

REGULAR MEETING

The Franklin Township Committee regular scheduled meeting of December 7, 2020 meeting was called to order by Mayor Jeff DeAngelis, via ZOOM, at approximately 7:04 pm, 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: Mike Ferri, David Guth, Rich Herzer, Mike Toretta, Mayor Jeff DeAngelis, (5) Present.

Present were: Kevin Benbrook, Municipal Attorney, Mike Finelli, Municipal Engineer, Jim Onembo, Zoning/Code Enforcement, Kathleen Reinalda, CFO, Ron Read, Road Foreman

CONSENT AGENDA:
(One Roll Call to approve the following agenda items 2)

- 2. **APPROVAL**
 - a. Meeting Minutes **RE: November 2, 2020**

On motion by David Guth and seconded by Rich Herzer approving the meeting minutes, listed above.

Roll Call Vote	Yes	No	Absent/Abstained
Mike Ferri	X		
David Guth	X		
Rich Herzer	X		
Michael Toretta	X		
Mayor, Jeff DeAngelis	X		
		(5) Yes (0) No (0) Absent	Motion Carried

NEW BUSINESS

NJSP – no representation or report

DISCUSSIONS/APPROVALS

ACO Shared Services between Franklin Township and Washington Township, Morris County, NJ –

A new lead Agency for Shared Services for the Animal Control Officer. None of the changes will affect our town in a monetary way. The switch from Washington Borough to Washington Township, Long Valley, NJ will better facilitate the budget to add additional funds for an Assistant ACO.

On motion by Mike Ferri and seconded by Mike Toretta approving the meeting minutes, listed above.

Roll Call Vote	Yes	No	Absent/Abstained
Mike Ferri	X		
David Guth	X		
Rich Herzer	X		
Michael Toretta	X		
Mayor, Jeff DeAngelis	X		
		(5) Yes (0) No (0) Absent	Motion Carried

Municipal Building and Community Center Improvements –

A discussion ensued as to previous quotes received for Heating/AC in the Community Center. The mayor has been in contact with an additional company and the proposal includes the cost for electric. Attorney Benbrook has an Architect if needed. Additional discussion to continue in January as to Bid Specs and Proposals.

Storm Recovery Trust Fund – CFO –

After speaking with Foreman Read there will be money left over in the DPW Budget. This could be put in a Trust Fund to be used solely for Storm Recovery, if we wish to do so, or put back in Surplus. The consensus at this time is to put the remaining money back in to Surplus and would be more flexible for use in 2021.

Year End Meeting – CFO -

The Chief Financial Officer would like to hold a Year End Meeting to do Transfers, bills to be paid and close out the books. This can be done electronically or in person. The consensus of the committee is to hold this meeting, via Hybrid, In-person allowing “some” residents if appropriate, without any public comment, on Monday, December 28th at 4:00 pm. In coming Committeeperson, Bonnie Butler, is to be invited.

RESOLUTUIONS

Introduction/Adoption of Resolution 2020-71

Attorney Benbrook briefed the history up to the resolution received from our Land Use Board unanimously approving a resolution memorializing recommending that property located at Block 58 Lot 1 designated as a Non-Condemnation Area in need of Redevelopment. This resolution will designate B58 L1 as a Non-Condemnation Redevelopment area in accordance with the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 Et Seq. and authorizing preparation of a Redevelopment Plan will follow noticing if this resolution is adopted. At this time this part of the meeting was turned over to Deputy Mayor Guth. Let the record reflect that Mayor DeAngelis abstained from this discussion and vote of the following Resolution 2020-71.

**TOWNSHIP OF FRANKLIN
COUNTY OF WARREN**

RESOLUTION NO. 2020-71

A RESOLUTION DETERMINING THAT THE PROPERTY IDENTIFIED AS BLOCK 58 AND LOT 1 BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., AND AUTHORIZING PREPARATION OF A REDEVELOPMENT PLAN

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, on February 4, 2019, the Township Committee ("Committee") of the Township of Franklin ("Township") adopted a Resolution authorizing and directing the Land Use Board of the Township ("Board") to conduct a preliminary investigation to determine whether certain property, identified as Block 58, Lot

1, ("Study Area"), meets the criteria set forth in the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as that term is defined by the Redevelopment Law; and

WHEREAS, following the conduct of a preliminary investigation by the Board Planner, James T. Kyle, P.P., AICP, the Board on May 1, 2019, conducted a public hearing, following which it adopted a resolution recommending that the subject property be designated as a Non-Condensation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

WHEREAS, on May 16, 2019, the Township Committee adopted a resolution memorializing the designation of the subject property as a Non-Condensation Area In Need of Redevelopment under the Redevelopment Law; and

WHEREAS, pursuant to a Consent Order dated January 3, 2020 in the matter Heisler et al. v. Township of Franklin, Superior Court of New Jersey, Law Division, Warren County, Docket No. WRN-L-000167-19, the matter was remanded to the Board for new hearings in order to permit the litigants and any other interested parties to cross-examine witnesses, present testimony and any other evidence; and

WHEREAS, in furtherance of the Consent Order, public hearings were conducted by the Board on February 26, 2020, March 11, 2020, November 11, 2020 and November 23, 2020, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, at the conclusion of the public hearings, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5c, for designating the Study Area as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by Resolution, dated December 2, 2020, the Board recommended to the Township Committee that Block 58, Lot 1 be designated as a Non-Condensation Redevelopment Area; and

WHEREAS, the Township Committee considered the Board's recommendation at its regularly scheduled public meeting on December 7, 2020; and

WHEREAS, Township Committee accepted the recommendation of the Land Use Board to declare the Study Area as a Non-Condensation Redevelopment Plan; and

WHEREAS, in order to effectuate the Township Committee's designation of the Study Area as an Area in Need of Redevelopment, the preparation of a Redevelopment Plan and presentation to the Land Use Board and Township Committee is required.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey accepts the recommendation from the Land Use Board of the Township of Franklin and finds that Block 58, Lot 1 as shown on the official tax map of the Township of Franklin and as defined in the Preliminary Investigation Report prepared by Kyle and McManus Associates dated January 24, 2020, be and is hereby

deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

BE IT FURTHER RESOLVED, that the designation of Block 58, Lot 1 as a Non-Condensation Redevelopment Area shall not authorize the Township to exercise the power of eminent domain to acquire any property in the Study Area; and

BE IT FURTHER RESOLVED, that the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

BE IT FURTHER RESOLVED, that the Clerk of the Township of Franklin shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and

BE IT FURTHER RESOLVED, that within ten (10) days of the Township Committee's adoption of the within Resolution, the Clerk of the Township of Franklin shall serve notice of the Township Committee's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that the firm of Kyle McManus Associates, Township Planner, working in conjunction with the Township Engineer, Special Redevelopment Counsel and the Township Attorney, is authorized and directed to prepare a Redevelopment Plan for the Study Area, including an outline for the planning, development and redevelopment of the Study Area pursuant to N.J.S.A. 40A:12A-7 and present same to the Land Use Board and Township Committee; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

The within **Resolution 2020-70** was moved by Committeeperson Mike Ferri and seconded by Committeeperson David Guth and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
David Guth	X		
Rich Herzer	X		
Mike Ferri	X		
Michael Toretta	X		
Mayor Jeff DeAngelis			X

(4) Yes (0) No (1) Abstained (0) Absent **Motion Carried**

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF FRANKLIN**

Denise L. Becton, RMC/CMR
Township Clerk

David Guth
Deputy Mayor

CERTIFICATION

I, Denise L. Becton, Clerk of the Township of Franklin, County of Warren, State of New Jersey, hereby certify that the foregoing Resolution is a true, complete and accurate copy of Resolution adopted by the Township Committee of the Township of Franklin at a meeting held on December 7, 2020.

Denise L. Becton, Clerk
Township of Franklin

OLD BUSINESS - None

PROFFESIONAL AND COMMITTEE REPORTS/UPDATES:

Engineer Report – no formal report submitted this month – Engineer Finelli briefed the committee as to ongoing projects. A letter was received from NJDOT for Fiscal Year 2021 Municipal Aid Grant Program, receiving funds for Millbrook Road, Section 1, in the amount of \$136,700.00.

Attorney Report – no formal report submitted –

Attorney Benbrook briefed the committee as to a few items, litigation in front of Judge Miller need to finish up. Fire Department allegations, “No Comment View”, matter is up to the courts and the township is not the proper party, as they are a separate entity. Stormwater Ordinance will need to be updated next year.

Franklin Township Community Center – Eddy Patient – not present

Jim Onembo – Code Enforcement/Zoning –

Mr. Onembo informed of matters this past month he attended to, a question on Echo Housing, Solar Farm on High Point Property, Heritage Property might see some activity in front of the Land Use Board soon. Addressed the use of Cherry Brook Building. Habitat for Humanity two houses in progress and three additional this spring. A collection of a total of \$49,000 received this year for abandoned properties.

Open Space Commission – no one present

Franklin Township Youth Association – No one present

Fire Department/EMS – No one present

OEM/911 Coordinator – No one present

Peggy Housman – Recycle Coordinator – report submitted

DPW REPORT – Ron Read – Report submitted on file

Foreman Read would like to install garage door openers for 3 bay doors. A quote from Always on Time Doors, LLC, would cost \$2,670.00. A quote was received from AARE, to upgrade the security camera at the garage, cost \$5,765.00. A discussion ensued as to the antiquated security system at the garage, an upgrade would assist those offenders of illegal dumping. Per Jean Paul Reece of AARE, a monthly cloud hosting would be an additional charge to his proposal. Another option is install a sturdy fence or have the brush area open coordinating with the Recycling hours. Ronnie is looking to obtain a credit card through Home Depot. Other options a secured blank check and once used, would have to turn in receipts or a Visa card through PNC. The CFO and Mayor will coordinate efforts on this. A replacement for Jon Nelson, not entertaining at this time. CFO advised that Back Pay will be in our next pay checks.

Township Committee Reports:

Rich Herzer –

Mr. Herzer inquired to Engineer Finelli as to the water line project, and if there is an escrow for any potential damages.

Mike Ferri –

The door quotes received previously from JP Group, upgrading the doors to the front of the municipal building and in the Community Center, a \$2,500.00 increase to their original quotes.

Mike Toretta –

The Solar Panels Project at the municipal building is almost completed. Mayor DeAngelis informed that the installation of electricity to the panels will be up and running by the end of the year.

David Guth –

A letter from the DEP mailed to approximately 20 of our residents in the Willow Grove Road area, as to well sampling testing for Dioxane, etc. Hopeful for activity to get water moving forward in this area.

Jeff DeAngelis, Mayor

Mayor DeAngelis updated, above, as to the Solar Panel Project installation.

OPEN PUBLIC SESSION

At this time, by unanimous vote, the mayor opened the floor for Public Session, all in favor. Let the record also reflect that no email/letters, etc. were received from the public prior to this meeting. Mayor advised that a 3 minute limit for each speaker. Host Jean Paul Reece informed those speakers how to communicate if they have a question via ZOOM/Cell Phone.

Carol Jacob – 2181 Rt. 57 - would like an update as to a neighbor residing at 2191 Rt. 57 and the cleanup of bagged construction debris, debris on property, old oil tank, and a vehicle with no license plates. Zoning Officer Onembo will visit the site again this week, but informed, even if construction is in progress, can't speed them up.

Claire Rohloff – 383 Bloomsbury Road - concern of the traffic on CR 632 and if widening of the road is a thought if a warehouse were to go in. Mayor informed he will host a Town Hall Meeting addressing this matter and all the misinformation that is out there.

Mike Zawacki – 373 Bloomsbury Road – inquired as to when this meeting will be held. Mayor informed within the next 3 to 4 weeks. A Clean Agricultural Community is the marketing of Franklin Township and why people moved here.

Diane Reichert – 113 Foul Rift Road – why don't we inform unhappy residents to mow their leaves, this will eliminate 60% of dandelions from growing in your lawn?

Walter Baumgarten – 338 Hackett Road – Mayor of Bethlehem Township – would like to avoid future traffic problems between our townships on Iron Bridge Road before a warehouse is considered.

Diane Minelli – 46 East Anderson Road – Excessive dump truck traffic due to construction at Hawk Pointe, noise/speed. Is our Fire Department equipped to handle a warehouse of this magnitude and be able to get to it? Mayor informed we have a ladder truck and are prepared.

Rick Canale – 12 Lime Kiln Road – Thank you to the Bethlehem Township Mayor for being on. A Traffic Study should be done.

At this time, on motion by Mike Toretta and seconded by Rich Herzer to close Public Session at 9:00 pm, all in favor.

MOTION FOR PAYMENT OF BILL LIST:

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

Roll Call:	Yes	No	Absent/Abstained	
Michael Toretta	X			
Rich Herzer	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 Toretta and seconded by David Guth, hearing no objection, meeting stands adjourned at 9:01pm.

Roll Call:	Yes	No	Absent	Abstained
Michael Toretta	X			
Rich Herzer	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