

**REGULAR MEETING**

The Franklin Township Committee held its regular monthly meeting at 7:00 pm on Monday, April 1, 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 Toretta (joined the meeting at 7:23 pm), Jeannene Butler, Mayor Jeff DeAngelis, **(4) Present.**  
David Guth **(1) Absent**

Present were: Denise L. Becton, Municipal Clerk, Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney, Raymond Read, OEM, Jim Onembo, Zoning/Code Enforcement, Ron Read, DPW Foreman, Anthony Ardito, Municipal Auditor (Present for 2019 Budget Adoption, Only).

**CONSENT AGENDA:**

**(One Roll Call to approve the following agenda items 2-4)**

**2. APPROVAL**

a. Meeting Minutes **RE: March 4, 2019**

**3. RESOLUTIONS**

- a. Resolution 2019-44 **RE: Authorize the Tax Collector to refund tax lien and tax sale premium total of \$14,403.03 to US Bank-Cust, Tax Sale Cert. # 2018-002, Block 17 Lot 35**
- b. Proclamation **RE: Older Americans Month**
- c. Resolution 2019-45 **RE: Authorize the Tax Collector to refund, tax redemption, Block 41 Lot 12.01, total redemption amount \$1,871.18**

**4. SOCIAL AFFAIR PERMITS**

a. WCWB **RE: Franklin Township Fire Dept., August 9-10, 2019, 410 Old Main St., Asbury, NJ 08802 (Annual Wiffle Ball Tournament)**

On motion by Committeeperson Jeannene Butler and seconded by Committeeperson Mike Ferri all items on the Consent Agenda be adopted/approved as listed with Mike Ferri abstaining ONLY from March 4<sup>th</sup> meeting minutes.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>	
Jeannene Butler	X			
Jeff DeAngelis	X			
Mike Ferri	X *(abstained from meeting minutes only)			
Michael Toretta			X	
Dave Guth			X (3)	Yes (0) No (2) Absent (1) * <b>Abstained</b> Motion carried

**NEW BUSINESS**

**Report/Update**

**New Jersey State Police** – not present this evening

**PUBLIC HEARING/ADOPTION 2019 MUNICIPAL BUDGET**

Mayor DeAngelis opened the hearing for the **2019 Municipal Budget**, for the Township of Franklin, County of Warren, State of New Jersey. Anthony Ardito, Municipal Auditor, was present this evening. On motion by Jeannene Butler and seconded by Mike Ferri to open the public hearing.

Hearing no questions or comments from the public a motion by Mike Ferri and seconded by Jeannene Butler to close the Public Hearing of the 2019 Municipal Budget.

On Motion by Mike Ferri and seconded by Jeannene Butler to adopt the 2019 Municipal Budget.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>	
Jeannene Butler	X			
Mike Ferri	X			
David Guth			X	
Michael Toretta			X	
Jeff DeAngelis, Mayor	X	(3)Yes (0) No	(2) Absent	Motion carried

## **ADOPTION OF SELF EXAMINATION RESOLUTION 2019**

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

#### **A RESOLUTION 2019-43**

**WHEREAS**, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

**WHEREAS**, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

**WHEREAS**, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Franklin has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Franklin meets the necessary conditions to participate in the program for the 2019 budget year, so now therefore,

**BE IT RESOLVED**, by the Township Committee of the Township of Franklin that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated;
  - b. Items of appropriation are properly set forth;
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

On motion by Mike Ferri and seconded by Jeannene Butler the aforementioned **Resolution 2019-43** 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	
Michael Toretta			X	
Jeannene Butler	X			
Mayor Jeffrey DeAngelis	X	(3)Yes (0) No (2) Absent		Motion carried

### CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held on April 1, 2019.

Witness my hand and the SEAL of the Township of Franklin.

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Denise L. Becton  
Municipal Clerk

### Certification of Approved Budget

It is hereby certified that the Approved Budget complies with the requirements of the law and approval is given pursuant to N.J.S.A.40A:4-78(b) and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6.

Dated: April 1, 2019

BY: \_\_\_\_\_  
Dawn Stanchina  
Chief Financial Officer

### First Reading/Adoption - Resolutions

### RESOLUTION NO. 2019-42

### A RESOLUTION OF THE TOWNSHIP OF FRANKLIN FOR THE PURPOSES OF APPOINTING CRAIG R. BROTONS AS TAX ASSESSOR

**BE IT RESOLVED**, by the mayor and committee of Franklin Township that Craig R. Brotons, is hereby appointed as Tax Assessor for Franklin Township, Warren County, NJ; and

**BE IT FURTHER RESOLVED** Mr. Brotons is appointed for a 4-year term commencing from December 19, 2018 to June 30,2019 and then July 1, 2019 to June 30, 2023; and

**NOW THEREFORE**, previously adopted Resolution 2019-31 on January 7, 2019, is hereby rescinded and is being replaced by Resolution 2019-42, if adopted by majority vote;

**NOW THEREFORE BE IT RESOLVED** that Craig R. Brotons is hired as Tax Assessor for the Township of Franklin, Warren County, NJ at a salary of \$27,488.00 per year.

On motion by Mike Ferri and seconded by Jeannene Butler the aforementioned **Resolution 2019-42** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth			X
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta			X
Jeff DeAngelis	X	(3) Yes (0) No (2)Absent	Motion Carried

Dated: April 1, 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 April 1, 2019.

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Denise L. Becton, RMC/CMR  
Municipal Clerk

#### **Discussions/Approvals/Executions**

##### **Musconetcong Water Shed Association – Discussion as to a Preservation Easement**

No one in attendance this evening, per Mayor DeAngelis, remove from agenda unless we hear from the MWA accordingly.

##### **Capital Ordinance – Outstanding balances to be cancelled**

Mayor DeAngelis working with Auditor Ardito reviewed the budget and any unused money specifically earmarked, sitting in our budget. In order to appropriate said money back in to our budget we will need an ordinance directing our CFO to move the money to their perspective line items. This will help our 2020 budget immensely.

On motion by Jeannene Butler and seconded by Mike Ferri to cancel all outstanding balances totaling in the amount of \$82,142.00, back to their perspective line items.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth			X
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta			X
Jeff DeAngelis	X	(3) Yes (0) No (2) Absent	Motion Carried

**FIRST READING/INTRODUCTION**

**ORDINANCE 2019-7**

**TO CANCEL CAPITAL ORDINANCES OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, STATE OF NEW JERSEY**

**WHEREAS**, there exists fully-funded and unfunded ordinances on the balance sheet of the General Capital Fund; and

**WHEREAS**, for some of these ordinances there exists receivables and deferred charges to future taxation on the balance sheet of the General Capital Fund; and

**WHEREAS**, the fund creating these ordinances has been investigated and it has been determined that these ordinances are no longer needed and should be canceled in whole;

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Franklin that thereceivables/deferred charges and improvement authorizations of the following ordinances in the net amount of \$73,920 are hereby canceled to Capital Surplus and \$82,142 are hereby canceled to the Capital Improvement Fund.

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<u>Improvement Authorization</u>	<u>Ordinance No.</u>	<u>Ordinance Date</u>	<u>Debit Improve. Auth.</u>	<u>Total Debits</u>	<u>Credit Receivable</u>	<u>Credit Deferred Chq.</u>	<u>Credit Cap. Imp. Fd.</u>	<u>Credit Capital Surplus</u>	<u>Total Credits</u>
Purchase Fire/First Aid/Road Equipment and Land Acquisition	99-15	7-26-99	\$ 17,128	\$ 17,128				\$ 17,128	\$ 17,128
Restoration of Morris Canal	06-08	9-11-06	268,601	268,601	\$ 200,000	\$ 66,500		2,101	268,601
Road Improvements - Stewartville Rd, Millbrook Road, Willow Grove Rd	07-14	9-10-07	62,651	62,651	31,000			31,651	62,651
Paving, Fire Pumper, Township Building Improvements.	10-10	8-2-10	163,040	163,040		140,000		23,040	163,040
Recreation Equipment for Community Center	10-15	12-6-10	5,200	5,200			\$ 5,200		5,200
Repairs and Construction of Sidewalks	11-4	3-7-11	9,000	9,000			9,000		9,000
New DPW Dump Truck and Accessories	11-05	3-7-11	893	893			893		893
Various Building Improvements-Security/Surveillance, Equipment and Building Furniture	12-07	5-7-12	9,461	9,461			9,461		9,461
Municipal Building Network Attached Storage Devise and Server	13-6	6-3-13	1,110	1,110			1,110		1,110
Amended	13-13	12-2-13							
New Computer Equipment for Various Township Departments	14-5	8-4-14	7,500	7,500			7,500		7,500
Millbrook Retaining Wall	18-4	5/7/18	48,978	48,978	-	-	48,978	-	48,978
			\$ 593,562	\$ 593,562	\$ 231,000	\$ 206,500	\$ 82,142	\$ 73,920	\$ 593,562

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced on first reading at a regular meeting of the Township Committee of the Township of Franklin held on **Monday, April 1, 2019** and will be considered for adoption upon second and final reading at a regular meeting to be held on **Monday, May 6, 2019** at the Township Municipal Building, 2093 Route 57, Broadway, New Jersey, when all persons interested shall be given an opportunity to be heard concerning same.

Denise L. Becton  
Township Clerk

On motion by Jeannene Butler and seconded by Mike Ferri the aforementioned **Ordinance 2019-7** be adopted as read. Final reading and adoption to take place on May 6, 2019 **at 7:00 p.m or near that hour.**

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Jeannene Butler	X		
Jeff DeAngelis	X		
Mike Ferri	X		
Michael Toretta			X
Dave Guth			X (3) Yes (0) No (2) Absent

Motion carried

On motion by Committeeperson \_\_\_\_\_ and seconded by \_\_\_\_\_ the aforenoted **Ordinance 2019-7** be adopted.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Jeannene Butler			
Jeff DeAngelis			
Mike Ferri			
Michael Toretta			
Dave Guth			( ) Yes ( ) No ( ) 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 April 1, 2019. Second reading, public hearing will be held on May 6, 2019 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, Municipal Clerk

Introduced: April 1, 2019  
 Adopted: May 6, 2019

**Offsite Easement Option – Additional Right of Way on Block 16 Lot 26 – First Amendment t License Agreement – Pohatcong Creek Solar, LLC**

An additional right away along Asbury-Broadway Road is being sought and a prepared Amendment to the current License Agreement has been reviewed and approved. In addition a \$25,000 cash donation will be presented to the committee.

On motion by Jeannene Butler and seconded by Mike Ferri to execute this Amendment.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth			X
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta			X
Jeff DeAngelis	X	(3) Yes (0) No (2) Absent	Motion Carried

Let the record reflect that Mike Toretta joined the meeting, at this time, 7:23 pm.

**Spring Clean Up – 2019**

Request for Proposals were faxed to various vendors seeking quotes for our 2019 Spring Clean Up event on Saturday, June 8<sup>th</sup> from 7 am – 3 pm. Only one quote was received from, LMR, Alpha, NJ. The quote was in line with 2018 figures, itemizing per haul of Roll-Off Containers, per ton of Compactor Trucks and Roll-Off for Scrap. Waiting on a quote from SAMR our Electronics Vendor.

On motion by Mike Ferri and seconded by Jeannene Butler to approve the quote received from LMR for Spring Clean Up, June 8<sup>th</sup> from 7 am – 3 pm.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
David Guth			X
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta			X
Jeff DeAngelis	X	(3) Yes (0) No (2) Absent	Motion Carried

**OLD BUSINESS**

**PUBLIC HEARINGS AND CONSIDERATION OF:**

**ORDINANCE 2019-5**

**AN ORDINANCE APPROPRIATING THE SUM OF \$14,000.00  
CURRENTLY LOCATED WITHIN THE CAPITAL  
IMPROVEMENT FUND OF FRANKLIN TOWNSHIP  
FIRE DEPARTMENT – BREATHING AIR CYLINDERS**

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

No Public Comments

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

On motion by Committeeperson Mike Ferri and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2019-5** be adopted at final reading.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
David Guth			X
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta	X		
Jeff DeAngelis, Mayor	X	(4) Yes (0) No (1) Absent	Motion carried

**ORDINANCE 2019-6  
SALARY ORDINANCE TOWNSHIP OF FRANKLIN  
WARREN COUNTY, NJ**

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

No Public Comments

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

On motion by Committeeperson Jeannene Butler and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2019-6** be adopted at final reading.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>	
David Guth			X	
Jeannene Butler	X			
Mike Ferri	X			
Michael Toretta	X			
Jeff DeAngelis, Mayor	X	(4) Yes (0) No	(1) Absent	Motion carried

**REPORTS/UPDATES:**

**Engineer Report – Report submitted/on file**

Engineer Finelli updated the committee on a few items. OU2, Water Main Project, ongoing issues with the county engineer’s office holding up a small portion on Edison Road with a “POTENTIAL” future storm sewer project. Engineer informed that Arcadis, Rio Tinto and Montana Construction have to do what is requested of them with this project. Committeeperson Butler inquired if the township could give the county a deadline? Unfortunately, engineer advised we are a victim and Attorney Benbrook informed we have no real influence over this project. Update as to the Walking Path project, Engineer recommended we are in a position to go out to bid at any time. Township Committee’s consensus is to wait to go out to Bid until we have a formal approval from the county. A letter was received today from the NJDOT as to the 2019 Municipal Aid Program, awarding a Grant for Montana Road in the amount of \$122,000. Mayor DeAngelis received a phone call from Governor Murphy’s Office requesting a letter of support as to funding received for this project by tomorrow. Final Plans for the Habitat project on Beildeman Road, Attorney Benbrook will start working on the Deed.

On motion by Mike Ferri and seconded by Jeannene Butler, to authorize the DPW to perform all the work and the purchase of material for Montana Road Failure.

<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	(4) Yes (0) No	(1) Absent	Motion carried

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 Vaguez, Project Manager for Montana Construction, to review the various aspects and requirements associated with the issuance of Street Opening Permits. Mr. Vaguez 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. As of the date of this report, our office has not received any official response to our January letter. Therefore, this matter remains outstanding.
- 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. The majority of work during the month of March 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.
- I will continue to keep the Committee apprised as the project moves forward.

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

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

- This budget shortfall was discussed in detail at the March 5, 2018 Committee meeting. Based upon the fact that the Township will be getting ½ of the road paved through the Water Main Project, we inquired with the NJDOT regarding that fact and its potential impact on the Grant. As reported, our office will need to develop a Scope Modification to confirm the ability to have the DOT participate in only ½ of the roadway. We are presently working on same. We are confident that this will work out in the best interest of the Township. Our latest estimate, considering only paving half of the road, equates to a new estimate of approximately \$152,500.00 (incl. inspection & testing), which would be completely within the Grant allotment from the DOT, with no shortfall.
- Our office has been in contact with Montana Construction (the OU2 water main project contractor) in respect to the necessary coordination with Montana's paving contractor in an effort to complete a full width overlay of the entire length of 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 7<sup>th</sup>, 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 2<sup>nd</sup>, 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 10<sup>th</sup>, 2017 TC meeting. I was asked to forward a number of historical plans which were previously developed by our office for the Township. I sent out an E-mail to everyone on July 24<sup>th</sup>, 2017 which included three (3) different versions and configurations of a Walking Path within and around the property. As per my cover e-mail, the most current plan which was sent, dates back to April 2015.
- This project was discussed at some length at the August 7<sup>th</sup>, 2017 Committee Meeting. A number of issues including, but not limited to, County Roadway improvement requirements, the incorporation of an emergency access driveway, the width of the path, the estimated cost and the size and location of the parking lot were all reviewed. The Township Committee was specifically interested in what improvements might be required by the County should a parking lot be constructed with direct access to Road (County Rote 643) across from the Elementary School.
- Based upon the above, I spoke at length with County Engineer, Bill Gleba, regarding the project and the improvements that would be required in order to secure approval from the County Planning and Engineering Departments. As I suspected and as I have indicated to you, the County would look at this “situation” as a mid-block crosswalk which would require flashing warning pedestrian crossing signs, other signage, and numerous administrative requirements and agreements between the Township and the County.
- The Township’s alternative to constructing the parking lot directly off of Asbury-Broadway Road would be to construct the parking lot with access being provided from Bryan Road. The exact location of the parking lot would need to be discussed and reviewed as there are a number of different potential locations available along Bryan Road. I discussed this alternative design with Bill Gleba who acknowledged and supported the concept. Based upon the number of unanswered questions at this time, I did not proceed any further. I will be making

a recommendation to the Township Committee regarding what I believe to be the best location for a parking lot off of Bryan Road. Should it be approved, we would be in a position to move forward with the design.

- This project was discussed at length at the October 2, 2017 Committee meeting. The issue of the rights to access the Rocky Brook development have been since confirmed VIA a subsequent e-mail from my office. The location of the parking lot was also confirmed in that it would not be located off of Bryan Road and would be across from the elementary school with access from Asbury – Broadway Road. Other miscellaneous issues and design features were also discussed. The Township then authorized our office to proceed in developing the plans for the Walking Path and Parking Lot in an effort to get them out “to Bid”.
- Our office has completed the majority of the field survey work. This information was then utilized in moving forward with the design process and the development of construction plans for the project. We are currently moving forward towards the completion of the design and construction drawings. Subsequent to that, I will forward same to the Township Committee for their approval. After approval by the Township Committee, our office will provide the two (2) primary 3<sup>rd</sup> party review agencies, the Warren County Planning (Engineering) Department and the Warren County Soil Conservation District with formal applications for their review and approval.
- Our office attended a meeting with the County Engineers office to review and discuss the improvements they will be requiring along Asbury-Broadway Road. We have been incorporating those improvements into the project design and construction plans. We continue to make good progress and will hopefully be submitting the plans to the required review agencies (Warren County Planning Department & the WCSCD) in the near future.
- Based upon the SWM requirements that are required per the increase in impervious cover and overall area of disturbance, our office needed to generate additional and sight specific topography in order to better define the various drainage areas for this project. The field work was completed and the data has been transferred to our office. We have completed the SWM analysis and the design and have developed the required SWM report for purposes of our submissions to both the WCPD & WCSCD.
- Our office recently completed the development of all of the required submission information for the 2 primary reviewing agencies, the WCPD & WCSCD. We have assembled all the required documents and have submitted formal application to both agencies. The applications were submitted during the week of April 30, 2018. Our office will be providing hard copies of all information developed and submitted to Denise B. for the Township’s information and records.
- The submission to the Warren County Planning Department (WCPD) did not require any type of application or review fee as the Township is exempt, but the submission to the Soil Conservation District did require a fee of \$2,525.00 (check provided to me by Dawn Stanchina, CFO). At this juncture we need to secure both of these approvals prior to going “out to bid”.
- Submissions to both the WCPD and WCSCD were made on May 4, 2018. We have received initial review letters from both agencies. Our office has revised the plans as necessary to address the comments in each review letter. Resubmissions to both agencies were made on June 4, 2018.
- I am pleased to report that we have secured Plan Approval from WCSCD, via letter dated June 13, 2018. We have also received conditional approval from the WCPD, via letter dated June 26, 2018. There still remains a number of comments from the WCPD letter that we need to address and some administrative matters with the Township. As per their request we have scheduled a meeting with the County Engineer’s office for July 6, 2018.
- We attended a meeting with 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.
- As of the date of this report, our office has not received a review letter from the WCPD regarding our most recent resubmission to the County. I recently spoke with a representative of the County Engineering Department who indicated that the review was complete and the letter would be forthcoming shortly. In summary, I was told that the vast majority of prior comments have been satisfactorily addressed by our office and that the remaining comments are primarily administrative in nature. Assuming that is the case, the Committee could consider that we put the project out to bid as we are most concerned with determining a “real” cost for this project. We will speak about this project and its current status in more detail at the April 1, 2019 TC meeting.
- I will continue to keep the Committee apprised as the project moves forward.

#### 6. 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 Stewartsville 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 I would expect the announcements to be made very soon.

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

- This project is a primary component of the Township’s Mt. Laurel Settlement Agreement with FSHC. It consists of an 8 lot Major Subdivision with each lot being approximately 0.5 Ac. with direct road frontage along Beidelman Road. Each lot will contain a Single Family Dwelling with a driveway and a Septic

System. Habitat for Humanity has previously expressed their interest in purchasing these lots from the Township to facilitate the construction of the homes. In order for the Township to be able to transfer/convey these lots to "Habitat" (or another entity), the lots need to be created as they currently are part of the mother parcel (B-16,L-9). The creation of these 8 new lots plus the large "remaining lands" lot will be developed via a Preliminary & Final Major Subdivision Application that will be submitted by the Township to the Township LUB. We will continue to move forward with this project as it is my understanding that timing is somewhat critical based upon the terms of the Settlement Agreement with FSHC. I will be providing the Committee members with a sketch of the proposed lot layout for their information.

- I distributed a plan to the Committee at the April 2, 2018 meeting. A number of Beidelman Road residents were in attendance at the meeting. At the May 2, 2018 LUB meeting, many residents were in attendance regarding this matter. There has been communication between township professionals regarding the manner in which to "perfect" the subdivision and create the new lots. This procedure will be finalized soon and a courtesy presentation of the Plan may occur at the June 6, 2018 LUB meeting. There is an additional question which will also need to be resolved very soon and that is the total number of lots to be created by the Township in conjunction with this subdivision. 8 new lots are currently shown on the Plan. Our Mt. Laurel Settlement agreement only requires 6 lots on this property and therefore, there may be a reduction in the Plan to only create 6 new lots and a remainder versus 8 new lots and a remainder.
- At the May 7, 2018 Committee Meeting, a number of interested residents were in attendance to discuss this project. It was explained about the need to create these lots for future low and moderate income dwelling units. It was also determined that the Township would only proceed with the creation of 6 new building lots. Discussion ensued regarding the need to perform preliminary soils testing in an effort to confirm the viability of each of the proposed lots for the design and future construction of a septic system. Our office has been moving forward with this investigation and is coordinating with the Township DPW regarding excavation for the soil logs. The logs were originally scheduled to be dug on Friday May 25, 2018. Soils testing did proceed at the site on June 7, 2018. I am pleased to report that satisfactory results were obtained for each of the proposed 6 building lots.
- Our office completed the development of the Final Subdivision Plan which was sent to the Twp. the week of July 24, 2018. The Plan was presented to the Land Use Board as a "courtesy"/Informal presentation at the Aug. 8, 2018 LUB meeting. The application received a "positive" review from the Board. Some minor improvement comments were made by various Board members which will be incorporated into the "Final" Subdivision Plan prior to its recordation.
- This matter was discussed at the November 5, 2018 Committee meeting where Attorney Benbrook advised the Committee that the MOU has been signed and executed. At this point, our office will proceed to make the few minor plan changes that were agreed upon in an effort to have the lots in a position to be recorded so that they can be conveyed to Habitat.
- Our office recently revised the Subdivision Plan to incorporate various comments and recommendations made by both Habitat and the Land Use Board (as referenced above). The revised plan was recently circulated within the Township for final review and comment. No further changes were provided. Additionally, I believe that Attorney Benbrook has forward the revised plan to Habitat and it was also found acceptable. The Township is now in a position to record same and look to convey the first lot to Habitat. Our office will be providing the Township with final prints at the April 1, 2019 meeting.
- Our office will continue to work with Attorney Benbrook regarding the method for filing of this subdivision plan with the County in an effort to create the 6 new building lots.

#### 8. Montana Road

- As recently discussed at the February and March, 2019 Committee meetings, there has been a failure (undermining) of a relatively small and isolated section

(approximately 12 feet long by 2 feet wide) of the edge of Montana Rd. The area in question is presently protected by cones and orange construction fencing. We have reviewed the matter and have been coordinating the repair with the DPW. As presently “designed”, we believe that the DPW will be able to complete the work in question which would include a sleeved replacement pipe (new 18” HDPE inside an existing 24” CMP), a new storm sewer crossing (above the area of the roadway which has failed), and roadway reinforcement (potentially using Gabion baskets) of the roadway which would accommodate backfill and new paving along the edge of the road. This matter will be further discussed at the April 1, 2019 TC meeting.

**Attorney Report – Report on file**

Attorney Benbrook provided the Deed for the Lipari donated properties ready to be executed accordingly.

On motion by Mike Toretta and seconded by Jeannene Butler, to authorize the mayor/clerk to execute the deed and record accordingly.

<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	(4) Yes (0) No (1) Absent		Motion carried

An additional quote was received and reviewed for the approved Lighting Project at the DPW Garage by Committeeperson Guth. We are in line to start the work at the DPW garage.

Installment due April 1<sup>st</sup> for the ACO Shared Services, will be adjusted by \$1,000 for money paid to our ACO for services from our township prior to this agreement being executed. The CFO will pay \$4,000 in lieu of \$5,000 to Washington Township for the first two installments.

**Jim Onembo – Code Enforcement/Zoning**

Mr. Onembo had nothing to discuss this evening with the township committee.

**Fire Department/OEM – Raymond Read** – Chief Read informed the new pumper will be delivered tomorrow.

**Franklin Township Community Center – Eddy Patient – Not present**

**DPW REPORT – Ron Read – Report on File**

A brief discussion as to the need for a new Buffalo Turbine Blower, Foreman Read will order.

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

**Open Space Commission – Beth Barry – Present this evening**

The Open Space Commission met last week and the Land Conservancy gave an overview of the Open Space Plan. A tour of Open Space is set for April 22<sup>nd</sup> from 4:00 pm – 7:00 pm, an open invitation to the township committee. Presentations of the Open Space Plan will be heard at the May 6<sup>th</sup> township meeting.



## **Township Committee Reports:**

**David Guth – absent this evening**

### **Jeannene Butler**

Committeeperson Butler and Mayor DeAngelis met with the Franklin Township Board of Education. The declined enrollment and the impact it has on the community discussed. Future work with the school board and a presentation in June with our Land Use Board as to zoning for properties in the township and housing.

### **Mike Toretta**

Mr. Toretta had nothing to report.

### **Mike Ferri**

Committeeperson Ferri informed that a phone call was received as to the creek on the old Sigler Property aka Township Property. The creek is now out in the field, flooding the area farmed by Jason Petty and a tree is also in the creek. This is fixable and the township as owners of this property will have to reach out to the Soil Conservation for the repair permit.

### **Jeff DeAngelis, Mayor**

A question surfaced as to the township having two Internet Domains. Our IT person and Webmaster to confer which Domain is being used and the other should be terminated. Consensus of the township committee to delete the Domain not being used. Also, the planting of the tree seedlings we will need volunteers to assist with this. They will need storage for the seedlings and equipment prior to the planting and would like to utilize at the DPW Garage. Consensus of the committee is this will be fine, temporarily.

**OPEN PUBLIC SESSION** – Opened at approximately 8:20 pm. Unanimous Vote.

Karen Chiu – The Grant received for Montana Road will this include the repair to the wall by her house, as per Engineer Finelli, no it doesn't include the wall repair.

Janis Liepins - Mr. Liepins is happy with the solar energy production in our township, it's our future. The evergreens that will be planted should be done outside of the fences, to shade the panels. We need more children for our schools. We might want to reconsider our 5 acres zoning and consider 2 acres for people to build homes and bring children to our township. Mayor DeAngelis acknowledged Mr. Liepins's statements informing a buffer for the solar projects, outside looking in with evergreens, site plans show buffering. In regard to 2 acre zoning, involved with FTBOE and student enrollment, committee has re-zoned a portion of Rt. 57 to a C-1 from R-75 to bring in new businesses. Felt important starting to see an inventory of abandon homes not lived in, and steps have been made to protect our COAH obligation and not to have a Builders Remedy Lawsuit and protect us from thousands of homes built in our township. Our Land Use Board will be addressed to the 5 acres zoning purpose to educate the fall out of decisions made and how it effects the township now. This is a Farming and Agriculture community, fact finding mission to re-evaluate the plan of the township, housing not being used and any potential housing/business coming in. We as residents should be concerned as everyone will be effected. Mr. Liepins will volunteer to help plant the trees along Pohatcong Creek.

Beth Barry – The “No Truck Sign” is working hasn't seen a truck come up Butler and make a left. Also there is a couch in the creek at Mountain View and Buttermilk Bridge Road, can someone remove it? Also, Mrs. Barry would like to volunteer to be appointed as the township representative of the Musconetcong River Management Council, as we have had no representation for years. Effective April 1<sup>st</sup>, 2019 Mayor DeAngelis appointed Beth Barry as our representative.

**CLOSE PUBLIC SESSION** – at approximately 8:30 pm. Unanimous Vote.

**MOTION FOR PAYMENT OF BILL LIST:**

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

<b>Roll Call:</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>	
Michael Toretta	X			
Jeannene Butler	X			
David Guth			X	
Mike Ferri	X			
Mayor, Jeff DeAngelis	X	(4) Yes (0) No (1) Absent		Motion carried

**MOTION FOR ADJOURNMENT:**

On motion by Mike Toretta and seconded by Mike Ferri, hearing no objection, meeting stands adjourned at 8:33 pm.

<b>Roll Call:</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>
Michael Toretta	X			
Jeannene Butler	X			
David Guth			X	
Mike Ferri	X			
Mayor, Jeff DeAngelis	X	(4) Yes (0) No (1) Absent		Motion carried

Respectfully submitted,

Denise L. Becton  
Municipal Clerk