carried

OEM – Report submitted and on file – Will be attending a Tabletop Exercise at Merrill Creek. Mayor Toretta complimented Tabert and Deputy Guth on a job well done and the many hours spent with the recent storm emergency. Tabert has been in contact with the Watershed and is waiting to hear back from them as to the effected properties and streams on Millbrook Road. As to the waterways that have been redirected this is a natural occurrence and may stay that way. The OEM and Engineer will continue to work together moving forward with this emergency.

FIRE – Chief Brown gave the report for the month of September as follows:
 Fire 70 calls EMS 37 YTD Fire 119 calls EMS 609 Fire 103 calls were in Franklin Township YTD and EMS 216 calls in Franklin Township YTD.
 Repairs at the EMS building is ongoing from the storm damage cost to repair just under \$180,000. Township owned trucks have received maintenance service and are in good working condition.

EMS – Captain Chiu informed that the Touch-A-Truck event was a success and had the biggest turn out than prior years. Thank you to our DPW for having the lawn cut and bringing down equipment for show. Annual Tree Lighting Ceremony to be held, Friday, December 5th.

Recycling - Report submitted and on file

Zoning Report – Submitted and on file – Mr. Onembo reported that to date Vacant Property Registration Fees collected are approximately \$10,000.

FTYA – No representative

FIRST READING INTRODUCTION OF: Ordinance 2023-8

**TOWNSHIP OF FRANKLIN
 WARREN COUNTY, NEW JERSEY
 ORDINANCE NO. 2023-8**

**AN ORDINANCE ESTABLISHING NEW ARTICLES II THROUGH XI TO CHAPTER
 119 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED,
 “STORMWATER ORDINANCES”**

***Due to the length of this ordinance, a full copy can be requested at no charge.**

FIRST READING INTRODUCTION OF: Ordinance 2023-9

ORDINANCE 2023-9

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN TO ESTABLISH A NEW
 CHAPTER 106
 OF THE CODE OF THE TOWNSHIP OF FRANKLIN
 ENTITLED “PENALTIES AND FINES”**

BE IT ORDAINED By the Township Committee of the Township of Franklin, in the County of Warren, New Jersey, that a new Chapter 106 entitled, “Penalties and Fines” is hereby established as follows:

Section 1.

106-1. Penalties and Fines Established.

A. For violation of any Ordinance set forth in the Code of the Township of Franklin, the Court before which any person is convicted of violating any Ordinance may impose a sentence of one or more of the following: Imprisonment in the County jail for any term not exceeding ninety (90) days; or by a fine not exceeding \$2,000.00; or by a period of community service not exceeding ninety (90) days.

B. Any person convicted of violating an Ordinance within one (1) year of the date of a previous violation of the same Ordinance shall be sentenced to an additional fine as a repeat offender of not less than \$100.00, in addition to any other sentence imposed by the Court.

C. The minimum penalty for violating any solid waste disposal Ordinance shall have a minimum fine of \$500.00 and a maximum fine of \$10,000.00.

D. The minimum fine for the violation of any Ordinance not relating to solid waste disposal shall be \$100.00.

E. Prior to imposing a fine for a housing or zoning code violation in an amount greater than \$1,250.00, the owner shall be provided a thirty (30) day period within which to cure or abate the condition.

106-2. Repealer.

A. All other ordinances or parts of Ordinances of the Township of Franklin heretofore adopted that establish a maximum fine inconsistent with the fines established pursuant to this Ordinance are hereby repealed to the extent of the inconsistency.

B. All Ordinances that establish a minimum fine that is less than the minimum fine set forth in 106.1. shall be repealed. All Ordinances establishing a minimum fine greater than \$100.00 are repealed.

SECTION 2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 3. This law shall take effect immediately upon final passage, approval and publication as required by law.

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on October 2, 2023, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on November 6, 2023 at 7 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 2093 Rt. 57, Broadway, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Denise L. Becton
Municipal Clerk

Introduced: October 2, 2023
Adopted: November 6, 2023

FIRST READING INTRODUCTION OF: Ordinance 2023-10

**ORDINANCE NO. 2023-10
FRANKLIN TOWNSHIP
WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AUTHORIZE THE SALE OF REAL PROPERTY TO
CONTIGUOUS PROEPRTY OWNERS**

BE IT ORDAINED by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that, pursuant to N.J.S.A. 40A:12-13(b)(5), the following real property has been determined to be not needed for public use, is less than the minimum lot size required for development under the current Municipal Zoning Ordinance, and unimproved, and

shall be offered for sale to all contiguous property owners, as determined by the Township's Tax Assessor:

Block 1, Lot 11

Block 8, Lot 40

Block 16, Lot 24.01

Block 17, Lot 12

Block 63, Lot 1

BE IT FURTHER ORDAINED, that each property shall be sold to the highest bidder from among all such owners who shall submit sealed offers of purchase to the Municipal Clerk clearly marked as Offers of Purchase for the identified property, which said offers shall be opened at the next regularly scheduled meeting on November 6, 2023 at the Franklin Township Municipal Building. Each offer shall be accompanied by a certified check for the offered purchase price, made payable to the Township of Franklin. Closing of title shall be accomplished within thirty (30) days, and each property shall be merged with the property of the contiguous property owner that submits the highest bid; and

BE IT FURTHER ORDAINED, that the property shall not be sold for less than its fair market value, which may be established in consultation with the Township's Tax Collector, with any minimum bid established for any lot to be included in the offering letter to contiguous property owners. The Township shall reserve the right to reject all bids; and

BE IT FURTHER ORDAINED, that pursuant to statutory requirement, a copy of this Ordinance shall upon second reading, public hearing and approval, be posted on the bulletin board or other conspicuous space, in the Franklin Township municipal building, and the Ordinance shall be published in the Township's official newspaper within five (5) days following adoption of the Ordinance.

Effective Date. This Ordinance shall take effect after final passage, adoption and publication according to law.

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on October 2, 2023, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on November 6, 2023 at 7 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 2093 Rt. 57, Broadway, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Denise L. Becton
Municipal Clerk

Introduced: October 2, 2023
Adopted: November 6, 2023

On motion by Rich Herzer and seconded by Mike Ferri the aforementioned **Ordinances 2023-8, 9, 10** be adopted as read. Final reading and adoption to take place on November 6, 2023, at 7:00 p.m or near that hour.

Roll Call Vote	Yes	No	Absent/Abstain
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Bonnie Butler					X
Rich Herzer	X				
David Guth					X
Mike Ferri	X				
Mike Toretta, Mayor	X	(3)	Yes	(0)	No (2) Absent Motion carried

DPW REPORT- Report submitted and on file – An incident with the New Holland Tractor and a tree that fell on top of it while roadside mowing the insurance adjustor was out today to look at damages.

OLD BUSINESS

2023 Expiring Farm Contracts – Santini, Truskowski, Woolf

Per Attorney Benbrook these contracts have been overextended and will have to be auctioned/re-bid for the next Harvest Season. The attorney will provide a certified letter to the farmers not to plant in September, Notice of Auction will be issued in October and will schedule a live auction in early December.

Committee Reports:

Bonnie Butler – absent

Rich Herzer –Nothing further to report.

David Guth – absent

Mike Ferri – Nothing further to report.

Michael Toretta – Nothing further to report.

Open Public Session:

At approximately 8:25 p.m. Mayor Toretta opened the floor to the Public. Unanimous vote.

Basil Imbimbo – Inquiring if Kitchen Street will be oiled/chipped this year. Not in the budget for this year. Any updates as to the sketch of proposed 3-way stop at Main and School Street. Per Attorney Benbrook he reached out to the County Administrator, and he was informed that they will not be addressing until the pending litigation has been resolved.

Eric Martindale – Mr. Martindale is the new owner of 3 Singley Lane. He was informed that he must replace his antiquated septic system. The trucks doing the job, fully loaded, would weigh approximately 40 tons. It is the consensus of the septic contractor, Mr. Martindale and Ed Woolf that the asphalt on Singley Lane would not be able to handle this weight, due to the condition of deterioration it is presently in. They are looking to temporarily use the Pels Right-of-Way to gain access for this repair, which is closed at this time and will need to be opened. Mr. Martindale was informed that this matter is a matter between neighbors not the Township.

Flo Kitner – why are there no storm drains on Route 57 heading east of the traffic light in town? This would have helped the flooding on the road/homes. Engineer Finelli will contact the NJDOT addressing the matter.

Dave Leary – Karen Chiu did a great job with the Touch-A-Truck event. Are there any updates on the Dioxane Water Project. Engineer Finelli informed that they completed the Preliminary Design and waiting review/comments from those agencies.

Hearing no other public comments, the floor was closed at approximately 8:43 p.m. There are no topics

for Executive Session this evening.

On motion by Committeepersons Rich Herzer and seconded by Mike Ferri to approve the bills to be paid per CFO's bill list submitted of 09-05-2023 and 10-02-2023.

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler			X
David Guth			X
Rich Herzer	X		
Michael Ferri	X		
Mike Toretta, Mayor	X	(3) Yes (0) No (2) Absent	Motion carried

On motion by Committeepersons Mike Ferri and seconded by Rich Herzer, hearing no objection, meeting stands adjourned at 8:45 p.m.

Respectfully submitted,

Denise L. Becton

Denise L. Becton, RMC/CMR
Municipal Clerk