

MINUTES
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH
WORK SESSION/REGULAR MEETING
THURSDAY, JULY 11, 2024
7:30 PM

Franklin Township Municipal Building, 202 Sidney Road, Pittstown, NJ 08867

The meeting was called to order by Mayor Homulak at 7:30 pm. Mayor Homulak read the Open Public Meetings Act (OPMA) Statement and led the flag salute.

Roll Call: Sebastian Donaruma (present) Michael Homulak (present)
Craig Repmann (present) Deanna Seiple (present) Alexa Tarby (present)

Also present: Wade Baldwin, Attorney (Lavery, Selvaggi & Cohen, P.C.)
Christine Burke, Municipal Clerk
Frederick Roll, Department of Public Works (DPW) Supervisor
Adam T. Wisniewski, P.E., Engineer, Colliers Engineering & Design

Mayor Homulak briefly explained the agenda.

Comments from the Public on Agenda Items Only:

No one from the public spoke on Agenda Items.

Proclamations & Presentations: None.

Approval of Minutes:

Motion to approve the June 13, 2024, Township Committee/Board of Health Work-Session/Regular Meeting & Executive Session minutes: Repmann Second: Donaruma

Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Payment of Bills:

Motion to approve the Bills List: Donaruma Second: Repmann

Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2024-06: Ordinance to Amend Chapter 296 of the Code of the Township of Franklin Entitled "Stormwater Control" to Reflect Amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8, adopted July 17, 2023.

Motion to open Public Hearing: Repmann Second: Tarby All in favor. Motion carried.

Adam T. Wisniewski, the Township Engineer, explained how the ordinance continues and updates the original ordinance passed in 2004 and that the ordinance enacts the State's Administrative Code regarding stormwater. He further explained that the ordinance regulates projects that disturb an acre or more of land and increases stormwater control. He indicated that the ordinance was the model ordinance provided by the State and contained no revisions except to codify for the Township Code. He further indicated that the ordinance was now written in a way that would automatically update when the State updates the Administrative Code by referring directly to the State's Code.

Mayor Homulak explained that the Land Use Board (LUB) reviewed the ordinance and that they determined it was not inconsistent with the Master Plan.

Motion to close Public Hearing: Donaruma Second: Seiple All in favor. Motion carried.

Motion to adopt Ordinance 2024-06: Repmann Second: Tarby
Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

2. Introduction & First Reading of Ordinance 2024-07: Ordinance to Amend Chapter 298 of the Code of the Township of Franklin Entitled "Stormwater Quality" to add Article XI – Tree Removal and Replacement.
 - a. Public Hearing and Final Adoption scheduled for August 22, 2024.

Motion to introduce Ordinance 2024-07: Repmann Second: Seiple
Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Mayor Homulak explained that the Public Hearing would take place at the August 22nd Township Committee meeting. Deputy Mayor Donaruma explained that the ordinance was required by the State.

Resolutions:

1. Resolution 2024-37: Calling Upon the Veterans Administration to Create a Community Access Point in Hunterdon County.

Mayor Homulak explained that the Hunterdon County Commissioners had requested the resolution and that he was in support of creating a Veterans Administration Community Access Point in Hunterdon County. Upon questioning by Committeewoman Seiple, Mayor Homulak explained the distance Hunterdon County veterans had to travel to get to Veterans Administration health care services and that the County had been trying to get closer health care services for the county veterans.

Motion to adopt Resolution 2024-37: Repmann Second: Seiple
Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Board of Health: None.

Old Business:

1. Oak Grove Road Improvements Project

- a. Proposal for Professional Engineering Services – Oak Grove Road Improvements Project Phase III.**

Adam T. Wisniewski, the Township Engineer, explained that the proposal authorizes his firm to prepare bid specifications and plans for the project. He further explained that the project is the third phase of the Oak Grove Road Improvements Project and is funded by a state grant. He indicated that this phase would complete the improvements along Oak Grove Road. He briefly explained the grant amount and the cost of the project. Upon questioning by Mayor Homulak, the Township Engineer explained that a contract had to be awarded by November 23, 2024, but that the work could be completed the following year. He clarified that the award locks in the State grant funding.

Motion to approve the Professional Engineering Services Proposal for the Oak Grove Road Improvements Project Phase III: Repmann

Second: Tarby

Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

2. Affordable Housing

- a. Proposal for Professional Planning Services – Fourth Round Housing Element and Fair Share Plan.**

Mayor Homulak explained that the Township Committee had discussed the new Affordable Housing legislation in Executive Session at the last meeting and that the proposal was in response to the results of that discussion. Deputy Mayor Donaruma explained that the proposal would keep the Township in compliance with Affordable Housing legislation and that failure to stay in compliance could result in a risk of developers bypassing Township zoning laws.

Motion to approve the Professional Planning Services Proposal for the Fourth Round Housing Element and Fair Share Plan: Donaruma

Second: Repmann

Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

3. New Municipal Building (43 Lower Landsdown Road) – Status Update

- a. Results of Competitive Bid Opening held on Tuesday, July 9, 2024, at 10:00 AM for the Site Improvements on the Exterior of the Township’s New Municipal Building, Located at 43 Lower Landsdown Road.**
- i. Resolution 2024-38: Resolution of the Township of Franklin, County of Hunterdon, State of New Jersey Awarding the Contract for the Township’s New Municipal Building, located at 43 Lower Landsdown Road, Exterior Site Improvements Project to Top Line Construction Corp.**

Adam T. Wisniewski, the Township Engineer, explained that the exterior of the New Municipal Building was required to be brought into Americans with Disabilities Act (ADA) compliance to obtain Construction Code approval and that the parking lots, sidewalks, front door and various Police

Department requirements were included in the proposal. He further explained that bids had been opened on Tuesday, that three bids had been received, described the low bidder and compared the bids that had been received. He indicated that his experience with Top Line Construction Corp. was positive and that he anticipated a good performance from the company. He further indicated that the completion of the work stayed in line with the possibility of a Fall opening of the New Municipal Building and recommended that the contract be awarded to Top Line Construction Corp.

Motion to adopt Resolution 2024-38: Tarby

Second: Repmann

Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

New Business: None.

Committee Member Reports:

Committeeman Repmann reported on the status of the senior affordable housing project behind the Cracker Barrel Restaurant, indicating that progress was being made, that the project had been awarded water capacity and that sewer capacity was being "ironed out".

Committeewoman Seiple reported that she had been coordinating with Committeewoman Tarby on Franklin Township's participation in the Hunterdon Games.

Committeewoman Tarby reported on the upcoming Hunterdon Games at Heritage Park, indicating that interested residents would be able to sign up online and that Donald Scott had agreed to coach the Township's team. She further indicated that Franklin Township had placed fourth the prior year and that the online signup form would include questions regarding skill level. She explained that a meeting would take place at the Quakertown Recreation Club to coordinate the event. Committeewoman Seiple encouraged those who might be interested to attend the meeting. Committeewoman Tarby indicated that individuals interested in filling support roles could also sign up via the online form and that the signup link would be sent to the Township Clerk for distribution.

Committeewoman Tarby also reported on the results of the previous night's Land Use Board (LUB) meeting which addressed the Stormwater Ordinance and its consistency with the Master Plan. She advised those present that the LUB had determined that the ordinance was not inconsistent with the Master Plan and that the LUB Attorney had explained that the Master Plan serves only as a vision while the ordinance is the law. She indicated that a resident had inquired about the Master Plan's inclusion of Cannabis. A brief discussion followed regarding the cost to amend the Master Plan. The Township Attorney advised that the ordinance opting out of all cannabis businesses is the law and that soliciting the Township Planner to change the Master Plan would incur additional costs. Upon questioning by Committeewoman Tarby, the Township Attorney explained why an ordinance would be sent to the LUB for a Master Plan review and briefly described the procedure. Committeewoman Seiple indicated that she would be in favor of asking the Township Planner for a cost estimate for changing the Master Plan to remove the Cannabis language. Discussion followed which included a clarification of the process used to place the cannabis business implementation language in the Master Plan. Committeeman Repmann spoke in favor of a Township Referendum to poll the opinions of the voters. The Township Engineer

further explained how the ordinance controls development in the Township and that the Master Plan only serves as a vision. The Township Clerk advised of the Master Plan Amendment process.

Motion to request the Township Planner and Land Use Board (LUB) to remove Cannabis from the Master Plan for an amount up to \$5000: Donaruma Second: Tarby

Roll call: Donaruma (Aye) Homulak (Nay) Repmann (Nay) Seiple (Abstain) Tarby (Aye)

The Township Clerk explained that the motion was defeated.

Mayor Homulak requested that the Township Planner be contacted for additional information and that a formal opinion be acquired from the Township's legal counsel.

Deputy Mayor Donaruma reported that he had attended a Teams (online meeting application) meeting with a state representative regarding the Capoolong Trail. He indicated that he had acquired a copy of the state's engineer's report and that the long-term plan to repair the trail includes submitting applications for federal funding. He explained that the short-term plan consisted of utilizing private non-profit entities for funding and clarified possibilities for how that might be implemented. He further explained that the Department of Environmental Protection (DEP) would apply for any permits. He indicated that he was still seeking information regarding volunteers being insured under the Township's insurance policy.

Mayor Homulak thanked the Department of Public Works (DPW) for their efforts to address storm damage and indicated that he was not as impressed with the utilities' response to the recent storm. He explained the limitations of the Township's ability to clean up trees on downed wires. He further explained that he had engaged the Township's Emergency Management Official regarding the storm damage. He indicated that a joint meeting with Hunterdon County and Jersey Central Power & Light (JCP&L) would be taking place regarding local infrastructure upgrades. He explained that he could not attend the meeting and requested that another Committee member attend. Deputy Mayor Donaruma indicated that he could attend the meeting.

Mayor Homulak further reported that another grant opportunity had been received from Hunterdon County Parks & Recreation. Committeewoman Seiple read the County's letter from a personal device and indicated that the deadline to submit the application was September 20th at 4:30 pm. Deputy Mayor Donaruma recommended seeing if the grant could be utilized for a playground on the New Municipal Building property. Committeeman Repmann questioned if the grant could be utilized to address the trail property. The Recreation Subcommittee (Seiple & Tarby) indicated that they would investigate the Township's options.

Comments from the Public:

Bruce DeRites, 119 Locust Grove Road, commented on the dead ash trees in the Township and indicated that Jersey Central Power & Light (JCP&L) had explained two years prior that their tree-trimming efforts were in a five-year cycle. He requested that the Committee members attending the joint meeting

between the County and JCP&L remind the power company of the need for tree-trimming. He further commented that the onus for removal of dead trees is on the homeowner. Mayor Homulak commented on the Township's limited success with JCP&L and recommended adding information to the newsletter. Mr. DeRites also commented on the support for cancelling the Cannabis Business Implementation Ordinance and expressed his support for removing the Cannabis language from the Master Plan.

Frank Tota, 16 Upper Kingtown Road, commented on the Land Use Board's (LUB) public hearing on cannabis and the public attendance at both hearings, indicating that residents were against factories in the Township. Committeewoman Seiple indicated that she shared Mr. Tota's observations.

Elizabeth Basile, 16 Upper Kingtown Road, commented on the timeline of the introduction, amendment and ordinance regarding cannabis, and indicated that the process was driven by money but did not take environmental impacts into consideration.

Executive Session:

The Township Attorney explained the need to enter Executive Session, that action may be taken, and that all attendees of the meeting could wait outside of the meeting room except for the Committee, the Department of Public Works (DPW) Supervisor, the Township Clerk, and the Township Attorney.

Upon confirmation of the absence of all but the required attendees, the Township Clerk stopped audio recording of the meeting.

Motion to enter executive session: Repmann
All in favor. Motion carried.

Second: Donaruma

Committee entered Executive Session at 8:43 pm.

Topics discussed:

1. Personnel – Department of Public Works (DPW) Staffing.
2. Attorney-Client Privilege/Litigation/Contractual – Lease of Township Owned Property – Quakertown Volunteer Emergency Medical Services (QVEMS).

The Department of Public Works (DPW) Supervisor left at 8:57 pm.

Committee exited Executive Session at 9:07 pm.

Motion to exit executive session and resume regular meeting: Seiple
All in favor. Motion carried.

Second: Tarby

The Township Attorney explained the topics discussed in Executive Session, that action would be taken, and that minutes would become available once the need for confidentiality was no longer required.

Action by the Committee:

Motion to hire the employment candidate as discussed in Executive Session: Seiple

Second: Donaruma

Roll call: Donaruma (Aye) Homulak (Aye) Repmann (Aye) Seiple (Aye) Tarby (Aye)

Adjournment:

Motion to adjourn: Repmann Second: Unrecorded

All in favor. Motion carried.

Meeting was adjourned at 9:09 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 08/22/2024