

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 6:05 pm on Monday, February 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: David Guth, Mike Ferri, Jacob, Mike Toretta, Jeannene Butler, Mayor Jeff DeAngelis, (5) Present.

Present were: Denise L. Becton, Municipal Clerk, Anthony Ardito, Auditor, Dawn Stanchina, CFO, Raymond Read, OEM, Ron Read, DPW Foreman.

Anthony Ardito, Municipal Auditor addressed the committee as to the 2019 budget. Presently we are over our levy Cap by \$10,000. Various line items were reviewed making changes to Public Works, Street Lighting and Telephone Utility Expenses/Bulk Purchases. Also addressing some Capital Improvement line items, returning back some unused monies. Mr. Ardito electronically made the changes, accordingly, looking at a 1.46 cent increase, which, equates to an average of \$44 a year increase for a \$300,000 home. The committee is now in a position to introduce the budget on March 4th and potential public hearing on April 1st. The actual adoption of the budget might be delayed due to the State of New Jersey's new "FAST" program.

At this time, the regular session of this meeting commenced. Additional present at the regular session meeting were: Kevin Benbrook, Municipal Attorney, Mike Finelli, Engineer, Jim Onembo, Zoning/Code Enforcement, Margaret Housman, Recycle Coordinator.

CONSENT AGENDA:

(One Roll Call to approve the following agenda items 3-5)

3. APPROVAL

- a. Meeting Minutes **RE: January 7, 2019**
- b. Executive Meeting Minutes **RE: January 7, 2019**
- c. Budget Workshop Minutes **RE: January 22, 2019**

4. RESOLUTIONS

- a. Resolution 2019-32 **RE: Regulating the growth of brush, noxious weeds and grass, etc.**
- b. Resolution 2019-33 **RE: Budget Transfer**

5. RAFFLES

- a. RA#2019-1 **RE: PTA WC Technical School, On-Site Tricky Tray, March 29, 2019 6pm-10pm at WC Technical School**
- b. RA#2019-2 **RE: PTA WC Technical School, On-Site 50/50, March 29, 2019 6pm-10pm at WC Technical School**

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

Roll Call Vote	Yes	No	Absent/Abstain	
Jeannene Butler	X			*(Abstained from the January 22, 2019 meeting minutes ONLY)
Jeff DeAngelis	X			
Mike Ferri	X			
Michael Toretta	X			
Dave Guth	X			(5) Yes (0) No (0) Absent (1) Abstained* Motion carried

RESOLUTIONS

RESOLUTION 2019-32

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

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

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

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

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

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

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

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

<u>Property Address</u>	<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Cost</u>
3 Olde Street (10/08/18 & 10/24/18)	20	1	Joseph McMahon/Diane Burton	\$500

On motion by Mike Ferri and seconded by David Guth the aforementioned **Resolution 2019-32** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
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: February 4, 2019

Certification

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Franklin on February 4, 2019.

Denise L. Becton, RMC/CMR
Municipal Clerk

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, STATE OF NEW JERSEY**

**RESOLUTION – 2019-33
BUDGET TRANSFER – APPROPRIATION RESERVES**

WHEREAS, N.J.S.A. 40A:4-58 and 59 authorizes transfers from certain budget appropriations where it is expected that it will be insufficient, and

WHEREAS, it is reasonable expected that certain appropriations will not be sufficient for contemplated expenditures;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of Franklin Township, County of Warren, State of New Jersey, is hereby instructed to adjust the financial records in accordance with the provision of this Resolution:

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Road Maintenance OE	\$6,000.00	
Road Maintenance S&W	\$6,000.00	
General Admin OE		\$ 800.00
Legal Services OE		\$ 2,291.00
Engineering OE		\$2,000.00
Fire Hydrants		\$ 2,000.00
Buildings and Grounds OE		\$4,009.00
Electricity/Street Lighing OE		\$900.00
TOTALS	\$12,000.00	\$12,000.00

On motion by Mike Ferri and seconded by David Guth the aforementioned **Resolution 2019-33** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
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: February 4, 2019

Certification

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Franklin on February 4, 2019.

Denise L. Becton, RMC/CMR
Municipal Clerk

NEW BUSINESS

Discussion/Approval

Shared Service Agreement Animal Control - Matthew Hall, Washington Boro Manager and Robert Lagonera, Animal Control Officer

Mr. Hall addressed the committee as to the proposed agreement, detailing if we were to sign this agreement what would be covered by Washington Borough as our Lead Agency. Hire a Back Up to assist Mr. Lagonera, while out of town, Equipment, Vehicle, Gas, availability to attend township meeting, perform a Dog Census. With this being a Shared ACO, private entity, Animal Control Services line item would be removed from our budget and the annual fee of \$10,000 could be paid out of the Dog Trust Fund.

On motion by Jeannene Butler and seconded by Mike Ferri to enter into a Shared Service Agreement with Washington Borough and various municipalities, giving the authority for the Mayor/Clerk to execute agreement as modified by Attorney Benbrook, accordingly.

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

Report/Update

New Jersey State Police present this evening, Trooper Wilson and Calhoon. Informing of no major concerns this past month. Be aware of package thieves and phone scams with the IRS. Mayor DeAngelis informed of a complaint of speeders on Kitchen Road in Asbury, patrols will be stepped up in that area, accordingly.

INTRODUCTION:

First Reading: Ordinance 2019-4

ORDINANCE 2019-4

AN ORDINANCE TO CORRECT ORDINANCE 2018-9 ENTITLED AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF FRANKLIN WARREN COUNTY, NEW JERSEY TO AMEND CHAPTER 90, ARTICLE VIII, ZONING, SECTION 90-53B TO AMEND THE ZONING MAP, ARTICLE VIII, ZONING, SECTION 90-56A TO AMEND THE SCHEDULE OF USE REGULATIONS

WHEREAS, Ordinance 2018-9 was adopted by the Mayor and Committee following its referral to the Land Use Board and in furtherance of the recommendation received from the Board that was identified on the records at the public hearing held December 3, 2018; and

WHEREAS, the Land Use Board recommended the deletion of Section 1, paragraph 3, and the Mayor and Committee intended to adopt Ordinance 2018-9 with that paragraph removed as it was made redundant by other provisions of the Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Franklin in the County of Warren, State of New Jersey, that Ordinance 2018-9 be and hereby is amended and corrected to delete Section 1, paragraph 3 that reads in its entirety as follows:

Section 1

3. The grandfathering provisions set forth in Subsection 90-55E shall be applicable with respect to any lot existing as of the date of enactment of this Zoning Ordinance Amendment and this Section shall be revised to so indicate.

Section 2

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be servable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Any Ordinance, or portion thereof, not specifically amended, revised or supplemented by the foregoing shall remain in full force and effect.

Section 4

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Franklin Township Committee held on February 4, 2019 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 4, 2019 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

On motion by Committeeperson David Guth and seconded by Committeeperson Jeannene Butler the aforementioned **Ordinance 2019-4** be adopted at first reading. Final reading and adoption to take place on **March 4, 2019 at 7:00 p.m.**

Roll Call Vote	Yes	No	Absent/Abstain		
David Guth	X				
Jeannene Butler	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 2019-4** be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain		
David Guth					
Jeff DeAngelis					
Mike Ferri					
Michael Toretta					
Jeannene Butler		() 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 4, 2019. Second reading, public hearing will be held on March 4, 2019 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Becton, RMC/CMR

OLD BUSINESS

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2019-1

**ORDINANCE 2019-1
CALENDAR YEAR 2019
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 Mike Ferri and seconded by David Guth to open the Public Hearing.

No Public Comments

On motion by Jeannene Butler and seconded by David Guth to close the Public Hearing.

On motion by Committeeperson Mike Ferri and seconded by Committeeperson Jeannene Butler the aforementioned **Ordinance 2019-1** be adopted.

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

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2019-2

**TOWNSHIP OF FRANKLIN
ORDINANCE NO. 2019-2**

AN ORDINANCE AUTHORIZING THE APPLICATIONS FOR CHARITABLE SOLICITATION PERMITS FOR FRANKLIN TOWNSHIP FIRE DEPARTMENT “COIN DROP” EVENTS FOR THE YEAR 2019 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, NEW JERSEY

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

No Public Comments

On motion by David Guth and seconded by Jeannene Butler to close the Public Hearing and adopt.

On motion by Committeeperson David Guth and seconded by Committeeperson Jeannene Butler the aforementioned **Ordinance 2019-2** be adopted at final reading.

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

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2019-3

ORDINANCE 2019-3

**AN ORDINANCE APPROPRIATING THE SUM OF \$16,000.00
WHICH WILL BE BUDGETED IN THE 2019 CAPITAL
IMPROVEMENT FUND OF THE TOWNSHIP OF
FRANKLIN FOR IT SERVER AND FIREWALL HARDWARE, IMPLEMENTATION,
AND SERVICE COSTS**

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

No Public Comments

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

On motion by Committeeperson Mike Ferri and seconded by Committeeperson Jeannene Butler the aforementioned **Ordinance 2019-3** be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain
David Guth	X		
Jeannene Butler	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

Engineer Finelli updated the committee on a few items. OU2 addressed temporary re-pavement of trenches. Montana Road undermining of pavement met with Ronnie on this needs a temporary fix due to groundwater, will coordinate efforts with DPW Liaison Guth. Walking Path, spoke with Mr. Gleba, very close to re-submitting to the county for final approval.

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 7th with the initial work being conducted on NJSH Rte. 57. Work in Greenwich Township commenced the week of May 21st. 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 Monday January the 28th. 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. We have been told that the activity level for the project will increase moving forward into the month of February. I have tentatively been invited to a construction meeting on February 5th with all the project representatives, including the EPA. I will advise everyone accordingly should I attend this meeting.
- 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 7th, 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 11th, 2017, Meeting.

- Our office completed the application and it was submitted to the NJDOT, via SAGE, prior to the October 6th, 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.
- We will continue to keep the Committee apprised of the progress of the project.

4. Ordinance Development: Vehicles & Traffic, Chapter 129 (No change since last report)

- As discussed at the February 6, 2017 Committee Meeting, Chapter 129 (Vehicles & Traffic) of our existing ordinance is woefully inadequate and antiquated. Our office did some research of our files and came across a number of previously developed draft ordinances and documents that had apparently been worked on quite a few years ago. Subsequently, a meeting was held at the Municipal Building with representatives of the DPW, our office and Denise B. Since a lot of previously developed information appears to be available, I do not believe that this ordinance development should be any great expense to the Township. The DPW was going to do most of the inventory work which would generate the majority of the time associated with accomplishing this task. Denise B. was also going to contact General Code to determine what information they have and what help they might be able to provide the Township in the development of this Ordinance.

- This matter was discussed at the March 6, 2017 Committee Meeting relative to the status of the DPW and their inventory of the existing signage. The DPW had nearly completed the inventory effort at that time. Denise B. was also in the process of checking with the General Code regarding what they had previously developed and what would constitute an updated Ordinance. To date, I do not believe that General Code has responded. Kevin Benbrook has provided a “sample” ordinance for our use and reference. Once General Code responds to Denise, we should be in a very good position to complete the update to Chapter 129 of our Ordinance. Also, as a reminder to all, this Ordinance will need to be sent to the NJDOT for their approval.
- Our office recently forwarded certain sections of Chapter 129 to Ron Read for his review and/or completion as some of this information was not either supplied or applicable as per the most recent information provided to our office by the DPW. Once this information is received, it will be incorporated into the Ordinance as agreed upon at the 4/3/17 Committee meeting, Kevin Benbrook, Esq. is going to prepare the initial “draft” of the new ordinance for our office to review prior to it being sent to the NJDOT for approval. The Township Committee decided against entering into any contract with General Code for the purposes of the development of this section of the Township Ordinances.
- Trevor Lamperti, of our office, recently met with Ron Read to review the balance of information to complete the outstanding sections of Chapter 129. Our office is in the process of transferring the data, obtained from Ron Read, into the applicable sections within Chapter 129. Once this is complete, we will forward a final draft of the Ordinance to Attorney Benbrook for final review and Ordinance preparation. Prior to the August 7th, 2017 Meeting, our office forwarded a draft version of the proposed Ordinance to both Kevin Benbrook and Denise B. for their information.
- Attorney Benbrook has developed an Ordinance (#2017- 6) which represents the update for Township “Chapter 129: Vehicles and Traffic” Section. This Ordinance was introduced with a first reading at the October 2nd, 2017 Committee Meeting. A Public Hearing and Second Reading of this Ordinance took place at the November 11, 2017, Committee Meeting where the Ordinance was adopted. Based upon the fact that the Ordinance has now been adopted, it should be sent to the NJDOT for their information and approval. At the November 5, 2018 Committee meeting, Kevin Benbrook was to investigate the status of the NJDOT approval of our Ordinance.
- Our office will be coordinating with Attorney Benbrook’s office on the status of the NJDOT approval.

5. Township Walking Path / Rec Trail: “Old” Smith Farm Property

- This matter was discussed at the July 10th, 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 e-mail to everyone on July 24th, 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 7th, 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 3rd 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 rep's 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.
- I will continue to keep the Committee apprised as the project moves forward.

6. 2019 NJDOT Municipal Aid Program (No change since last 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. I am unaware of any timeline for notification by the NJDOT of the grant award recipients, but it will most likely not occur until early 2019.

7. Beidleman 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 Beidleman 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 Beidleman 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 plan will shortly be circulated within the Township for final review and comment. After the revised plans secure final approval, the Township will be in a position to record same and potentially look to convey the first lot(s) to Habitat.
- Our office will work with Attorneys Schneider and Benbrook regarding the method for filing of this subdivision plan with the County in an effort to create the 6 new building lots.

Attorney Report – Report on file

Attorney Benbrook updated the committee as to the Lipari donated lands. The clerk received, this evening, the recorded vacation ordinance. OPRA request submitted by a public advocacy group is now a GRC complaint filed against the clerk looking for police records. Clerk responded back advising we do not have a local police department, NJSP, polices the township. Attorney feels shouldn't be an issue but taking it seriously.

Pohatcong Creek Solar approached the township as to an Access Agreement Easement and the placement of solar panels on the municipal building roof and not extra charge. The panels will be owned by the township not leased. According to Attorney Benbrook the agreement needs to be tweaked prior to the township executing it. Mayor DeAngelis also informed that he referred Pohatcong Creek to the Franklin Township Board of Education, separate from our agreement.

On motion by Jeannene Butler and seconded by Mike Toretta, to authorize the Mayor to execute the Agreement accordingly, subject to Attorney Benbrook's final approval of same.

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

Jim Onembo – Code Enforcement/Zoning

Mr. Onembo updated the committee as to various Zoning matters this month as well as court hearings approaching. The registration of the vacated/abandoned properties, brought in to the township last year approximately \$15,000 or more.

Beth Barry – Open Space Commission - Absent

Margaret Housman– Recycling Coordinator

Mayor DeAngelis informed the committee that the Recycling Center is nice to have but a Recycling Coordinator is a have to have position. Mrs. Housman presented the committee with information as to Spring Clean Up at the municipal garage vs. Landfill in Oxford. Cost would be \$29 less per ton if we were to issue vouchers and residents could drop off at the Landfill on their day of choice during a week chosen by the municipality. There are 25 propane tanks that have gathered from years past at the municipal garage. Mrs. Housman informed she has purchased a sign to post informing of, No Propane Tanks Allowed, and has been speaking with a company in Parsippany that will recycle each tank for \$5. Committee concerned that it is another service we would be taking from our residents and the cost for cleanup is paid out of the Clean Communities Grant and there would be no overtime paid out to our DPW. According to Attorney Benbrook this would be better for a liability standpoint.. Maybe offer the residents the option to do one or the both as a trial run this year is another possibility.

On motion by David Guth and seconded by Jeannene Butler to offer both locations for Spring Clean Up this year to the residents and see how this works out and make a more informed decision next year as to location of clean up.

Roll Call:	Yes	No	Absent/Abstained
Michael Toretta		X	
Jeannene Butler	X		
David Guth	X		
Mike Ferri		X	
Mayor, Jeff DeAngelis		X	(2) Yes (3) No (0) Absent
			Motion NOT carried

Fire Department/OEM – Raymond Read – Nothing further to report

Franklin Township Community Center – Eddy Patient

Not present at this meeting.

DPW REPORT – Ron Read – Report submitted and on file

Franklin Township Youth Association – No one present

Township Committee Reports:

David Guth

A great job by the DPW on past storm, no complaints, handled valiantly. Quotes received for the replacement of lighting at the municipal garage and municipal building through a program called NJ Green. Mr. Guth will scan/email the quotes to Attorney Benbrook to review since quotes received are over the Bid Threshold of \$17,500 as well as if exempt from Bid and the Local Public Contracts Law through this program. Mr. Guth also met with a gentleman last week as to salt sheds.

On motion by David Guth and seconded by Mike Ferri to post on the website RFP (Request For Proposals) for LED Electric Work at the Municipal Garage and Municipal Building to comply with the Local Public Contracts Law.

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

Lastly, Mr. Guth has been working with Foreman Read to compile a list of expectations as to life expectancies of vehicles and repairs to be more proactive as to future purchases.

Jeannene Butler

Mrs. Butler informed that a meeting with the Franklin Township Board of Education will have to be rescheduled.

Mike Toretta

Mr. Toretta had nothing to report.

Mike Ferri

Mr. Ferri had nothing further to report as Engineer Finelli touched base on the OU2 Project and the road conditions.

Jeff DeAngelis, Mayor

Mayor DeAngelis had nothing further to report.

OPEN PUBLIC SESSION

Karen Chiu – Ms. Chiu read a Thank You Card from Linda Macomber, school bus driver, thanking the DPW keeping the roads and kids on her bus safe.

A brief discussion as to increasing the Emergency Call Out rate per hour for drivers holding a CDL license and those without a CDL license for the DPW.

On motion by Mike Toretta and seconded by Mike Ferri, hearing no objection, to increase the Non-CDL drivers call out/per hour to \$20 per hour and the CDL drivers to \$25 per hour. This will also be placed on the Salary Ordinance, accordingly.

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

Sheila Oberly – Thanked the committee for keeping the taxes down for 2019. Making some suggestions to the committee, the street sweeper can be paid from the Clean Communities Grant and the quotes received for LED Lighting have to go out to bid since over the Bid Threshold of \$17,500. As to the Recycling Coordinator was this position advertised and did the township consider Shared Services to fill the position.

At this time Mayor DeAngelis closed Public Session.

EXECUTIVE SESSION

BE IT RESOLVED, on this 4th day of February, 2019, by the Township Committee of the Township of Franklin and pursuant to N.J.S.A. 10:4-1, that the Township Committee shall discuss the following matter in executive session

Contract Negotiation – Professional Service

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

THEREFORE, be it resolved on this 4th, day of February, 2019 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 8:40 pm.

On Motion by Jeannene Butler and seconded by Mike Toretta to exit to executive session at 8:40 p.m. Unanimous Vote.

On motion by Mike Ferri and seconded Jeannene Butler to return to the regular session at 9:18 p.m. Unanimous Vote.

Attorney Benbrook informed, a discussion in Executive Session as to a proposal received from Nassau Capital Advisors, LLC, a potential professional service to analyze a potential redevelopment project. A developer approached the township to investigate a piece of property to consider a resolution directing our Land Use Board to perform a preliminary investigation with respect to Block 58 Lot 1.

RESOLUTUION 2019-34

RESOLUTION AUTHORIZING AND DIRECTING THE LAND USE BOARD OF THE TOWNSHIP OF FRANKLIN TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A CERTAIN AREA WITHIN THE TOWNSHIP IS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the governing body of the Township of Franklin ("Township") is authorized to direct the Land Use Board of the Township of Franklin ("Land Use Board") to undertake a preliminary investigation in order to determine whether a certain area within the Township would qualify as an area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expand and clarify various provisions of same; and

WHEREAS, as a provision of the amendment to N.J.S.A. 40A:12-6, the Legislature has directed that the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the powers of eminent domain ("Condensation Redevelopment Area"); and

WHEREAS, the Township of Franklin does not intend to use all the powers provided by the Legislature for use in a redevelopment area, and specifically, the Township of Franklin will not use eminent domain; and

WHEREAS, the Township Committee desires the Land Use Board to conduct such a preliminary investigation relative to certain properties located within the Township, more specifically identified as Block 58, Lot 1, as shown on the Official Tax Map of the Township of Franklin (the "Property"); and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Franklin, they being the Governing Body thereof, as follows:

1. The Land Use Board of the Township of Franklin is hereby directed to conduct a preliminary investigation to determine whether the aforementioned property, or any portions thereof, constitute an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5;
2. The Land Use Board of the Township of Franklin is hereby directed to conduct a preliminary investigation of the aforementioned Property, in accordance with the requirements set forth in N.J.S.A. 40A: 12A-6, more specifically, to prepare a map showing the boundaries of the potential area in need of redevelopment and locations of the various parcels of property included therein, with a statement setting forth the basis for the investigation appended to the map; to specify a date for a public hearing for the purpose of hearing persons who are interested in, or would be affected by, the determination that the delineated area is an area in need of redevelopment; to give notice of said hearing pursuant to the hearing notice requirements set forth in N.J.S.A. 40A:12A-6(b)(3); to hear and receive into the record any objections to such a determination that the proposed property be designated an area in need of redevelopment; and
3. After completing its hearing on the matter, the Land Use Board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the Municipal Governing Body to be an area in need of redevelopment.

BE FURTHER IT RESOLVED that this resolution shall take effect immediately.

On motion by David Guth and seconded by Jeannene Butler the aforementioned **Resolution 2019-34** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
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: February 4, 2019

Certification

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Franklin on February 4, 2019.

Denise L. Becton, RMC/CMR
Municipal Clerk

Per Attorney Benbrook, a Proposal of Study will have to be submitted by our Municipal Planner, Jim Kyle, and an escrow will have to be posted by Nassau, approximately \$10,000, to retain them to pursue redevelopment. This proposal will have to be placed on the Land Use Board's agenda.

At this time, a motion by Mike Ferri and seconded by Mike Toretta to authorize the mayor/clerk to execute the contract with Nassau Capital Advisors, LLC.

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

MOTION FOR PAYMENT OF BILL LIST:

On motion by Mike Toretta and seconded by Mike Ferri, 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		
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 Toretta and seconded by Jeannene Butler, hearing no objection, meeting stands adjourned at 9:03 pm.

Roll Call:	Yes	No	Absent	Abstained
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