

**REGULAR MEETING**

The Franklin Township Committee held its regular monthly meeting on Monday, February 3, 2020. Mayor Jeff DeAngelis opened the meeting, 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: Denise L. Becton, Municipal Clerk, Kathleen Reinalda, CFO, Raymond Read, OEM, Ron Read, DPW Foreman, Jim Onembo, Zoning/Code Enforcement Officer.

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

- 2. APPROVAL**
- a. Meeting Minutes **RE: January 6, 2020**
- b. Budget Workshop Synopsis **RE: January 22, 2020**

On motion by Committeeperson Rich Herzer and seconded by Committeeperson Mike Ferri following minutes on the Consent Agenda be adopted/approved as listed.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b> | <b>Absent/Abstain</b> |  |
|-----------------------|------------|-----------|-----------------------|--|
| David Guth            | X          |           |                       |  |
| Rich Herzer           | X          |           |                       |  |
| Mike Ferri            | X          |           |                       |  |
| Michael Toretta       | X          |           |                       |  |
| Jeff DeAngelis        | X          |           |                       | (5) Yes (0) No (0) Absent Motion carried |

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

- 3. RESOLUTIONS**
- a. Res. 2020-31 **RE: Land Use Board Appointment**
- b. Res. 2020-32 **RE: Mininni cancel balances within General Capital Fund**
- c. Res. 2020-33 **RE: A Resolution of Award, Stewartsville Road Resurfacing**

On motion by Committeeperson Mike Ferri and seconded by Committeeperson Rich Herzer following resolutions on the Consent Agenda be adopted/approved as listed.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b> | <b>Absent/Abstain</b> |  |
|-----------------------|------------|-----------|-----------------------|--|
| David Guth            | X          |           |                       |  |
| Rich Herzer           | X          |           |                       |  |
| Mike Ferri            | X          |           |                       |  |
| Michael Toretta       | X          |           |                       |  |
| Jeff DeAngelis        | X          |           |                       | (5) Yes (0) No (0) Absent Motion carried |

**NEW BUSINESS**

Report/Updates

NJSP – no representation this evening

**RESOLUTIONS**

**First Reading/Introduction: Res. 2020-27**

**RESOLUTION 2020-27  
PARTICIPANT’S RESOLUTION  
LEAP CHALLENGE GRANT**

**WHEREAS**, the State of New Jersey has allocated \$150,000 within each county for a statewide total of \$3.15 million in Local Efficiency Achievement Program (LEAP) funds to promote innovation among peer local units across New Jersey, and

**WHEREAS**, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

**WHEREAS**, the LEAP Challenge Grant exists to challenge municipalities and counties to collaborate on more extensive partnership and collaborations to produce efficiencies through shared services; and

**WHEREAS**, the Borough of Washington and Franklin Township, Warren County, NJ, have determined to apply for a LEAP Challenge Grant through the State of New Jersey Local Efficiency Achievement Program in the amount of **\$70,000**; and

**WHEREAS**, the Borough of Washington has agreed to be the lead agency in this program; and

**WHEREAS**, the State of New Jersey has made LEAP grants available to assist local units to study, develop and implement new shared services initiatives; and

**WHEREAS**, the purpose of the project submitted in this grant application is intended to provide benefits to the participant local units’ residents through the sharing of animal control services through the Southern Warren County Regional Animal Control program;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of Franklin Township, Warren County, NJ that the Franklin Township does hereby join with the Borough of Washington in applying for a LEAP challenge grant to support undertaking this endeavor.

On motion by Mike Ferri and seconded by Rich Herzer the aforementioned **Resolution 2020-27** be adopted as read.

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

**CERTIFICATION**

I, Denise L. Becton, Municipal Clerk of Franklin Township\_in the County of Warren, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Township Committee of Franklin Township at its meeting of Monday, February 3, 2020.

\_\_\_\_\_  
Denise L. Becton, Municipal Clerk  
Franklin Township, Warren County, NJ

**RESOLUTION 2020-28  
PARTICIPANT'S RESOLUTION  
LEAP IMPLEMENTATION GRANT**

**WHEREAS**, the State of New Jersey has appropriated \$10 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development and implementation of new shared and regional services; and

**WHEREAS**, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

**WHEREAS**, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

**WHEREAS**, the Borough of Washington and Franklin Township, Warren County, NJ have entered into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

**WHEREAS**, the purpose of this shared services agreement is to administer the Southern Warren County Regional Animal Control program which benefits the residents of all participating local units; and

**WHEREAS**, the Borough of Washington has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Franklin, Warren County, NJ, that the Township of Frankin does hereby join with the Borough of Washington in applying for a LEAP Implementation Grant in the amount of **\$250,000.00** to support implementation of this shared service.

On motion by Mike Ferri and seconded by Rich Herzer the aforementioned **Resolution 2020-28** be adopted as read.

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

**CERTIFICATION**

I, Denise L. Becton, Municipal Clerk of Franklin Township in the County of Warren, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Township Committee of Franklin Township at its meeting of Monday, February 3, 2020.

\_\_\_\_\_  
Denise L. Becton, Municipal Clerk  
Franklin Township, Warren County, NJ

**INTRODUCTION:**

**First Reading/Introduction: Ordinance 2020-3**

**ORDINANCE #2020-3**

**AN ORDINANCE TO RELEASE, VACATE  
AND EXTINGUISH ANY AND ALL  
PUBLIC RIGHTS IN AND TO  
A PORTION OF AN UNNAMED ALLEY**

Whereas, the Township Committee in the Township of Franklin in the County of Warren is of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which said Township may have in and to an unnamed alley between Block 37, Lots 5 and 6;

Now, Therefore, Be it Ordained by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, as follows:

1. The public rights and interests in and to an unnamed alley, particularly described as follows are hereby vacated, abandoned and released:

See **Schedule A** attached.

2. All rights of public utilities and CATV companies are hereby expressly reserved and excepted from this vacation.

3. This ordinance shall become effective after final passage and publication according to law and filing with the County of Warren as may be applicable.

**NOTICE**

The foregoing ordinance was introduced at a regular meeting of the Franklin Township Committee held on February 3, 2020 and was read for the first time. This ordinance will be further considered for final adoption by the Franklin Township Committee at a meeting to be held on March 2, 2020 at the Franklin Township Municipal Building, 2093 Route 57, Broadway, NJ at 7:00 P.M. or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 2093 Route 57, Broadway, New Jersey, Monday through Friday from 9:00 A.M. to 4:00 P.M.

Denise L. Becton, Municipal Clerk

**SCHEDULE A**

**Un-Named 20 Foot Wide Alley**

Beginning at a point of intersection of the southwesterly sideline of Thatcher Avenue (50 feet wide) and the southeasterly sideline of a un-named alley (20 feet wide) herein described and about to be vacated, said point being also located at the northeast corner of Block 37, Lot 5 as shown on the Tax Map of the Township of Franklin, Warren County, New Jersey, and running thence; (1) In westerly direction along the northerly line of Block 37, Lot 5 to a point on the easterly line of Block 37, Lot 20, thence; (2) In a northerly direction along the easterly line of Block 37, Lot 20 and then the easterly line of Block 37, Lot 12 to the southwesterly corner of Block 37, Lot 6, thence; (3) in a easterly direction along the southerly line of Block 37, Lot 6 to a point on the westerly sideline of Thatcher Avenue, thence; (4) in a southerly direction along the westerly sideline of Thatcher Avenue to the point and place of beginning.

On motion by Committeeperson Mike Toretta and seconded by Committeeperson Rich Herzer the aforementioned **Ordinance 2020-3** be adopted at first reading. Final reading and adoption to take place on **March 2, 2020 at or near 7:00 p.m.**

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b> | <b>Absent/Abstain</b> |                           |
|-----------------------|------------|-----------|-----------------------|---------------------------|
| Dave Guth             | X          |           |                       |                           |
| Rich Herzer           | X          |           |                       |                           |
| Mike Ferri            | X          |           |                       |                           |
| Michael Toretta       | X          |           |                       |                           |
| Jeff DeAngelis, Mayor | X          |           |                       |                           |
|                       |            | (5) Yes   | (0) No                | (0) Absent Motion carried |

On motion by Committeeperson \_\_\_\_\_ and seconded by Committeeperson \_\_\_\_\_ the aforementioned **Ordinance 2020-3** be adopted at final reading.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b> | <b>Absent/Abstain</b> |                           |
|-----------------------|------------|-----------|-----------------------|---------------------------|
| Dave Guth             |            |           |                       |                           |
| Rich Herzer           |            |           |                       |                           |
| Mike Ferri            |            |           |                       |                           |
| Michael Toretta       |            |           |                       |                           |
| Jeff DeAngelis, Mayor |            |           |                       |                           |
|                       |            | ( ) Yes   | (0) No                | (0) Absent Motion carried |

**CERTIFICATION**

I, Denise L. Becton, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on February 3, 2020. Second reading, public hearing will be held on March 2, 2020 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

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**Denise L. Becton, RMC/CMR**

**First Reading/Introduction: Ordinance 2020-5**

**Ordinance 2020-5**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN PROVIDING FOR THE APPROPRIATION OF \$30,000.00 FOR ‘IT AND PHONE SYSTEM UPGRADES’ FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND**

**BE IT ORDAINED** by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, as follows:

1. The sum of **\$30,000.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2020
  - IT and Phone System Upgrades - \$30,000.00
2. The sum of \$30,000.00 is available in the Capital Improvement Fund
3. The appropriation herewith does not authorize any debt of the Township of Franklin.

4. This Ordinance shall take effect immediately on final passage and publication as provided by law.

On motion by Committeeperson Mike Toretta and seconded by Committeeperson Mike Ferri the aforementioned **Ordinance 2020-5** be adopted at first reading. Final reading and adoption to take place on **March 2, 2020 at or near 7:00 p.m.**

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

On motion by Committeeperson \_\_\_\_\_ and seconded by Committeeperson \_\_\_\_\_ the aforementioned **Ordinance 2020-5** be adopted at final reading.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b>   | <b>Absent/Abstain</b>        |
|-----------------------|------------|-------------|------------------------------|
| Mike Ferri            |            |             |                              |
| David Guth            |            |             |                              |
| Rich Herzer           |            |             |                              |
| Michael Toretta       |            |             |                              |
| Jeff DeAngelis, Mayor |            | ( ) Yes (0) | No (0) Absent Motion carried |

**CERTIFICATION**

I, Denise L. Becton, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on February 3, 2020. Second reading, public hearing will be held on March 2, 2020 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

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

**First Reading/Introduction: Ordinance 2020-6**

**Ordinance 2020-6**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN PROVIDING FOR THE APPROPRIATION OF \$83,400.00 FOR ‘BUILDING & GROUNDS IMPROVEMENTS’ FROM THE GENERAL CAPITAL – RESERVE FOR BUILDING IMPROVEMENTS LINE ITEM**

**BE IT ORDAINED** by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, as follows:

1. The sum of ~~\$83,400.00~~ shall be appropriated for the following items, from the General Capital Fund for the year 2020  
  
Buildings & Grounds Improvements - \$83,400.00
5. The sum of \$83,400.00 is available in the General Capital Fund
6. The appropriation herewith does not authorize any debt of the Township of Franklin.
7. This Ordinance shall take effect immediately on final passage and publication as provided by law.

On motion by Committeeperson David Guth and seconded by Committeeperson Rich Herzer the aforementioned **Ordinance 2020-6** be adopted at first reading. Final reading and adoption to take place on **March 2, 2020 at or near 7:00 p.m.**

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

On motion by Committeeperson \_\_\_\_\_ and seconded by Committeeperson \_\_\_\_\_ the aforementioned **Ordinance 2020-6** be adopted at final reading.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b> | <b>Absent/Abstain</b> |            |                |
|-----------------------|------------|-----------|-----------------------|------------|----------------|
| Mike Ferri            |            |           |                       |            |                |
| David Guth            |            |           |                       |            |                |
| Rich Herzer           |            |           |                       |            |                |
| Michael Toretta       |            |           |                       |            |                |
| Jeff DeAngelis, Mayor |            | ( ) Yes   | (0) No                | (0) Absent | Motion carried |

### **CERTIFICATION**

I, Denise L. Becton, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on February 3, 2020. Second reading, public hearing will be held on March 2, 2020 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

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**Denise L. Becton, RMC/CMR**

**OLD BUSINESS**

**PUBLIC HEARING AND CONSIDERATION OF:**

**Final Reading and Adoption of Ordinance 2020-1**

**ORDINANCE 2020-1  
CALENDAR YEAR 2020  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

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

No Public Comments

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

On motion by Committeeperson Mike Toretta and seconded by Committeeperson David Guth the  
aforenoted ordinance be adopted at final reading.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b> | <b>Absent/Abstain</b> |                |
|-----------------------|------------|-----------|-----------------------|----------------|
| David Guth            | X          |           |                       |                |
| Jeff DeAngelis        | X          |           |                       |                |
| Mike Ferri            | X          |           |                       |                |
| Michael Toretta       | X          |           |                       |                |
| Rich Herzer           | X          | (5) Yes   | (0) No (0) Absent     | Motion carried |

**PUBLIC HEARING AND CONSIDERATION OF:**

**Final Reading and Adoption of Ordinance 2020-2**

**TOWNSHIP OF FRANKLIN  
ORDINANCE NO. 2020-2**

**AN ORDINANCE AUTHORIZING THE APPLICATIONS FOR CHARITABLE  
SOLICITATION PERMITS FOR FRANKLIN TOWNSHIP FIRE DEPARTMENT “COIN  
DROP” EVENTS FOR THE YEAR 2020 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF  
WARREN, NEW JERSEY**

On motion by Rich Herzer and seconded by Mike Ferri to open the Public Hearing.

No Public Comments

On motion by Mike Toretta and seconded by Rich Herzer to close the Public Hearing and adopt.

On motion by Committeeperson Rich Herzer and seconded by Committeeperson Mike Toretta the  
aforenoted **Ordinance 2020-2** be adopted at final reading.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b> | <b>Absent/Abstain</b> |                |
|-----------------------|------------|-----------|-----------------------|----------------|
| Dave Guth             | X          |           |                       |                |
| Rich Herzer           | X          |           |                       |                |
| Mike Ferri            | X          |           |                       |                |
| Michael Toretta       | X          |           |                       |                |
| Jeff DeAngelis, Mayor | X          | (5) Yes   | (0) No (0) Absent     | Motion carried |



## **REPORTS/UPDATES:**

### **Engineer Report – Report on file**

#### **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, PE, 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 relative to the installation of the primary water main has recently been completed by virtue of the extensions within Stewartsville Rd. Beyond the ARV upgrades, the next milestone will be the 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 Summer 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).
- At the November 4, 2019 Committee meeting there was some discussion regarding the full width paving of the various impacted roadways. If the Township still wishes to pursue the full width paving, additional internal discussions will be required in order to determine our approach to this matter with Arcadis and Rio Tinto. We have recently sent a significant amount of information to Kevin Benbrook for his review in conjunction with our pending Tort Claims Notice. A meeting is scheduled for Thurs., 2/6/20, @ 9:30AM at our office to review the reports and photos. I am sure Kevin will be updating the Committee accordingly.
- I will continue to keep the Committee apprised as the project moves forward.

### 3. 2018 NJDOT Municipal Aid Program:

- 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 Stewartsville 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 Stewartsville 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.
- Our office has prepared a draft resolution of award through the Co-Op for action by the Township Committee at their February 3<sup>rd</sup> Committee meeting.

This will satisfy our grant responsibilities with the NJDOT. This resolution will be forwarded to Denise under separate cover.

- Please be advised that our office has recently forwarded all the required documents (plans, specs, certification, estimate) to the NJDOT for their review and approval.
- We will continue to keep the Committee apprised of the status/progress of this project.

#### 4. 2019 NJDOT Municipal Aid Program:

- 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.
- Construction plans have been developed and will soon be submitted to the NJDOT for their review and approval. This project will be done in conjunction with the 2020 NJDOT Grant for Montana Rd., Sect. 2
- We will keep the Committee apprised of the status of our work moving forward.

#### 5. Beidelman Road (Block 16, Lot 9) Major Subdivision: Mt. Laurel Settlement (No Change since Last Month's report):

- 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 has recently provided Habitat with survey information along with topography for the properties in question. Our office will continue to coordinate with Habitat as necessary.

#### 6. 2020 NJDOT Municipal Aid Program:

- 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 electronically filed the grant application for 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.
- I am pleased to report that notification was provided that Franklin Township received a grant for the Montana Rd Section 2 resurfacing project in the amount of \$130K. Based upon receipt of the second round of grant monies towards Montana Rd, the Township now has been allotted \$252K for the Montana Rd resurfacing project. These projects will need to be separated from an administrative standpoint but should be done concurrently as one large construction project. We will look to the Township Committee for their authorization to proceed.

#### **Jim Onembo – Code Enforcement/Zoning**

Mr. Onembo updated the committee as to various Zoning matters this month. 2191 Rt. 57 our Construction Official is dealing with a matter as well as the Department of Community Affairs, property in despair.

#### **Fire Department/OEM – Raymond Read**

Chief informed he needs a 500 year Flood Plain letter from the Engineer to close out the FEMA Generator Grant. Six addresses were assigned for the habitat homes on Beidleman Road, per Ben Eskow's request. The 1995 Ambulance is still down. A walkthrough/training of solar farm off of Rt. 57 was done on Friday. All new hydrants have been turned on except the ones on Stewartsville Road. A total of 715 EMS calls and 310 Fire for 2019, kudos to the membership that makes this happen, they do a spectacular job. Breakdown of fire calls includes; 41 structure fires, 112 motor vehicle accidents, 14 motor vehicle fires, 125 alarms/investigations, 12 public assist, 6 brush fires. Mr. Herzer commended the fire/ems for what they do.

#### **Franklin Township Community Center – Eddy Patient**

Not present at this meeting.

**DPW REPORT – Ron Read – Report submitted and on file**

The annual safety inspection by PAIC has been conducted noting no recommendations per Mr. Guth.

**Franklin Township Youth Association – No one present**

**Township Committee Reports:**

**Mike Ferri**

Mr. Ferri received four quotes for the upgrade of inside/outside lighting at the municipal building. Quotes were reviewed/discussed.

On motion by Mike Toretta and seconded by Rich Herzer to approve the quotes received from RSG Electric in Asbury, NJ. Outside Lighting, retro fit the existing lights on the building and replacing the entire parking lot pole lights in the amount of \$8,535.00. Interior lighting, retrofit the existing fixtures in the amount of \$6,650.00. Total amount of job \$15,185.00

| <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          |

Mr. Ferri is working on additional quotes for the municipal building front doors and back door by meeting room, and two doors in the community center, a new storage container for the community center. The sign panels are being made and will be installed soon.

Let the record reflect the Attorney Kevin Benbrook joined the meeting at 8:08 pm.

**Mike Toretta**

Mr. Toretta inquired as to when the solar will be installed at the municipal building. Mayor will provide an update.

**David Guth**

Mr. Guth is working with the DPW prioritizing the equipment. Green Rock Recycling charges \$10 a yard to grind up our brush pile, we just have to haul it to them. OU2 project corresponded with Willow Grove Road as to high levels of Dioxane. A conference with the DEP and our Engineer as to this matter, hoping to be able to continue the pipe up Willow Grove Road. Those in the plume should test their wells taking note that Dioxane testing is not done in the State of NJ. Mr. Guth and the mayor attended the WC Governors meeting, information as to the next Census. January 29<sup>th</sup> attended a Presentation with Mr. Herzer, Mr. Toretta, as well as Foreman Read, as to a new road material, Micro Surfacing. Also on the 29<sup>th</sup> attended a meeting in Hope Township as to a shared court. Attorney Benbrook informed that Knowlton Township will dissolve at the end of the year.

**Jeff DeAngelis, Mayor**

The Land Conservancy is looking for approval from the committee to mail out a letter soliciting if interested in preserving their properties. Consensus of the committee is NOT to mail out a letter. Valley Greene Estates is looking for a letter of support to remove fencing in their development, Attorney Benbrook will address the President of the Homeowners Association. Working on the renewal of our municipal shared court with our municipalities. The Blue Army Shrine Solar Community Project has been awarded and will be applying to the Land Use Board. A 14' Dogwood Tree, replacing the tree out



front of the municipal building, has been offered to be donated, consensus of the committee to accept the donation. A discussion ensued as to whether we should keep the Open Space Tax. Mayor supplied a printout from, [www.data.nj.gov](http://www.data.nj.gov), showing the brunt of the taxes are being paid by the residents. A lengthy discussion ensued whether to keep preserving farmland in Franklin Township and if we want The Land Conservancy to solicit same. The consensus of the committee is NOT to have The Land Conservancy solicit a letter.

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

Attorney briefed the committee as to our joint court with Knowlton Township, actively looking not to maintain a joint court, by the end of this year. A brief discussion ensued as to numerous municipalities and shared courts.

**At this time on motion by Mike Ferri and seconded by Mike Toretta to open the floor to Public Session at 8:43pm.**

**OPEN PUBLIC SESSION**

Karen Chiu – Inquired as to when the Montana Road wall repair will begin by her home.

Tracey Heisler – Inquired as to the updated Sign Ordinance amendment.

Sam Santini – Valley Greene Estates believes that before development was built they didn't want sidewalks, part of the deal was fence. Inquired why the question of who on the township committee is in favor of Farmland Preservation was not answered.

Basil Imbimbo – Inquired as to truck traffic in Asbury and Jake Braking. Mayor informed with brief history of the signs and enforcement and will reach out to the NJSP for speed enforcement.

Joyce Kucyn – Inquired as to a vacant home and a full swimming pool and breeding of mosquitos. Mr. Onembo will investigate accordingly.

**At this time on motion by David Guth and seconded by Rich Herzer to close the floor to Public Session at 8:59 pm.**

**MOTION FOR PAYMENT OF BILL LIST:**

On motion by David Guth and seconded by Rich Herzer, 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          |                           |                         |
| 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 David Guth and seconded by Rich Herzer, hearing no objection, meeting stands adjourned at 8:59 pm.

| <b>Roll Call:</b>     | <b>Yes</b> | <b>No</b> | <b>Absent</b> | <b>Abstained</b> |
|-----------------------|------------|-----------|---------------|------------------|
| 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