

**REGULAR MEETING**

The Franklin Township Committee held its regular monthly meeting at approximately 7:00 pm on Monday, November 4, 2019. Mayor Jeff DeAngelis 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.

Following the flag salute a roll call of committee members present.

**ROLL CALL OF COMMITTEE MEMBERS PRESENT:** Jeannene Butler, Mike Ferri, David Guth, Mike Toretta, Mayor Jeff DeAngelis, (5) Present.

Present were: Denise L. Becton, Municipal Clerk, Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney, Raymond Read, OEM/Fire Chief.

**CONSENT AGENDA:**  
(One Roll Call to approve the following agenda items)

- |                       |  |
|-----------------------|--|
| <b>2. APPROVALS</b>   |  |
| a. Meeting Minutes    | <b>RE: October 7, 2019</b>   |
| b. Resolution 2019-63 | <b>RE: Tax Refund, Tax Sale Certificate#15-004, Block 43, Lot 1.03</b> |
| c. Resolution 2019-64 | <b>RE: Tax Refund, Block 7 Lot 17</b>                                  |
| d. Resolution 2019-65 | <b>RE: Tax Refund, Block 58 Lot 20.01</b>                              |

On motion by Committeeperson Mike Ferri and seconded by Committeeperson Mike Toretta all items on the Consent Agenda be adopted/approved as listed.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta	X		
Dave Guth	X		
Mayor Jeff DeAngelis	X	(5) Yes	(0) No (0) Absent Motion Carried

**Consent Agenda Resolutions - First Reading/Adoption:**

**Resolution 2019-63**

**RESOLUTION NO. 2019-63**

**WHEREAS**, Christina Trust, Custodian for C & E Tax Lien, holds Tax Sale Certificate #15-004 on Block 43 Lot 1.03 and,

**WHEREAS**, the property owner has redeemed this lien,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Committee authorize the Tax Collector to refund the redemption amount of \$ 49,570.39 plus Premium of \$48,500.00 for a total of \$ 98,070.39 to Christina Trust, Custodian for C & E Tax Lien, POB 5021, Philadelphia, Pa 19111.

On motion by Mike Toretta and seconded by Mike Ferri the aforementioned **Resolution 2019-63** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth	X		
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta	X		
Mayor Jeff DeAngelis	X	(5) Yes	(0) No (0) Absent Motion Carried

Dated: November 4, 2019

**CERTIFICATION**

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on November 4, 2019.

\_\_\_\_\_  
Denise L. Becton RMC/CMR

**Resolution 2019-64**

**RESOLUTION NO. 2019-64**

**WHEREAS**, US Bank-Cust/Pro Cap 8/Pro Capital MGT II was the highest bidder on Block 7 Lot. 17 at the October 21, 2019 Tax Sale and,

**WHEREAS**, the property owner has paid the delinquent taxes before ten days,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Committee authorize the Tax Collector to refund the redemption amount of \$ 52.24 to US Bank-Cust/Pro Cap 8/Pro Capital MGT II, 2500 McClellan Ave, Suite 200, Pennsauken, NJ 08109.

On motion by Mike Toretta and seconded by Mike Ferri the aforementioned **Resolution 2019-64** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth	X		
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta	X		
Mayor Jeff DeAngelis	X	(5) Yes	(0) No (0) Absent Motion Carried

Dated: November 4, 2019

**CERTIFICATION**

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on November 4, 2019.

\_\_\_\_\_  
Denise L. Becton  
Municipal Clerk

**RESOLUTION NO. 2019-65**

**WHEREAS**, George Banghart holds Tax Sale Certificate #2018-006 Block 58 Lot 20.01 and,

**WHEREAS**, the property owner has paid off this lien,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 1,491.68 to George Banghart, 50 Good Springs Road, Asbury, NJ 08802.

On motion by Mike Toretta and seconded by Mike Ferri the aforementioned **Resolution 2019-65** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>	
David Guth	X			
Jeannene Butler	X			
Mike Ferri	X			
Michael Toretta	X			
Mayor Jeff DeAngelis	X	(5) Yes	(0) No	(0) Absent Motion Carried

Dated: November 4, 2019

**CERTIFICATION**

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on November 4, 2019.

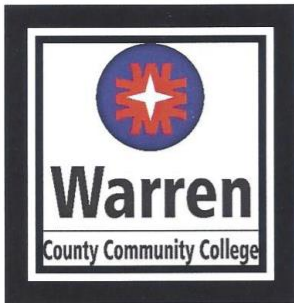
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Denise L. Becton  
Municipal Clerk

**NEW BUSINESS**

**New Jersey State Police** – No representative present this evening.

**Presentations/Approvals/Discussions**

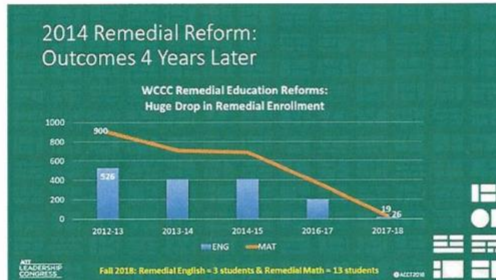
**Presentation: Warren County Community College** – Peter Schmidt, Vice Chair of Board of Trustees and Samir Elbassiouny, Foundation Executive Director thanked the committee for their continued support of the college. Presenting the following information:



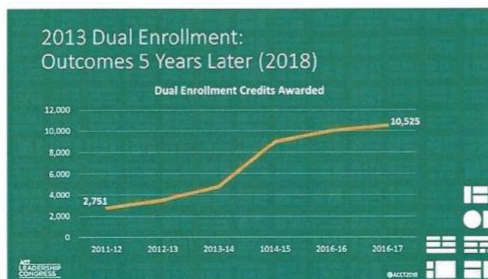
## Great Things Happening at WCCC!

Warren County Community College was the original community college in Northwest New Jersey chosen by the Governor's Office in spring 2019 to provide free community college to residents coming from households making under \$45,000 per year. WCCC, your community college, was deemed uniquely qualified to offer these Community College Opportunity Grants (CCOG) during the pilot period due to its record of successfully implementing meaningful educational change, as evidenced by the following:

- 1) **WCCC is the only college in NJ and one of the few in the nation to have eliminated college remediation for nearly all students.** For fall 2019, only 3 students are enrolled in remedial classes (as opposed to nearly 700 students in 2011). Prior remedial requirements used to result with students attempting up to an additional 15 credits (increasing student tuition charges as well as state and federal financial aid costs). Systemic research on our remedial practices, which have been published by the Charles Dana Center as a national model, have demonstrated the ineffectiveness of this past practice of remediating too many students for all community college students around our nation. At WCCC alone, graduation rates nearly doubled since remediation reform began in 2014.



- 2) Remedial reform has been possible in part because of the College's **robust dual enrollment program** with all six Warren County high schools. While most students take dual enrollment for college credit, some also earn remedial course equivalencies. Unlike all other colleges, WCCC and Warren County subsidize dual enrollment, resulting in **free tuition and fees to all participants**. In 2018-19, 2,169 high school students (equivalent to 57% of the entire Warren County public high school population) successfully completed at least one dual enrollment course, saving the equivalent of \$2.1 million in tuition and fee expenses.<sup>1</sup>



<sup>1</sup> This rate is conservatively calculated using WCCC tuition and fees. Actual savings to families may be much higher.

- 3) During the last four years, the College has incrementally increased student persistence and graduation rates. The latest one-year **retention rate is 70% for full-time students** and the **200% graduation rate is 45%**, the highest in the NJ community college sector.
- 4) In fall 2016, nearly two years before being signed into law, WCCC became the **first college in NJ to implement the 60-credit associate degree**. This saved students an average of six (6) credits in many degree programs (resulting in tuition and governmental financial aid savings).
- 5) Starting in spring 2019, **WCCC was the only college in the Northeastern US to implement Cengage Unlimited** for every course at the institution. This subscription service, negotiated at 20% below the Cengage retail rate, allows students to download **all learning materials at a flat rate of \$135 annually** and, if desired by the student, to receive each print book at a flat rate of \$7.99. This is estimated to save students at least \$1,200 annually in book expenses. WCCC has a three-year guaranteed rate, so full-time students would have low cost learning resources throughout their entire associate degree program. Since spring, other colleges have followed WCCC's lead.
- 6) WCCC is a leader in public service relationships. It currently administers Continuing Education programs for both Warren and Sussex County and now houses the Warren County One-Stop at its Phillipsburg Education Center. The College is mindful of its social responsibility to assist students. WCCC has a strong history of collaborating with our county human services offices, even facilitating and authoring a strategic plan for all countywide human services. College faculty started the **Golden Eagle Safety Nest** two years ago, which has **raised thousands of dollars to date to assist students with food insecurity**. Annually, Board of Trustee members subsidize the Safety Net through personal donations.
- 7) The timing of this grant is fortuitous because WCCC opened its **Building Annex** in spring 2019, which **houses a new learning lab**. This lab nearly double the open computing lab space on campus and will allow students an additional location to download and print the Cengage Learning materials. **In Fall 2019, WCCC opened a state-of-the-art drone race course, ASTM, NIST designed obstacle course, search and rescue and accident reconstruction training center.** This major landscape/outdoor project which is culminating in one of the most advanced unmanned aircraft (drone) public education training and research sites in the United States.
- 8) National organizations such as the American Association of Community Colleges (AACC), Association of Community College Trustees and the American Association of University Administrators have recognized the College Trustees and its President with national awards. Dr. Austin and Board Members have made numerous presentations before national organizations on remedial reform, the use of teaching administrators and its credit reduction initiatives. Dr. Austin is the only NJ president in over a decade to serve as a Board Member of the AACC and has chaired the AACC Commission on Workforce Development, and Chair of the AACC Commission on Structured Pathways. Currently, Dr. Austin serves on the ACCT CEO advisory committee.
- 9) WCCC received Middle States reaccreditation in June 2018. It was one of a handful of community colleges in the Middle States region not receive recommendations through this process. WCCC had an unprecedented zero recommendations for improvement.
- 10) During Fall 2018 and all of 2019, WCCC Officials are attending each School Board and Municipal governing body meeting in Warren County to say thank you!



**Presentation/Approval: JCP&L new Easement across Lot 8 – Mark Bellin, Esq. – Attorney Bellin** approached the committee looking to execute an additional easement for JCP&L along Asbury Broadway Road, making a change in the route. In addition Warren County asked to relocate the existing electricity distribution lines to the west side of the bridge eliminating 4 poles. Revised documents were submitted and upon preliminary review of our Attorney and Engineer, authorization for the mayor/clerk to execute documents.

On motion by Mike Ferri and seconded by Jeannene Butler.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth	X		
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta	X		
Mayor Jeff DeAngelis	X	(5) Yes	(0) No (0) Absent Motion Carried

**RESOLUTIONS:**

Attorney Benbrook informed that a Public Hearing was scheduled for this evening to enter into a Shared Service with White Township for CFO, however, a resignation letter effective October 31, 2019 was received from our CFO, Dawn Stanchina, which negates the Public Hearing.

**RESOLUTION 2019-62**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF WHITE FOR CHIEF FINANCIAL OFFICER/QUALIFIED PURCHASING AGENT SERVICES THROUGH DECEMBER 31, 2023.**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., allows municipalities to share services for a chief financial officer, in order to promote and effectuate the sharing of a service; and

**WHEREAS**, Franklin Township desires to contract with White for the furnishing of the services of Chief Financial Officer as required by N.J.S.A. 40A:9-140.1 et seq. and as hereafter set forth; and

**WHEREAS**, Franklin Township desires to contract with White for the furnishing of the services of Qualified Purchasing Agent as set forth in N.J.S.A. 40A:11-9 et seq. and N.J.A.C. 5:34-5.1; and

**WHEREAS**, the Township of Franklin has determined that the sharing of a CFO will provide a cost savings to the taxpayers of Franklin while not putting any additional burden on the taxpayers of White Township; and

**WHEREAS**, the Township of Franklin does not currently have a Qualified Purchasing Agent on staff of the Township. This Agreement will provide that certification to the Township at no additional cost. Having a QPA will allow Franklin to take advantage of a higher bid threshold which will save them money and expenses associated with bidding public contracts (legal, engineering, advertising, etc.). This savings is not easily qualifiable because the Township’s needs fluctuate each year.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Franklin, County of Warren and State of New Jersey as follows:

1. The  
Township Committee is hereby authorized and directed to execute the attached Shared Services Agreement with the Township of White for Chief Financial Officer & Qualified Purchasing Agent in accordance with the terms and provisions set forth.
2. A copy of  
the Agreement shall be filed with the Township Clerk and shall be open for public inspection at the Township Municipal Building upon adoption of this Resolution.
3. The  
Agreement shall take effect on November 1, 2019, conditioned upon the adoption of a reciprocal Resolution by the Township of White and its execution of the Agreement.
4. A copy of  
the Agreement shall be sent by White Township to the State of New Jersey, Division of Local Government Services in the Department of Community Affairs.

On motion by Jeannene Butler and seconded by David Guth the aforementioned **Resolution 2019-62** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>	
David Guth	X			
Jeannene Butler	X			
Mike Ferri	X			
Michael Toretta	X			
Mayor Jeff DeAngelis	X	(5) Yes	(0) No	(0) Absent
				<b>Motion Carried</b>

**CERTIFICATION**

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on November 4, 2019.

\_\_\_\_\_  
Denise L. Becton RMC/CMR

Dated: November 4, 2019

**OLD BUSINESS**

**PUBLIC HEARING AND CONSIDERATION OF:**

**Final Reading and Adoption of Ordinance 2019-9**

**ORDINANCE 2019-9**

**AN ORDINANCE APPROPRIATING THE SUM OF \$2,100.00  
CURRENTLY LOCATED WITHIN THE CAPITAL  
IMPROVEMENT FUND OF FRANKLIN TOWNSHIP TO REPLACE EXISTING  
ALARM CONTROL WITH NEW COMBINATION FIRE/BURG CONTROL  
COMMUNICATOR AND INTERCONNECT TO EXISTING DEVICES**

On motion by Mike Ferri and seconded by David Guth to open the Public Hearing.

Public Comments – Alarm Panel put on a Maintenance Contract? Alert notifications when alarm is sounding internal/externally?

On motion by Jeannene Butler and seconded by Mike Ferri to close the Public Hearing.

On motion by Committeeperson Mike Ferri and seconded by Committeeperson David Guth the aforementioned **Ordinance 2019-9** be adopted.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Jeannene Butler	X		
David Guth	X		
Mike Ferri	X		
Michael Toretta	X		
Jeff DeAngelis, Mayor	X	(5) Yes (0) No (0) Absent	Motion carried

**REPORTS/UPDATES:**

**Engineer Report - See report as submitted below by engineer:**

A discussion ensued as to the ongoing OU2 project, poor road conditions, storm grates, road closures and notification of EMS agencies, etc., Engineer and Attorney will coordinate efforts to Notice all those concerned.

1. Township Wastewater Management Plan (WMP) (No change since last Report)

- We have been advised in a June 16, 2014 email from NJDEP that there are three (3) options with regard to the most recent grant allotment received for \$19,000 via correspondence from the NJDEP dated, 2/12/14.
  - a. Don't accept the grant and don't do any additional work and see what comes out of the new Waster Management Planning Act regulations.
  - b. Submit a new scope of work which includes a request for funding for septic density zoning.
  - c. Complete septic density zoning without funding from the State.
- This matter was discussed at the July 7, 2014 TC Meeting, and the Committee decided to choose Option "a" as outlined above. Based upon that decision, our office, via letter dated July 15, 2014 notified the NJDEP of the Township's decision. A copy of this letter was provided to the Township for their information and records.

## 2. Pohatcong Valley Groundwater Contamination (OU2) Potable Water Main Extension Project

- Please refer to Engineers report dated June 1, 2018 for historical information relative to this project.
- Our office continues to coordinate with Arcadis regarding the project and the various issues associated with the pending start of construction in Franklin Township. Our office has provided review services associated with the Street Opening permit applications. Escrow monies were submitted by Rio Tinto to cover the fees generated by our office for our review work. Rio Tinto has hired Montana Construction as the General Contractor for the project. Montana Construction will be utilizing the American Legion Hall (adjacent to the Greenwich Municipal Bldg.) as their construction office.
- The process of issuing individual street opening permits has been completed. Our office had a meeting with Armando Veguez, Project Manager for Montana Construction, to review the various aspects and requirements associated with the issuance of Street Opening Permits. Mr. Veguez will be the primary contact person for Montana Construction for the project. Our office has released approvals to Montana Construction for the Street Opening Permits applications.
- The Township of Franklin has received a check in the amount of \$25,718.00 which represents the Application Fee to the Township associated with the Street opening permit applications. In addition, Rio Tinto has submitted an Escrow check to the Township which will be utilized by the Township for payments to our office in conjunction with our inspection work and general administration of the project for the Township of Franklin.
- A Pre-Construction meeting was held on April 5, 2018 at the American Legion building. Both myself and Committeeman Guth were present on behalf of the Township. There were many attendees present, consisting of representatives from Rio Tinto, Arcadis, Montana Construction, NJDOT, EPA, CH2M Hill, Warren County, Transcontinental Gas Pipeline, Franklin Township and Greenwich Township. The meeting was informative and clearly established that the project was getting very close to the start of construction.
- Overall Project Construction commenced the week of May 7<sup>th</sup> with the initial work being conducted on NJSH Rte. 57. Work in Greenwich Township commenced the week of May 21<sup>st</sup>. Work on Township Roads has been ongoing for over two months now (approx. since the beginning of Aug.). Water main installation has been completed within the Edison Lakes development and other misc. roadways (Thatcher Ave, Montana Rd, Cole Rd, Second St, etc). Please be advised that the road closure of Stewartsville Rd has been temporarily lifted, but the road will again be closed once work resumes on Stewartsville Rd. All required services (Police, Fire, EMS) and other agencies, including the School District, have been notified and have approved of the closure.
- It should be noted that the connection to the portion of the system (AQUA) in Greenwich Township has been made.



- Warren County still has not issued their permit for the work on Edison Rd (County Route 633) or for the two (2) stream crossings along Stewartsville Rd. I am unaware of when the permit(s) may be issued. This situation with the County not issuing a permit is impacting the project schedule as it has created the inability for the contractor to continue to work on the project. Our office had a recent discussion with the contractor, Montana, who indicated that should construction cease at the project in the near future, the contractor will not be returning until late Winter to early Spring 2019 when they would resume activity.
- Representative of the Township (Mayor DeAngelis, Committeeman Guth, Sonny Read and myself) attended a meeting on October 9, 2018 at the Arcadis field office. Also in attendance were representatives from Rio Tinto, Arcadis, Montana, and NJAWCo. The primary purpose of the meeting was to develop a solution for the air releases which are quite unsightly and clearly in need of modification.
- Our office previously received a revised detail for the air releases which now consists of a 3 in. diameter pipe approximately 2ft high which is covered by a Fiberglass enclosure. The enclosure can either be tan or green in color. This feature seems to be a big improvement over the original design. The contractor is looking for direction from the Township, through our office, on approval of this air release design. We have been told that NJAWCo., will not agree to have these air releases removed in their entirety. We are also in the process of determining the flexibility of a horizontal shift (along the frontage of the impacted properties in question) to the location of the air releases.
- On January 28<sup>th</sup> I received a phone call from Nica Klaber, EPA, who was following up with me about our most recent letter, dated January 25, 2019, regarding the air releases and our request for clarification and additional information from the design engineer, John Tobia, P, Jacobs. I believe that my phone conversation with Ms. Klaber will prove helpful towards a resolution of the air release issue. She seemed genuinely concerned that the Township was still objectionable to the latest proposal being offered by the OU2 reps.
- Very little work has been performed on the project during the month of January so there is not much to report on relative to the progress of the project on the whole. The majority of work during the months of March and April was conducted in Greenwich Township. Little work has occurred in Franklin Township since the resumption of construction for the project in February. The primary hold up remains the issuance of the road opening permit for Edison Rd (CR 633) along with the two culvert crossings along Stewartsville Rd. Our office has been coordinating with both the contractors and the County in an effort to bring this matter to closure by the issuance of the appropriate permits.
- A joint meeting was held at our office on April 16, 2019 between OU2 representatives (Arcadis & Rio Tinto) and Warren County representatives (County Administrator, Freeholder Sarnoski, and County Engineer). A detailed discussion took place regarding the outstanding permits and their respective status. It appears that the County may be issuing the permits for the 2 culvert crossings along Stewartsville Rd in the near future. Unfortunately, there appears to be a “stalemate” between the County and OU2 on the Edison work and associated permit. As of the date of this report, I am unaware of any resolution to this matter.
- I have recently contacted Nica Klaber regarding the need to resolve the long standing Air Release Valve (ARV) locations and final design configuration. A site inspection (walk-thru) is scheduled for June 11, 2019 between our office and the EPA reps. Dave Guth will be attending this meeting as well.
- A joint meeting between Warren County, New Jersey American Water Company and the EPA was held on May 20, 2019. The primary purpose of the meeting was to review all of the outstanding items/issues between the County and the OU2 reps in an effort to bring the various issues to closure and to allow the project to get “back on track”. I was not in attendance at the meeting but have spoken with representatives from both the EPA and the County subsequent to their meeting. It appears that all of the previously outstanding issues were resolved to the point where Arcadis will be

supplying the County with revised plans with the intent that the County will be in a position to approve same allowing all the necessary permits to be issued. The time frame for construction to resume in Franklin Township was not relayed to me.

- The recent delays impacting work on the project in Franklin Township may soon be ending. It appears that the County and the OU2 project contractors have finally resolved their “differences”. There is a meeting scheduled for Wednesday August 7<sup>th</sup> which may result in permits being issued by the County and the resumption of work in Franklin Township.
- As previously reported, the ARV (Air Release Valve) modifications has been resolved. Upon resumption of work in Franklin Township, the contractors will be installing the new improved and modified ARV’s.
- Work in Franklin Township has been continuing with work on Stewartsville Rd and Edison Rd. There have been meetings to coordinate the scheduling of the work on the project and to discuss the various tasks that lie ahead. The most significant effort for the OU2 project was the crossing of the Williams Pipeline. At this juncture two major crossings remain including the County culvert (near the entrance to the Hart Farm) and at the Railroad Trestle. Beyond the ARV upgrades and the completion of the main installation along Stewartsville Rd, the next milestone will be the start of service connections to the various properties.
- At this juncture and based upon the level of completion of work on the project, the anticipated construction completion date for the project is Spring 2020. This clearly impacts a number of issues within the Township including the resurfacing of Stewartsville Road and our 2018 NJDOT Grant for same (see item #3 below).
- I will continue to keep the Committee apprised as the project moves forward.

### 3. 2018 NJDOT State Aid Program (No change since last Report):

- Our office and the Township recently received a letter, dated July 25, 2017, from the NJDOT announcing the start of the 2018 Program. As we have discussed many times over the past years, the Municipal Aid Program has been very beneficial to Franklin Township with over a million dollars being awarded over the past years. Since we did not receive a grant through the 2017 Program, I am sure that the Township intends to file at least one application through the 2018 Program. As you recall, last year’s application was for Stewartsville Road and I will assume that we will resubmit this Road again. We should consider potentially adding a second applicant should a good candidate be selected. The applications are required to be submitted (via SAGE) on or before October 6, 2017. The Committee authorized our office to proceed with the development of an application for Stewartsville Road at the August 7<sup>th</sup>, 2017 Committee Meeting.
- Our office has been developing the application and it is close to being in a position for submittal to the NJDOT via SAGE. As previously discussed, the Township must adopt a Resolution for the submittal and execution of a Grant Agreement with the NJDOT, as part of the application submittal process. Resolution # 2017-62 for Stewartsville Road was approved at the September 11<sup>th</sup>, 2017, Meeting.
- Our office completed the application and it was submitted to the NJDOT, via SAGE, prior to the October 6<sup>th</sup>, 2017 deadline.
- I am pleased to report that the Township was awarded a grant through this program for the resurfacing of Stewartsville Road in the amount of \$160,000. Please be advised that there could potentially be a shortfall between the actual costs and the grant amount. Our office estimated a total cost, including inspections and testing, of \$234,285. We requested \$198,000 and received \$160,000.
- This budget shortfall was discussed in detail at the March 5, 2018 Committee meeting. Based upon the fact that the Township will be getting ½ of the road paved through the Water Main Project, we inquired with the NJDOT regarding that fact and its potential impact on the Grant. As reported, our office will need

to develop a Scope Modification to confirm the ability to have the DOT participate in only ½ of the roadway. We are presently working on same. We are confident that this will work out in the best interest of the Township. Our latest estimate, considering only paving half of the road, equates to a new estimate of approximately \$152,500.00 (incl. inspection & testing), which would be completely within the Grant allotment from the DOT, with no shortfall.

- Our office has been in contact with Montana Construction (the OU2 water main project contractor) in respect to the necessary coordination with Montana's paving contractor in an effort to complete a full width overlay of the entire length of Stewartville Road. My discussions have been positive relative to their willingness to work with the Township in a collaborative way to achieve the goal of a full width overlay.
- The Township Committee previously authorized our office to begin the required field survey work and initiate the development of the Construction Plans for the project. Our office has completed the survey work for the project and are presently developing the base maps and continuing our work on the construction drawings. We anticipate completing the construction plans in the near future and then a submission will be made to the NJDOT for their approval.
- At the Aug. 6, 2108 Township Committee meeting, the Committee decided to delay the start and construction phase of the DOT Grant project until the completion of the OU2 Water Main Ext. Project(see report item #2 above) based upon the large amount of truck traffic impacting Stewartville Rd. Our office will still need to coordinate this project with the paving phase of the OU2 Water Main project so that the entire Road (½ -OU2 and ½-DOT Grant) will be paved at the same time as discussed above. This will require our office to secure the DOT's approval of our Plans and Spec.'s to insure there would be no delay in being able to start the DOT funded portion of this Roadway paving operation.
- Since the OU2 project will not be completed until sometime in 2020, this will impact the use of these grant dollars as the paving of this roadway is directly related to the schedule and completion of the OU2 project. The grant requires the project to be awarded by Feb 2020 (2 years after notification of the grant from the NJDOT). The delays in the OU2 project have resulted in the Townships inability to complete the roadway resurfacing in that time frame. We have been in discussions with the NJDOT regarding how we best proceed under these circumstances. We believe that we have a good solution which will facilitate the completion of both of these two projects and eliminate any possibility of the NJDOT rescinding the grant.
- At the September 3<sup>rd</sup> TC meeting, I explained the fairly simple approach in awarding a contract through the Co-Op in 2019, but obviously not going forward with the work until the road is ready to be resurfaced which will be some time in 2020 (subsequent to the completion of the Watermain project). I believe that this will satisfy the NJDOT as a contract will be awarded before the deadline of February 21, 2020.
- We will continue to keep the Committee apprised of the progress of the project.

#### 4. Township Walking Path / Rec Trail: "Old" Smith Farm Property

- This matter was discussed at the July 10<sup>th</sup>, 2017 TC meeting. I was asked to forward a number of historical plans which were previously developed by our office for the Township. I sent out an email to everyone on July 24<sup>th</sup>, 2017 which included three (3) different versions and configurations of a Walking Path within and around the property. As per my cover e-mail, the most current plan which was sent, dates back to April 2015.
- This project was discussed at some length at the August 7<sup>th</sup>, 2017 Committee Meeting. A number of issues including, but not limited to, County Roadway improvement requirements, the incorporation of an emergency access driveway, the width of the path, the estimated cost and the size and location of the parking

lot were all reviewed. The Township Committee was specifically interested in what improvements might be required by the County should a parking lot be constructed with direct access to Road (County Rote 643) across from the Elementary School.

- Based upon the above, I spoke at length with County Engineer, Bill Gleba, regarding the project and the improvements that would be required in order to secure approval from the County Planning and Engineering Departments. As I suspected and as I have indicated to you, the County would look at this “situation” as a mid-block crosswalk which would require flashing warning pedestrian crossing signs, other signage, and numerous administrative requirements and agreements between the Township and the County.
- The Township’s alternative to constructing the parking lot directly off of Asbury-Broadway Road would be to construct the parking lot with access being provided from Bryan Road. The exact location of the parking lot would need to be discussed and reviewed as there are a number of different potential locations available along Bryan Road. I discussed this alternative design with Bill Gleba who acknowledged and supported the concept. Based upon the number of unanswered questions at this time, I did not proceed any further. I will be making a recommendation to the Township Committee regarding what I believe to be the best location for a parking lot off of Bryan Road. Should it be approved, we would be in a position to move forward with the design.
- This project was discussed at length at the October 2, 2017 Committee meeting. The issue of the rights to access the Rocky Brook development have been since confirmed VIA a subsequent e-mail from my office. The location of the parking lot was also confirmed in that it would not be located off of Bryan Road and would be across from the elementary school with access from Asbury – Broadway Road. Other miscellaneous issues and design features were also discussed. The Township then authorized our office to proceed in developing the plans for the Walking Path and Parking Lot in an effort to get them out “to Bid”.
- Our office has completed the majority of the field survey work. This information was then utilized in moving forward with the design process and the development of construction plans for the project. We are currently moving forward towards the completion of the design and construction drawings. Subsequent to that, I will forward same to the Township Committee for their approval. After approval by the Township Committee, our office will provide the two (2) primary 3<sup>rd</sup> party review agencies, the Warren County Planning (Engineering) Department and the Warren County Soil Conservation District with formal applications for their review and approval.
- Our office attended a meeting with the County Engineers office to review and discuss the improvements they will be requiring along Asbury-Broadway Road. We have been incorporating those improvements into the project design and construction plans. We continue to make good progress and will hopefully be submitting the plans to the required review agencies (Warren County Planning Department & the WCSCD) in the near future.
- Based upon the SWM requirements that are required per the increase in impervious cover and overall area of disturbance, our office needed to generate additional and sight specific topography in order to better define the various drainage areas for this project. The field work was completed and the data has been transferred to our office. We have completed the SWM analysis and the design and have developed the required SWM report for purposes of our submissions to both the WCPD & WCSCD.
- Our office recently completed the development of all of the required submission information for the 2 primary reviewing agencies, the WCPD & WCSCD. We have assembled all the required documents and have submitted formal application to both agencies. The applications were submitted during the week of April 30, 2018. Our office will be providing hard copies of all information developed and submitted to Denise B. for the Township’s information and records.
- The submission to the Warren County Planning Department (WCPD) did not require any type of application or review fee as the Township is exempt, but the

submission to the Soil Conservation District did require a fee of \$2,525.00 (check provided to me by Dawn Stanchina, CFO). At this juncture we need to secure both of these approvals prior to going “out to bid”.

- Submissions to both the WCPD and WCSCD were made on May 4, 2018. We have received initial review letters from both agencies. Our office has revised the plans as necessary to address the comments in each review letter. Resubmissions to both agencies were made on June 4, 2018.
- I am pleased to report that we have secured Plan Approval from WCSCD, via letter dated June 13, 2018. We have also received conditional approval from the WCPD, via letter dated June 26, 2018. There still remains a number of comments from the WCPD letter that we need to address and some administrative matters with the Township. As per their request we have scheduled a meeting with the County Engineer’s office for July 6, 2018.
- We attended a meeting with reps from the County Engr. Dept. on July 6. A detailed review of their June 26, 2018 letter was conducted. We have recently completed the necessary plan revisions per their last review letter and our meeting. A resubmission to the County was recently made. I am confident that we will be able to satisfy the final comments from the County and the project will then be in a position to go “out to bid”.
- Our office has recently been in discussions with the Warren County Engineers office regarding this project and the status of their review of same. There are some additional comments that the County Engineer’s office would like us to incorporate into a revised plan set. We are looking to set up a meeting with the County in the near future to address their final comments.
- In addition to securing approvals from the WCPD & WCSCD, the project was presented to the Township LUB by myself at their November 7, 2018 meeting. It was presented to the Township Land Use Board as a Capital Improvement Project governed by NJSA 40:55D-31. Generally speaking, the Land Use Board seemed to support the project and did offer a number of recommendations to the Township relative to a few design issues for the project. Those recommendations were contained in a letter from Rich Schneider, Esq, LUB Attorney, dated November 12, 2018.
- Our office received a “Conditional Approval” letter, dated May 6, 2019 from, the Warren County Planning Department. Our office has addressed the vast majority of the comments contained within their letter. We have spoken with County Engineer Bill Gleba, P.E, regarding their letter and have scheduled a meeting with Bill and the Planning Department for Wednesday June 5, 2019 where we will review the revised plans versus their review letter. We anticipate that all of their final comments will be addressed and that the project will very soon be Unconditionally Approved. Please be advised that a few administrative items (SWM Maintenance Responsibility and entering into an agreement with the County on Ownership and Maintenance for the Flashing Pedestrian Crossing Signs) remain outstanding.
- As stated at the July 1, 2019 Committee meeting, our office had resubmitted revised plans to the County in June. Our office received a review letter, dated July 22, 2019 containing a few final comments and a number of administrative compliance items. We remain very confident that final compliance with the County’s latest review will be in the very near future. The Township may wish to consider going “out to bid” very soon as full unconditional approval is forthcoming.
- At the August 5, 2019 meeting, the TC authorized our office to put the project “out to bid”. A bid opening date of September 25<sup>th</sup> was established with the hope and intent of a potential contract award at the October 7, 2019 Committee meeting. Our office has been working on completing the bid documents (plans and specs) to enable the project to be advertised. We are scheduled to have the notice to bidders advertised the first week of September.
- The bid opening was held on September 25<sup>th</sup>. Both myself and Denise were in attendance. The Township received 3 bids. Please refer to separate correspondence regarding the recommendation of award.

- At the October 7, 2019 Committee Meeting the Committee rejected all of the bids based upon the bids being in excess of the estimated amount for the project. At this juncture, the project will not be moving forward.
- I will continue to keep the Committee apprised as the project moves forward.

#### 5. 2019 NJDOT Municipal Aid Program (No Change since Last Month's report):

- Our office and the Township recently received a letter, dated July 24, 2018, from the NJDOT announcing the start of the 2019 Program. As we have discussed many times over the past years, the Municipal Aid Program has been very beneficial to Franklin Township with well over a million dollars being awarded over the past years. I am sure that the Township intends to file at least one application (we have submitted 2 in the past) through the 2019 Program. As you recall, last year's application was for Stewartville Road where we were awarded a grant in the amount of \$160,000. We should consider developing an application for submittal. We can work with the DPW in determining the best applicant(s) to be submitted through the 2019 Program. The applications are required to be submitted (via SAGE) on or before October 8, 2018. The Committee authorized our office to proceed with the development of a 2019 application at the Sept. 4, 2018 Committee Meeting.
- We have discussed numerous candidates with the DPW for the 2019 application. In summary and conclusion, we all agreed that Montana Rd would be the best application for submission to the DOT through this program. Due to the amount of guiderail that would potentially be required, we will not be able to make application for the entire length of Montana Rd within Franklin Township as it would be cost prohibitive. We will be making an application for the "bottom" section of the roadway from Route 57 North to a point that is still being determined.
- Although there was an extension given by the NJDOT for the submittal of the 2019 application to October 18, 2018, our office made the submission via SAGE on October 5, 2018.
- We were recently notified via NJDOT letter, received April 1, 2019, that the Township was awarded a Grant in the amount of \$122,000 for Montana Rd, Section 1.
- At the May 6, 2019 Committee meeting, our office was authorized to begin the work associated with the development of construction plans for this project. Our office has done the survey work required in conjunction with the development of the construction plans.
- We will keep the Committee apprised of the status of our work moving forward.

#### 6. Beidelman Road (Block 16, Lot 9) Major Subdivision: Mt. Laurel Settlement:

- This project is a primary component of the Township's Mt. Laurel Settlement Agreement with FSHC. It consists of an 8 lot Major Subdivision with each lot being approximately 0.5 Ac. with direct road frontage along Beidelman Road. Each lot will contain a Single Family Dwelling with a driveway and a Septic System. Habitat for Humanity has previously expressed their interest in purchasing these lots from the Township to facilitate the construction of the homes. In order for the Township to be able to transfer/convey these lots to "Habitat" (or another entity), the lots need to be created as they currently are part of the mother parcel (B-16, L-9). The creation of these 8 new lots plus the large "remaining lands" lot will be developed via a Preliminary & Final Major Subdivision Application that will be submitted by the Township to the Township LUB. We will continue to move forward with this project as it is my understanding that timing is somewhat critical based upon the terms of the Settlement Agreement with FSHC. I will be providing the Committee members with a sketch of the proposed lot layout for their information.
- I distributed a plan to the Committee at the April 2, 2018 meeting. A number of Beidelman Road residents were in attendance at the meeting. At the May 2, 2018 LUB meeting, many residents were in attendance regarding this matter. There has been communication between township professionals regarding the

manner in which to “perfect” the subdivision and create the new lots. This procedure will be finalized soon and a courtesy presentation of the Plan may occur at the June 6, 2018 LUB meeting. There is an additional question which will also need to be resolved very soon and that is the total number of lots to be created by the Township in conjunction with this subdivision. 8 new lots are currently shown on the Plan. Our Mt. Laurel Settlement agreement only requires 6 lots on this property and therefore, there may be a reduction in the Plan to only create 6 new lots and a remainder versus 8 new lots and a remainder.

- At the May 7, 2018 Committee Meeting, a number of interested residents were in attendance to discuss this project. It was explained about the need to create these lots for future low and moderate income dwelling units. It was also determined that the Township would only proceed with the creation of 6 new building lots. Discussion ensued regarding the need to perform preliminary soils testing in an effort to confirm the viability of each of the proposed lots for the design and future construction of a septic system. Our office has been moving forward with this investigation and is coordinating with the Township DPW regarding excavation for the soil logs. The logs were originally scheduled to be dug on Friday May 25, 2018. Soils testing did proceed at the site on June 7, 2018. I am pleased to report that satisfactory results were obtained for each of the proposed 6 building lots.
- Our office completed the development of the Final Subdivision Plan which was sent to the Twp. the week of July 24, 2018. The Plan was presented to the Land Use Board as a “courtesy”/Informal presentation at the Aug. 8, 2018 LUB meeting. The application received a “positive” review from the Board. Some minor improvement comments were made by various Board members which will be incorporated into the “Final” Subdivision Plan prior to its recordation.
- This matter was discussed at the November 5, 2018 Committee meeting where Attorney Benbrook advised the Committee that the MOU has been signed and executed. At this point, our office will proceed to make the few minor plan changes that were agreed upon in an effort to have the lots in a position to be recorded so that they can be conveyed to Habitat.
- Our office recently revised the Subdivision Plan to incorporate various comments and recommendations made by both Habitat and the Land Use Board (as referenced above). The revised plan was recently circulated within the Township for final review and comment. No further changes were provided. Additionally, I believe that Attorney Benbrook has forward the revised plan to Habitat and it was also found acceptable. The Township is now in a position to record same and look to convey the first lot to Habitat. Our office provided the Township with final prints at the April 1, 2019 Committee meeting.
- Our office recently received a phone call from Nevitt Duveneck, on behalf of Habitat for Humanity, inquiring regarding the proposed building lots. I answered all of Nevitt’s questions and provided him with some supporting information (plans, soils testing, etc).
- Multiple additional discussions have occurred regarding the construction of the first home. I believe that Habitat maybe looking for the Township, via our office, to provide some level of services and support work. I am unaware of any specific requests, but will advise accordingly. Obviously, our office will not proceed with any work without securing the Townships approval for same.
- At the October 7, 2019 Committee meeting a presentation was given by Habitat for Humanity for the project. It appears that the first home may be started in the Spring 2020. Our office was authorized to provide Habitat with survey and plot plan information in conjunction with the pending construction of the first home. Habitat indicated that they will be proceeding with lots # 2 & 5 as the first two homes of the project. Our office will continue to coordinate with Habitat as necessary.

7 2020 NJDOT LOCAL AID APPLICATIONS (No change since last Month’s report):

- Our office and the Township received a letter, dated May 13, 2019, from the NJDOT announcing the start of the 2020 Program. As we have discussed

many times over the past years, the Municipal Aid Program has been very beneficial to Franklin Township with hundreds of thousands of dollars being awarded over the past years.

- Applications were due to be submitted by July 19, 2019. We received your authorization to proceed and we have collectively decided that we feel the best application for submittal through the 2020 program would be Montana Road, Section 2.
- Our office has electronically filed grant application Montana Road, Section 2 prior to the July 19, 2019 deadline. The amount requested was \$175,000 which covers construction costs, construction inspection and pavement coring.
- Authorizing Resolutions for each application were previously forwarded to Denise. The Township Committee adopted the Resolution at the August 5, 2019 Committee meeting. Our office submitted the Resolution to the NJDOT in conjunction with our grant application.

8 ADPP Enterprises; Bond Release:

- Our office has been requested by the owners of the Tauro Convenience Store/Mobil Gas Station to research the requirement relative to their Performance Bond and whether or not the Bond could be released. Our office has investigated the matter and coordinated with Denise regarding the Performance Surety Bond and the cash Performance Bond. All work which was required to be performed at the site, has been completed. At this juncture, the Performance Bonds are in a position to be released by the Township. I would recommend that a motion be made by the Committee at the October 7, 2019 TC meeting to release the Surety and cash Performance Bond to the owner. I will provide answers to any questions that you may have on this matter at the meeting.
- At the October 7, 2019 Committee meeting, the Committee approved the release of the Performance Bond. It is my understanding that all funds have been release by the Township to the owner.

**Attorney Report – Report on file as submitted**

Attorney Benbrook briefly touched base with the township committee as to items on his report.

Mayor DeAngelis received a complaint from a resident living on Good Springs Road, as to the ongoing fly issue. Claims feathers on his lawn and his screens to his home and flies in his home and car. Attorney Benbrook will coordinate a Round Table Discussion with ISE with the township's concerns between now and December.

**Franklin Township Community Center – no representation or report**

**Zoning Officer – Jim Onembo - Absent**

**Fire/OEM – Raymond Read**

Touch a Truck Fundraiser was this past weekend. Fire Department assisted at Pocono Manor Fire in Pennsylvania. Fire/EMS weeded the Veterans Monument in front of the municipal building. Mr. Read has been dealing with a 911 matter as to wrong mail being placed in a mailbox. The resident feels his address should be changed, however, this is not a 911 issue. The problem is the placement of the mail in the mailboxes that are in a cluster at the bottom of the road and not in front of each house. Mailboxes



only have a number on the box instead of the whole street address, making mail delivery harder for the post office.

**DPW – report submitted and on file**

Mr. Guth reviewed the report submitted by Mr. Read in his absence.

**Township Committee Reports:**

**David Guth-** The municipal sign is in bad shape in need of repair/replacement.

**Jeannene Butler** – nothing further to report

**Mike Ferri** – Nothing further to report.

**Mike Toretta** – Noting further to report.

**Jeff DeAngelis, Mayor** – A bill from Common Sense for Animals was received, for the boarding of 10 cats and 1 dog from January – June of 2019 in the amount of \$945. After speaking with the ACO we could pass a resolution to restrict our ACO from picking up stray cats and taking them to be boarded. We do not license cats in the township and this is not a funded. The township committee’s consensus, after discussion, is for our ACO NOT to pick up stray cats and to adopt a Resolution 2019-66, noting same.

**RESOLUTION 2019-66**

**RESOLUTION DISCOURAGING THE IMPOUNDMENT OF STRAY CATS**

**WHEREAS**, the Township of Franklin has not adopted any Ordinances regulating the licensing or keeping of domestic cats; and

**WHEREAS**, N.J.S.A. 4:19-15.16 does not require an Animal Control Officer (“ACO”) to impound any stray animal unless observed to be ill, injured or creating a threat to public health, safety, or welfare; and

**WHEREAS**, the Township has incurred substantial expense with respect to the impoundment of stray cats.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that, the Township’s designated ACO as established pursuant to the Interlocal Service Agreement with the Borough of Washington be and hereby is encouraged not to expend resources on the capture, custody or impoundment of stray cats, except when suspected of being rabid or observed to be otherwise creating a direct threat to public health, safety and welfare.

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the Township Clerk shall provide a copy of this Resolution to the Borough of Washington and to the ACO currently providing services to the Township.

On motion by David Guth and seconded by Mike Toretta the aforementioned **Resolution 2019-66** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth	X		
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta	X		
Mayor Jeff DeAngelis	X	(5) Yes	(0) No (0) Absent Motion Carried

Dated: November 4, 2019

**CERTIFICATION**

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on November 4, 2019.

\_\_\_\_\_  
Denise L. Becton RMC/CMR

**Open Space Commission – No one present.**

**Recycling – no report.**

**OPEN PUBLIC SESSION** – Opened at approximately 8:10 pm./ Unanimous Vote.

Karen Chiu – Community Tree Lighting, Friday, December 6<sup>th</sup> at 6pm at the Municipal Building. Would like the mayor to speak again at the ceremony. Concern as to several road closures in the township, as well as her road, is there a way for Montana to notify the residents on the road before digging on their property and when the road will be closed prior to closing it, as this does cause an inconvenience. And notification to fire/ems, to plan alternate routes, prior to an emergency. Mayor DeAngelis feels this is unacceptable and Attorney Benbrook will draft a letter of common courtesy with our concerns.

**FTYA – Sarah Pyskaty** – Looking for an update with matters addressed a few meetings ago as to the Community Center. Also, could a few items of urgency be addressed sooner than later; light is out when you first enter the community center, banister going down the ramp is broke, water fountain is on the floor, unknown if still operational. Mayor DeAngelis informed that Mr. Patient did address these matters and within the next 60 days the above problems will be rectified. As for a brief update with FTYA, great soccer season and basketball is starting up soon.

Rick Canace – Inquiry as to any updates with the potential warehouse. Mayor DeAngelis informed that as of today no application from Developer.

**CLOSE PUBLIC SESSION** - At this time public session was closed at approximately 8:23 pm. Unanimous Vote.

**MOTION FOR PAYMENT OF BILL LIST:**

On motion by Mike Ferri and seconded by David Guth, hearing no objection, to pay the bills from the bill list provided by the Chief Financial Officer.

<b>Roll Call:</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>	
Michael Toretta	X			
Jeannene Butler	X			
David Guth	X			
Mike Ferri	X			
Mayor, Jeff DeAngelis	X	(5) Yes	(0) No	(0) Absent      Motion carried

**MOTION FOR ADJOURNMENT:**

On motion by Mike Ferri and seconded by David Guth, hearing no objection, meeting stands adjourned at 8:24 pm.

<b>Roll Call:</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>
Michael Toretta	X			
Jeannene Butler	X			
David Guth	X			
Mike Ferri	X			
Mayor, Jeff DeAngelis	X	(5) Yes	(0) No	(0) Absent
				Motion carried

Respectfully submitted,

Denise L. Becton  
Municipal Clerk