

REGULAR MEETING
Tuesday, November 07, 2022

The Franklin Township Committee held a Regular Monthly Meeting on Monday, November 7, 2022, at the hour of 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 Township Clerk.

ROLL CALL OF COMMITTEE MEMBERS: Butler-Yes, Ferri-Yes, Guth-Yes, Herzer-Yes, Toretta-Yes. (5) Present; (0) Absent

Present were Kevin Benbrook, Municipal Attorney, Mike Finelli, Municipal Engineer, Jim Onembo, Zoning/Code Enforcement Officer, Joe Biel, DPW Foreman, Denise L. Becton, Municipal Clerk, Anthony Ardito, Auditor

At this time Mayor Toretta gave the floor to Auditor Anthony Ardito who has been attempting to reconcile the Tax Collector’s Cash Book, cash receipts with the CFO’s bank deposit receipts for the past three years upon audit recommendations. Mr. Ardito was asked by our CFO to reconcile month-to-month collector’s cash receipts and MSI on-line deposits with our bank deposits. This has been a trial-and-error task for the CFO to match up. The auditor has spent an enormous amount of time on this and billing the township accordingly. Accumulated Municipality deposits not hitting the same time with deposits and bounced checks never making way to the collector’s cash book to reconcile. Deposits should be consistent with the bank statements and the collector’s cash book. The MSI spreadsheet must correspond to bank deposits. Karin Kneafsey, Tax Collector, informed her server was crashing in the month of August, cash payments disappeared and MSI had to back things up. Mr. Ardito informed us that the current cash book did not include a fix on this matter. Mayor Toretta advised that this must be fixed immediately! We cannot afford to keep doing this. You have a deadline of 1 week to correct everything, no more than 2 weeks. Attorney Benbrook reiterated that this matter upon request of the Tax Collector to be heard in public session, normally personnel is handed in Executive Session. The township committee’s consensus is no other employment action to be taken at this time.

CONSENT AGENDA:

(One Roll Call to approve the following agenda items 1-2)

1. APPROVALS

- | | |
|--------------------|---|
| a. Meeting Minutes | RE: October 3, 2022 |
| b. Best Practices | RE: 2022 Inventory Check List |
| c. Onsite 50/50 | RE: PTA Warren County Technical School, Sat., December 3rd |

2. RESOLUTIONS

- | | |
|-----------------------|--|
| a. Resolution 2022-62 | RE Appointment Agriculture Advisory Committee |
|-----------------------|--|

NEW BUSINESS

- | | |
|-----------------|--|
| a. Adoption of | RE: Resolution 2022-61 Amendment to Salary Ordinance |
| b. Adoption of | RE: Resolution 2022-63 Authorizing Franklin Township to accept a subgrant award of Federal Fiscal Year 2022 of Emergency Management Performance Grant and Emergency Agency Assistance |
| c. Discussion | RE: Year End/Reorganization/ Budget Workshop Meetings |
| d. Execution of | RE: Letter to Horizon Blue Cross requestion Medical Claims Experience |

On motion by Committeeperson David Guth and seconded by Committeeperson Rich Herzer, to approve item no. 1 listed on the Consent Agenda above.

| Roll Call: | Yes | No | Absent | Abstained | |
|---------------------|------------|-----------|---------------|------------------|--|
| Bonnie Butler | X | | | | |
| Mike Ferri | X | | | | |
| David Guth | X | | | | |
| Rich Herzer | X | | | | |
| Mike Toretta, Mayor | X | | | | (5) Yes (0) No (0) Absent Motion carried |

On motion by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Ferri, to approve item no. 2 listed on the Consent Agenda above.

| Roll Call: | Yes | No | Absent | Abstained | |
|---------------------|------------|-----------|---------------|------------------|--|
| Bonnie Butler | X | | | | |
| Mike Ferri | X | | | | |
| David Guth | X | | | | |
| Rich Herzer | X | | | | |
| Mike Toretta, Mayor | X | | | | (5) Yes (0) No (0) Absent Motion carried |

RESOLUTIONS

**RESOLUTION 2022-62
APPOINTMENT OF MUNICIPAL
AGRICULTURE ADVISORY BOARD**

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Municipal Agriculture Advisory Board amending Resolution 2022-13 that shall be appointed by the Mayor of the Township of Franklin. The appointments are for the year 2022.

- Joel Reger
- Bonnie Butler
- Sam Santini (*effective 11-7-2022*)
- Ron Sigler (*effective 11-7-2022*)
- Richard Gardner (*effective 11-7-2022*)

On motion by Mike Ferri and seconded by David Guth the aforementioned **Resolution 2022-62** be adopted as read.

| Roll Call Vote | Yes | No | Absent/Abstained | |
|-----------------------|------------|-----------|-------------------------|--|
| Bonnie Butler | | | X | |
| David Guth | X | | | |
| Rich Herzer | X | | | |
| Michael Ferri | X | | | |
| Mike Toretta, Mayor | X | | | (4)Yes (0) No (1) Abstained Motion carried |

Dated: November 7, 2022

CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Township Committee of the Township of Franklin, In the County of Warren, New Jersey, at a meeting held on November 7, 2022.

Denise L. Becton

Denise L. Becton, RMC, CMR
Municipal Clerk

NEW BUSINESS –

Adoption of - RESOLUTIONS

RESOLUTION 2022-61

**A RESOLUTION FIXING THE SALARIES OF CERTAIN OFFICERS
AND EMPLOYEES OF THE TOWNSHIP OF FRANKLIN**

BE IT ORDAINED, by the Mayor and Committee of the Township of Franklin, County of Warren and State of New Jersey, as follows, until a subsequent salary resolution is adopted

Section I. The salary for 2022 for the following employees of the Township of Franklin shall be as follows effective November 7, 2022.

| Title | Salary |
|---|---------------|
| Snowplow Drivers (Non-CDL) | \$25.00/hour |
| Snowplow Driver (CDL) | \$30.00/hour |
| Day Laborer | \$25.00/hour |
| Emergency Call Out (Non-Snowplow related) | \$45.00/hour |

Section II Any resolution or part of resolution inconsistent herewith is hereby repealed.

On motion by Bonnie Butler and seconded by Mike Ferri the aforementioned **Resolution 2022-61** be adopted as read.

| Roll Call Vote | Yes | No | Absent/Abstained |
|-----------------------|------------|-----------|----------------------------------|
| Rich Herzer | X | | |
| Bonnie Butler | X | | |
| Mike Ferri | X | | |
| David Guth | X | | |
| Mayor Mike Toretta | X | (5) Yes | (0) No (0) Absent Motion Carried |

CERTIFICATION

I, Denise L. Becton, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Franklin Township Committee at a meeting held on the 7th day of November 2022.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 6th day February, 2017.

Denise L. Becton, Municipal Clerk

Dated: November 7, 2022

**Franklin Township
COUNTY OF WARREN
RESOLUTION #2022-63**

**RESOLUTION AUTHORIZING THE FRANKLIN TOWNSHIP TO ACCEPT A SUBGRANT
AWARD OF THE FEDERAL FISCAL YEAR 2022 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 #FY22-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, 2022 to June 30, 2023; 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 FFY22 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.

On motion by Rich Herzer and seconded by David Guth the aforementioned Resolution **2022-63** be adopted as read.

| Roll Call Vote | Yes | No | Absent/Abstained |
|-----------------------|------------|-----------|----------------------------------|
| Bonnie Butler | X | | |
| David Guth | X | | |
| Mike Ferri | X | | |
| Rich Herzer | X | | |
| Mike Toretta, Mayor | X | (5)Yes | (0) No (0) Absent Motion carried |

Dated: November 7, 2022

CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Township Committee of the Township of Franklin, In the County of Warren, New Jersey, at a meeting held on November 7, 2022.

Denise L. Becton

Denise L. Becton, RMC, CMR
Municipal Clerk

Discussion- Meeting Dates –

Meeting dates for the Year End Meeting/Reorganization 2023/Budget Workshop were set as follows. December 28, 2022 (Year End Meeting) at 7pm, January 4, 2023, at 7pm (Reorganization Meeting), February 6, 2023 at 6pm (Budget Workshop Meeting).

Execution of –

Letter to Horizon Blue Cross requestion Medical Claims Experience.

On motion by David Guth and seconded by Mike Ferri to authorize the municipal clerk to execute the letter requesting medical claims experience.

| Roll Call Vote | Yes | No | Absent/Abstained |
|-----------------------|------------|---------------|---------------------------|
| Bonnie Butler | X | | |
| David Guth | X | | |
| Mike Ferri | X | | |
| Rich Herzer | X | | |
| Mike Toretta, Mayor | X | (5)Yes (0) No | (0) Absent Motion carried |

OLD BUSINESS - none

REPORTS/UPDATES

Engineer – The 1,4 Dioxane Water Project a simple bar chart schedule was created and handed out to the committee as well as the Gonczy’s to help put a timeline on paper for project processes. The Flood Damage Prevention Ordinance must be updated per the NJDEP requiring all municipalities participating in the National Flood Insurance Program to provide more restrictive controls on development within the flood hazard areas. The consensus of the committee is to keep this amendment close to the previous ordinance with less restrictions. A draft must be in the hands of the DEP by November 18th and adopted no later than February 15, 2023.

Attorney – The tax foreclosures were successful and completed receiving some redemptions. Looking to auction off some properties to put back on the tax role next year. Our Policy Manual has been updated. The old “Brandywine” tract can be deemed an area in need of rehabilitation placing solar on property, attorney still looking into this. A discussion as to the T&M Pallet parcel recently foreclosed on, the other parcel was redeemed by the Lender that Mr. Tigar is using. It is the township’s consensus that we need to address the Lender to clean up this site and removal of overabundance of tires, so the property won’t get further polluted. The Engineer and Attorney will work together on a free grant program in conjunction with Victaulic now being remediated.

Open Space Commission – No representation

Jim Onembo – Code Enforcement/Zoning - Report submitted and on file

Recycling – Report submitted on file

Fire Department/EMS – Chief Dave Brown introduced himself and the new leadership of the fire department. Joe Parkin is his Deputy Chief. For the month of October there were 93 emergencies and 13 Fires.

Office of Emergency Management – Report submitted and on file

DPW REPORT – Joe Biel – report submitted on file – Catch basin on Warne Way needs to be fixed. Foreman advised this will be done prior to December. Not able to just purchase a small quantity of black top must be a minimum of a ton. A discussion to implement a policy of the

township to support what is intended of our employees and the use of the new biometric/facial recognition timeclock.

On motion by Rich Herzer and seconded by David Guth, to make this a policy of the township for use of Biometric Facial Recognition.

| Roll Call: | Yes | No | Absent/Abstained |
|-------------------|------------|-----------|-------------------------|
| Bonnie Butler | | X | |
| Mike Ferri | | X | |
| Rich Herzer | X | | |
| David Guth | X | | |
| Mike Ferri, Mayor | X | | |

(3) Yes (2) No (0) Absent Motion carried

Franklin Township Youth Association – No representation

Franklin Township Community Center – No representation

Musconetcong River Management Council – MRMC – No representation

NJSP- No representation

Township Committee Reports:

Bonnie Butler- Committeeperson Butler informed that there are no CO Detectors in the Community Center. The Municipal Clerk informed Eddy is handling this. There were separate Farm Tours throughout the township this past month looking for new farms for preservation.

Mike Ferri – Nothing further to report

Rich Herzer – Mr. Herzer is the President of the Lions Club that will soon be disbanding. A proposal for use of the backroom as a senior center to benefit seniors in our community for a place to be able to come. The Lions Club has money to back this up if both entities agree on this program. Further discussion to follow with Eddy Patient our Community Center Coordinator.

David Guth – October 25th there was a Countywide Mayors Call that Mr. Guth joined referencing the State of Affairs with the State Health Benefits Program and a substantial increase of 24% next year. Warren County is self-insured and looking to bring other municipalities on board with no rise in rates. A minimum of 1000 people are required, including Schools/Teachers.

Mayor Toretta – Mr. Guth has been fielding complaints as to leaves on the roadway in the Edison Lake Development. Residents are blowing leaves in the roadway causing a safety hazard. Zoning Officer Onembo informed an ordinance would be helpful to cite those in violation of placing leaves on a roadway. The committee’s consensus is to temporarily remove the leaves off the development’s roadways and place them on our brush pile at the DPW garage. The Municipal Clerk will contact our Recycle Coordinator and CFO as to Clean Communities Grant Money that might be available to help fund this. Attorney Benbrook will work on an ordinance for next year.

At this time, the floor was open to Public Session at approximately 9:05 p.m., by Mayor Toretta, all in favor.

OPEN PUBLIC SESSION

Karen Somer – are there resources available to fund the removal of leaves.

At this time, close the floor to Public Session at 9:07 p.m., all in favor.

EXECUTIVE SESSION

BE IT RESOLVED on this 7th day of November 2022, by the Township Committee of the Township of Franklin and pursuant to N.J.S.A. 10:4-1, that the Township Committee shall discuss the following matter in executive session

- a. Contract Negotiations – Farmland Preservation
- b. Personnel – Construction Office

It is not possible at this time for the Township Committee to determine when and under what circumstances the item which is to be discussed in executive session can be publicly disclosed.

Therefore, be it resolved on this 7th day of November 2022 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at approximately 9:08 p.m.

On Motion by Bonnie Butler and seconded by David Guth to exit to executive session at 9:08 p.m. Unanimous Vote.

On motion by Mike Ferri and seconded Rich Herzer to return to the regular session at 9:22 p.m. Unanimous Vote.

Attorney Benbrook briefed the executive session discussions. The township has been asked by Warren County to contribute \$300 per acre to the county’s offer making the county’s offer \$6,500/acre level for the development rights, Robert/Sharon Santini, Block 41 Lot 1, within Franklin Township. Let the record reflect we had two recusals from the committee, Committeeperson Ferri and Mayor Toretta due to conflict of interest. A discussion of the pros/cons of the DCA vs. our own in-house Construction Official.

On motion by Rich Herzer and seconded by David Guth, to contribute \$300 per acre for farm acreage in Franklin Township for Block 41 Lot 1 owned by Robert and Sharon Santini.

| Roll Call: | Yes | No | Absent/Abstained | |
|-------------------|------------|----------------|-------------------------|-----------------------|
| Bonnie Butler | | X | | |
| Mike Ferri | | | X | |
| Rich Herzer | X | | | |
| David Guth | X | | | |
| Mike Ferri, Mayor | | | X | |
| | | (2) Yes (1) No | (2) Abstained | Motion carried |

On motion by Mike Ferri and seconded by Rich Herzer, advertise for an in-house licensed Construction Official with Electric/Plumbing Subcodes, salary negotiable.

| Roll Call: | Yes | No | Absent/Abstained | |
|-------------------|----------------|----------------------|-------------------------|-----------------------|
| Bonnie Butler | X | | | |
| Mike Ferri | X | | | |
| Rich Herzer | X | | | |
| David Guth | X | | | |
| Mike Ferri, Mayor | X | | | |
| | (5) Yes (0) No | (0) Absent/Abstained | | Motion carried |

MOTION FOR PAYMENT OF BILL LIST:

On motion by Bonnie Butler and seconded by David Guth, to pay the bills once submitted by the CFO, with three signatures of approval by committee.

| Roll Call: | Yes | No | Absent/Abstained | |
|-------------------|------------|-----------|-------------------------|-----------------------|
| Bonnie Butler | X | | | |
| Mike Ferri | X | | | |
| Rich Herzer | X | | | |
| David Guth | X | | | |
| Mike Ferri, Mayor | X | | | |
| | | (5) | Yes (0) No (0) Absent | Motion carried |

MOTION FOR ADJOURNMENT:

On motion by Bonnie Butler and seconded by Rich Herzer, hearing no objection, meeting stands adjourned at 9:29 pm.

| Roll Call: | Yes | No | Absent | Abstained | |
|-------------------|------------|-----------|-----------------------|------------------|-----------------------|
| Bonnie Butler | X | | | | |
| Mike Ferri | X | | | | |
| Rich Herzer | X | | | | |
| David Guth | X | | | | |
| Mike Ferri, Mayor | X | | | | |
| | | (5) | Yes (0) No (0) Absent | | Motion carried |

Respectfully submitted,

Denise L. Becton, RMC/CMR
Municipal Clerk