

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at approximately 7:02 pm on Monday, June 3, 2019. Deputy Mayor Mike Toretta 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, Jeannene Butler, Mike Ferri, **(4) Present.** Mayor Jeff DeAngelis, **(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

CONSENT AGENDA:

(One Roll Call to approve the following agenda items)

2. APPROVALS

- a. Meeting Minutes
- b. Junkyard Renewal
- c. Resolution 2019-49
- d. Resolution 2019-51
- e. Resolution 2019-52
- f. Resolution 2019-53

- RE: May 6, 2019**
- RE: Kober’s Annual License**
- RE: Group Affidavit**
- RE: Liquor License 2019-2020 Renewal Term**
(Wedgewood Inn, LLC, Village Discount Liquors, LLC, The Willows, Warren County Rod & Gun Club No. 1)
- RE: Corrective Action Plan**
- RE: Brush, Noxious Weeds and Grass, etc. regulating the growth of multiple properties**

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

Roll Call Vote	Yes	No	Absent/Abstain
Jeannene Butler	X		
Mike Ferri	X		
Michael Toretta	X		
Dave Guth	X		
Mayor Jeff DeAngelis			X

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

Consent Agenda Resolutions - First Reading/Adoption:

Resolution 2019-49

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT FORM OF RESOLUTION

RESOLUTION 2019-49

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the

annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Franklin, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On motion by Jeannene Butler and seconded by Mike Ferri the aforesaid **Resolution 2019-49** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jeannene Butler	X		
Mike Ferri	X		
David Guth	X		
Michael Toretta	X		
Mayor Jeff DeAngelis			X

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

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON June 3, 2019.

Denise L. Becton, Municipal Clerk

Dated: June 3, 2019

NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF WARREN

We, members of the governing body of the Franklin Township Committee, in the County of Warren, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Franklin Township Committee of the Township of Franklin in the county of Warren;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2018;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)Jeff DeAngelis, Mayor	(L.S.)
(L.S.)Mike Toretta, Deputy	(L.S.)
(L.S.)Jeannene Butler	(L.S.)
(L.S.)Mike Ferri	(L.S.)
(L.S.)David Guth	(L.S.)

Clerk

Sworn to and subscribed before me this
3rd Day of June, 2019

Notary Public of New Jersey

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

RESOLUTION 2019-51

WHEREAS, the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, has received applications for the renewal year 07/01/2019 to 06/30/2020 of liquor licenses; and

WHEREAS, each application for renewal was accompanied by the following fees: Plenary Retail Consumption \$826.80, Plenary Retail Distribution \$609.60, and Club License \$63.00; and

WHEREAS, each application also electronically submitted to the Division of Alcoholic Beverage Control a \$200.00 check; and

WHEREAS, the following submitted electronically to the State of New Jersey **Plenary Retail Consumption Liquor License** retail applications;

Wedgewood Inn, LLC, 2165 Rt. 57, Broadway, NJ, 08808
License# 2105-33-001-005

Playmakers Sports Bar & Grill, LLC, 288 Anderson Rd, Asbury, NJ,
License# 2105-33-003-012

WHEREAS, the following electronically submitted to the State of New Jersey a **Plenary Retail Distribution License** renewal application;

Village Discount Liquors, LLC; 2299 Rt. 57, Broadway, NJ,
License# 2105-44-004-003;

WHEREAS, the following **Club License** was electronically submitted to the State of New Jersey for license renewal.

Warren County Rod & Gun Club No. 1, 279 Bloomsbury Rd., Asbury, NJ,
License# 2105-31-006-001

WHEREAS, the applicants for renewals have provided proof of tax clearance as issued by the New Jersey Division of Taxation; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin, County of Warren and State of New Jersey, that the applications received for Plenary Retail Consumption, Plenary Retail Distribution and Club License have been duly inspected and that all appropriate documentation and fees have been submitted along with said applications and as such, the licensee applications are deemed complete and renewals of the same are hereby granted and that aforementioned liquor licenses for the year July 1st 2019 to June 30th 2020 be accepted and approved for issue

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Municipality is directed to execute the license certificates and deliver the same on behalf of the Township of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin that this resolution shall take effect immediately.

The within **Resolution 2019-51** was moved by Committeeperson Jeannene Butler and seconded by Committeeperson Mike Ferri and upon roll call vote was passed.

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

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

Dated: June 3, 2019

CERTIFICATION

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, June 3, 2019.

Denise L. Becton, RMC/CMR
Municipal Clerk

Resolution 2019-52

**TOWNSHIP OF FRANKLIN
WARREN COUNTY
AUDIT REPORT YEAR: 2018**

**CORRECTIVE ACTION PLAN
RESOLUTION 2019-52**

Whereas, the Township Committee of Franklin has received and reviewed the Annual Audit Report for the Year 2018 and;

Whereas, the Chief Financial Officer has prepared the following corrective action plan in accordance with the reports findings as follows;

Be It Resolved, The Summary of Auditor's Results for 2018; **NONE**

Now, Therefore Be It Resolved, by the Township Committee of Franklin that a certified copy of this corrective action plan resolution be transmitted to the Director of Local Government Services.

On motion by Jeannene Butler and seconded by Mike Ferri the aforesaid **Resolution 2019-52** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jeannene Butler	X		
Mike Ferri	X		
David Guth	X		
Michael Toretta	X		
Mayor Jeff DeAngelis			X

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

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON June 3, 2019.

Denise L. Becton, Municipal Clerk

Dated: June 3, 2019

Resolution 2019-53

RESOLUTION 2019-53

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

Property Address	Block	Lot	Property Owner	Cost
45 Thatcher Avenue (05/15/19)	35	5	Sec'try HUD % Info Syst.	\$ 45
6 Montana Rd. (05/15/19)	3	1.04	Deutsche Bank	\$ 80
36 Halfway House Rd. (05/29/19)	15	15	Richard & Lisa Standish	\$ 60
11 Quarry Road (05/07/19 & 05/15/19 High Grass 12")	34.04	3	Federal Home Loan Mrtg.	\$450
8 Millbrook Road (05/15/19)	24	4	Quicken Loans, Inc.	\$ 70

On motion by Jeannene Butler and seconded by Mike Ferri the aforementioned **Resolution 2019-53** 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
(4) Yes (0) No (1) Absent Motion Carried			

Dated: June 3, 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 June 3, 2019.

Denise L. Becton, RMC/CMR
Municipal Clerk

NEW BUSINESS

Report/Update

New Jersey State Police –Trooper O’Dell, present this evening, is also our school resource officer at Franklin Township Elementary. Trooper reviewed May stats for Franklin Township, to name a few; 4 investigations, 2 DUI’s, 11 medical assists, 4 accidents, 80 motor vehicle stops, 26 summonses and 50 warnings issued. It is getting hot outside, stay hydrated and stay safe and don’t forget your pets as well, don’t leave them in a hot vehicle or outside for several hours. With all the heavy rains we have been experiencing, be aware of flooding conditions on the roadways. A Hazards/Special Notice at Address, Request Form, was handed out to make available to our residents, this will be placed on our website, under Forms/Applications.

First Reading/Adoption – Resolutions

RESOLUTION 2019-50

A RESOLUTION OF SUPPORT FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION’S PROPOSED PROJECT ENTITLED “RT. 57 BRIDGE OVER MILLBROOK ROAD” IN THE TOWNSHIP OF FRANKLIN, WARREN COUNTY, NJ

Explanation: This resolution supports the proposed NJDOT Project entitled “Rt. 57 Bridge over Millbrook Road.

WHEREAS, the NJ Department of Transportation (NJDOT) has proposed the project entitled “Rt. 57 Bridge over Millbrook Road” which is in need of replacement due to its age and condition; and

WHEREAS, the NJDOT has ultimately deemed the bridge structurally deficient and functionally obsolete, recommending replacement.

WHEREAS, The Township Committee of Franklin Township, Warren County, NJ has specified Alternative #3, Bridge Replacement while overbuilding the bridge to accommodate maintaining two lanes during construction.

NOW THEREFORE BE IT RESOLVED, by the Township of Franklin in the County of Warren, NJ that we do hereby support the proposed “Rt. 57 Bridge over Millbrook Road” project.

On motion by Mike Ferri and seconded by Jeannene Butler the aforesaid **Resolution 2019-50** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jeannene Butler	X		
Mike Ferri	X		
David Guth	X		
Michael Toretta	X		
Mayor Jeff DeAngelis			X
	(4) Yes	(0) No	(1) Absent Motion Carried

CERTIFICATION

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on June 3, 2019.

Denise L. Becton RMC/CMR

Dated: June 3, 2019

Discussions/Approvals/Executions:

Asbury Willows Pocketed Liquor License

Attorney Benbrook briefed the committee, as we have not heard from the owner of this license as to renewing or selling it. If we don't hear anything, by July 30th, this license will be lost and the township will not be able to get it back. Attorney to keep us posted in the months following.

SA Comunale – An additional Service Follow-Up Proposal

The following issues were identified during service work that was completed on our Sprinkler System on 5/16/2019 as follows:

1. The existing 6" OS&Y valve does not hold and needs replacing.
2. During the 5 year internal inspection, buildup of sludge and needs to be flushed out. Sludge can prevent the heads from operating properly.

A quote of \$4,894.00 was received to apply all the necessary repairs, as stated in the Proposal. This item will be tabled until next month to check with the CFO as to availability of funds in Capital.

OLD BUSINESS

REPORTS/UPDATES:

Engineer Report – Report submitted and on file, see below:

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 January 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. The majority of work during the months of March and April was conducted in Greenwich Township. Little work has occurred in Franklin Township since the resumption of construction for the project in February. The primary hold up remains the issuance of the road opening permit for Edison Rd (CR 633) along with the two culvert crossings along Stewartsville Rd. Our office has been coordinating with both the contractors and the County in an effort to bring this matter to closure by the issuance of the appropriate permits.
- A joint meeting was held at our office on April 16, 2019 between OU2 representatives (Arcadis & Rio Tinto) and Warren County representatives (County Administrator, Freeholder Sarnoski, and County Engineer). A detailed discussion took place regarding the outstanding permits and their respective status. It appears that the County may be issuing the permits for the 2 culvert crossings along Stewartsville Rd in the near future. Unfortunately, there appears to be a “stalemate” between the County and OU2 on the Edison work and associated permit. As of the date of this report, I am unaware of any resolution to this matter.
- I have recently contacted Nica Klaber regarding the need to resolve the long standing Air Release Valve (ARV) locations and final design configuration. A site inspection (walk-thru) is scheduled for June 11, 2019 between our office and the EPA reps. Dave Guth will be attending this meeting as well.
- A joint meeting between Warren County, New Jersey American Water Company and the EPA was held on May 20, 2019. The primary purpose of the meeting was to review all of the outstanding items/issues between the County and the OU2 reps in an effort to bring the various issues to closure and to allow the project to get “back on track”. I was not in attendance at the meeting but have spoken with representatives from both the EPA and the County subsequent to their meeting. It appears that all of the previously outstanding issues were resolved to the point where Arcadis will be supplying the County with revised plans with the intent that the County will be in a position to approve same allowing all the necessary permits to be issued. The time frame for construction to resume in Franklin Township was not relayed to me.
- 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 Stewartville 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 Stewartville Road in the amount of \$160,000. Please be advised that there could potentially be a shortfall between the actual costs and the grant amount. Our office estimated a total cost, including inspections and testing, of \$234,285. We requested \$198,000 and received \$160,000.
- This budget shortfall was discussed in detail at the March 5, 2018 Committee meeting. Based upon the fact that the Township will be getting ½ of the road paved through the Water Main Project, we inquired with the NJDOT regarding that fact and its potential impact on the Grant. As reported, our office will need to develop a Scope Modification to confirm the ability to have the DOT participate in only ½ of the roadway. We are presently working on same. We are confident that this will work out in the best interest of the Township. Our latest estimate, considering only paving half of the road, equates to a new estimate of approximately \$152,500.00 (incl. inspection & testing), which would be completely within the Grant allotment from the DOT, with no shortfall.
- Our office has been in contact with Montana Construction (the OU2 water main project contractor) in respect to the necessary coordination with Montana's paving contractor in an effort to complete a full width overlay of the entire length of Stewartville Road. My discussions have been positive relative to their willingness to work with the Township in a collaborative way to achieve the goal of a full width overlay.
- The Township Committee previously authorized our office to begin the required field survey work and initiate the development of the Construction Plans for the project. Our office has completed the survey work for the project and are presently developing the base maps and continuing our work on the construction drawings. We anticipate completing the construction plans in the near future and then a submission will be made to the NJDOT for their approval.
- At the Aug. 6, 2108 Township Committee meeting, the Committee decided to delay the start and construction phase of the DOT Grant project until the completion of the OU2 Water Main Ext. Project(see report item #2 above) based upon the large amount of truck traffic impacting Stewartville Rd. Our office will still need to coordinate this project with the paving phase of the OU2 Water Main project so that the entire Road (½ -OU2 and ½-DOT Grant) will be paved at the same time as discussed above. This will require our office to secure the DOT's approval of our Plans and Spec.'s to insure there would be no delay in being able to start the DOT funded portion of this Roadway paving operation.
- 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.

3. 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.
- Our office received a "Conditional Approval" letter, dated May 6, 2019 from, the Warran County Planning Department. Our office has addressed the vast majority of the comments contained within their letter. We have spoken with County Engineer Bill Gleba, P.E, regarding their letter and have scheduled a meeting with Bill and the Planning Department for Wednesday June 5, 2019 where we will review the revised plans versus their review letter. We anticipate that all of their final comments will be addressed and that the project will very soon be Unconditionally Approved. Please be advised that a few administrative items (SWM Maintenance Responsibility and entering into an agreement with the County on Ownership and Maintenance for the Flashing Pedestrian Crossing Signs) remain outstanding.
- I will continue to keep the Committee apprised as the project moves forward.

5. 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.
- We were recently notified via NJDOT letter, received April 1, 2019, that the Township was awarded a Grant in the amount of \$122,000 for Montana Rd, Section 1.
- At the May 6, 2019 Committee meeting, our office was authorized to begin the work associated with the development of construction plans for this project. We will keep the Committee apprised of the status of our work moving forward.

6. Beidelman Road (Block 16, Lot 9) Major Subdivision: Mt. Laurel Settlement (No change since last report)

- This project is a primary component of the Township's Mt. Laurel Settlement Agreement with FSHC. It consists of an 8 lot Major Subdivision with each lot being approximately 0.5 Ac. with direct road frontage along Beidelman Road. Each lot will contain a Single Family Dwelling with a driveway and a Septic System. Habitat for Humanity has previously expressed their interest in purchasing these lots from the Township to facilitate the construction of the homes. In order for the Township to be able to transfer/convey these lots to "Habitat" (or another entity), the lots need to be created as they currently are part of the mother parcel (B-16, L-9). The creation of these 8 new lots plus the large "remaining lands" lot will be developed via a Preliminary & Final Major Subdivision Application that will be submitted by the Township to the Township LUB. We will continue to move forward with this project as it is my understanding that timing is somewhat critical based upon the terms of the Settlement Agreement with FSHC. I will be providing the Committee members with a sketch of the proposed lot layout for their information.
- I distributed a plan to the Committee at the April 2, 2018 meeting. A number of Beidelman Road residents were in attendance at the meeting. At the May 2, 2018 LUB meeting, many residents were in attendance regarding this matter. There has been communication between township professionals regarding the manner in which to "perfect" the subdivision and create the new lots. This procedure will be finalized soon and a courtesy presentation of the Plan may occur at the June 6, 2018 LUB meeting. There is an additional question which will also need to be resolved very soon and that is the total number of lots to be created by the Township in conjunction with this subdivision. 8 new lots are currently shown on the Plan. Our Mt. Laurel Settlement agreement only requires 6 lots on this property and therefore, there may be a reduction in the Plan to only create 6 new lots and a remainder versus 8 new lots and a remainder.
- At the May 7, 2018 Committee Meeting, a number of interested residents were in attendance to discuss this project. It was explained about the need to create these lots for future low and moderate income dwelling units. It was also determined that the Township would only proceed with the creation of 6 new building lots. Discussion ensued regarding the need to perform preliminary soils testing in an effort to confirm the viability of each of the proposed lots for the design and future construction of a septic system. Our office has been moving forward with this investigation and is coordinating with the Township DPW regarding excavation for the soil logs. The logs were originally scheduled to be dug on Friday May 25, 2018. Soils testing did proceed at the site on June 7, 2018. I am pleased to report that satisfactory results were obtained for each of the proposed 6 building lots.
- Our office completed the development of the Final Subdivision Plan which was sent to the Twp. the week of July 24, 2018. The Plan was presented to the Land Use Board as a "courtesy"/Informal presentation at the Aug. 8, 2018 LUB meeting. The application received a "positive" review from the Board. Some minor improvement comments were made by various Board members which will be incorporated into the "Final" Subdivision Plan prior to its recordation.
- This matter was discussed at the November 5, 2018 Committee meeting where Attorney Benbrook advised the Committee that the MOU has been signed and executed. At this point, our office will proceed to make the few minor plan

changes that were agreed upon in an effort to have the lots in a position to be recorded so that they can be conveyed to Habitat.

- Our office recently revised the Subdivision Plan to incorporate various comments and recommendations made by both Habitat and the Land Use Board (as referenced above). The revised plan was recently circulated within the Township for final review and comment. No further changes were provided. Additionally, I believe that Attorney Benbrook has forward the revised plan to Habitat and it was also found acceptable. The Township is now in a position to record same and look to convey the first lot to Habitat. Our office provided the Township with final prints at the April 1, 2019 Committee meeting.
- Our office 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.

7. Montana Road- Partial Roadway Failure

- 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 project was discussed at the April 1, 2019 TC meeting. The Committee authorized the DPW to proceed with the work in question It is my understanding that the DPW is acquiring all the necessary materials, including the Gabion Baskets, for this project. Our office is continuing to work with the DPW on this project and the potential coordination with the 2019 NJDOT Grant project for Montana Rd. I would look to Ron Read for an update on the DPW’s schedule for this work.

Engineer Finelli briefed the committee as to two items, not on his report this evening:

- a. Annual Stormwater Audit – we just completed an audit and two things were noted, the DPW trucks are not to be washed at the municipal garage and the Foreman will need to prepare a list of stormwater facilities, maintenance, etc., annually.
- b. Lastly, the NJDOT 2020 Grant Application has been moved up to process the application and will be due by July 19th.

Attorney Report – Report on file

Attorney Benbrook reviewed a few items on his report with the township committee. The recorded Lipari property was handed to the clerk to file and are free to advertise for sealed bids or auction. Next month the committee should seriously consider hiring specialized counsel, Steve Gouin, to assist in negotiation any Redevelopment Agreement and PILOT that we might have to address.

A subcommittee of Mike Toretta and Mayor DeAngelis will assist with the Pohatcong Creek Solar project. A meeting will be set up soon to discuss the startup of this project.

Mr. Benbrook informed that he has been in contact the Department of Agriculture as to the fly situation in the township and hopefully we will get somewhere with someone in the Department who has a background of dealing with ISE Farms in the past.

Mountain View Road East was closed the other weekend by the Washington Township Police Department, without our knowledge or consent, due to an event at the Blue Army Shrine. Attorney will prepare, a polite but firm, letter addressing the matter with hopeful resolution.

Open Space Commission – No one present

Jim Onembo – Code Enforcement/Zoning

Recycling –

The Municipal Clerk informed that our Annual Spring Clean Up is this Saturday, June 8th from 7:00 am – 3:00 pm. Committeeman Guth informed that cans and propane bottles have been taken to Kober's and received money for recycling accordingly. Deputy Mayor Toretta advised, Kober's, also recycles metals and will pay you for this. Also, takes refrigerators and removes Freon from appliances.

Fire Department/OEM – Raymond Read –

Chief Read informed that, to date, Fire/EMS have registered 400 calls averaging 2-3 calls a day. Park Fest is this weekend, June 8th from 11:00 am – 5:00 pm. All annual PEOSHA testing and services on vehicles have been completed. Thank you to all of his members for their countless hours day and night they put in.

DPW REPORT – Ron Read – No Report Submitted – Not present

Committeeman Guth informed that the lighting upgrade project has been completed at the municipal garage. Illegal dumping still occurring at the recycle center whether the gate is unlocked or locked, as they will drop in front of the gate. Need to look into the budget for possible increase of surveillance making it more efficient.

Franklin Township Youth Association – No representation present this evening

Township Committee Reports:

David Guth – nothing further to report

Jeannene Butler - nothing further to report

Mike Ferri - nothing further to report

Jeff DeAngelis, Mayor – absent

Mike Toretta –

Mr. Toretta informed that he followed up as to a complaint of piles of manure on a farmers' property. After investigating, found no piles of manure, only visible mushroom soil which is compost, not mixed with chicken manure, and doesn't contribute to a fly source. Farmers do not take poultry manure from ISE and store on any farm property. Mr. Toretta informed that ISE puts jugs around the perimeter of the farm with fly lure, as well as in the manure, which helps with the fly problem. Attorney Benbrook advised the Department of Agriculture that in the last three years the fly problem has increasingly gotten worse. The rumor of a septic truck carrying egg wash should have paperwork to identify what and where it is going. Mr. Onembo encourages the committee to take a tour through ISE surprisingly no visible fly problem in the chicken houses.

Committeeman Guth informed that a property located at 11 Quarry Road, that has been in despair for quite some time. The shed was full of garbage and feces as well as garbage that was thrown over the back deck and had no electricity or running water. After speaking with the Sheriff's Department, they evicted the people from the residence and a remediation team cleaned up the property. Mr. Taborelli, our township subcontractor for lawn maintenance, has cut the lawn. Happy to report, per Mr. Guth, that this has helped somewhat with the fly situation.

OPEN PUBLIC SESSION – Opened at approximately 7:50 pm. Unanimous Vote.

At this time, Deputy Mayor Toretta opened the floor for any/all public comments.

Mr. Toretta informed that no application has been received by the Land Use Board, as to a potential warehouse on Block 58 Lot 1.

Numerous residents in attendance this evening in opposition of this potential warehouse. Hearing the same concerns from May's meeting; increased truck traffic on Bloomsbury Road and in Asbury and safety of our children. Additional concerns including a beautiful scenic river across from the property, has there been independent environmental studies and how will this affect the townships' liability insurance.

Bob Taylor – Would like to know where people stand on the committee, with elections tomorrow, I would like to know before I cast my vote.

Committeeperson Ferri - The property has been zoned industrial since 1970, if the application meets criteria, not one of us up here can stop it. With redevelopment we can tailor the project if/and when it does come in.

Committeeperson Guth – I am not up for re-election tomorrow, however, this is a conforming use and if we say no we would have no say as to what is being built on this property. I can't tell you how I feel about something that isn't here. I pay approximately \$15,000 in taxes and can't even go outside and enjoy my own yard with the flies. I deal with the flies, Victaulic, the Pallet Company and the construction traffic.

Committeeperson Butler - There is nothing here that we are putting in a warehouse and we want more control over what could come in on this property. We want to hear what you have to say and we want to do what is best for the entire township. That is what I want to do. I am listening to what everyone is saying.

Attorney Benbrook informed we received a letter from NJDCA as to their review of our adopted resolution determining Block 58 Lot 1 to be an area in need of redevelopment and after a review from the Highlands Council found it consistent with the Highlands Master Plan and gave it the green light, this is very positive.

Deputy Mayor Toretta informed that we really need to wait until we get an application before we start asking and answering questions, so we know what we are talking about.

CLOSE PUBLIC SESSION - At this time Deputy Mayor Toretta closed public session at approximately 8:25 pm. Unanimous Vote.

MOTION FOR PAYMENT OF BILL LIST:

On motion by David Guth 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

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

MOTION FOR ADJOURNMENT:

On motion by David Guth and seconded by Mike Ferri, hearing no objection, meeting stands adjourned at 8:28 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 (1) Absent		Motion carried

Respectfully submitted,

Denise L. Becton
Municipal Clerk