

MINUTES
FRANKLIN TOWNSHIP COMMITTEE
WORK-SESSION/REGULAR MEETING
THURSDAY, JUNE 10, 2021
7:30 PM

(Location Changed to Online Application: Zoom - <https://us02web.zoom.us/j/83192056518>)

The meeting was called to order by Mayor Koury at 7:31 pm. Mayor Koury read the OPMA Statement and led the flag salute.

Roll Call: Mayor Philip Koury (present) Deputy Mayor Diane Burgess (absent)
Sebastian Donaruma (absent) Mike Homulak (present)
Craig Repmann (present)

Also present: Katrina L. Campbell, Municipal Attorney
Christine Burke, Municipal Clerk
Captain Timothy Snyder, Police Department
George Reichert, Office of Emergency Management
Virginia Evans, Board of Education
Peter Vastola, Animal Control Officer (Animal Control Solutions)
Jose Ortiz, JCP&L
Darlene Green, Township Planner (Colliers Engineering & Design)

Comments from the Public on Agenda Items Only:

No one from the public spoke regarding Agenda Items.

Proclamations & Presentations:

1. Animal Control Solutions – Peter Vastola, Field Operations Manager – Introduction and Ordinance Update Suggestions.

Peter Vastola, Field Operation Manager, Animal Control Solutions, introduced himself and indicated his desire to ensure the Township's satisfaction with its animal control services. He questioned if the Township had any requests for improvements or changes and suggested some changes to the Township's ordinances regarding animal control fees and dangerous dogs. Upon request by Mayor Koury, Mr. Vastola explained that Animal Control Solutions is responsible for enforcement of domestic animal control ordinances, addressing sick or injured wildlife, investigating bite reports, and issuing animal control related tickets.

Upon Mayor Koury's invitation to question Mr. Vastola, Committeemen Homulak and Repmann indicated that they did not have any concerns or complaints. Captain Snyder, Police Department, indicated he had no complaints and expressed his appreciation for the company's services. Captain Snyder explained that Animal Control Solutions had been serving the Township for six years. Upon questioning by Mayor Koury, Mr. Vastola explained how the COVID-19 pandemic had affected animal control calls in the Township, indicating that domestic animal complaints had been quiet but there was

an increase in wildlife activity. He further explained that he anticipated an increase in incidents with animals acquired during the pandemic. Upon invitation by Mayor Koury, no member of the public came forward to question Mr. Vastola. The Township Clerk indicated that the staff has had good experiences with Animal Control Solutions, citing their responsiveness.

Mr. Vastola explained ordinance suggestions that affect funding and cover bite instances not addressed by the Dangerous Dog Act. Mayor Koury indicated that the funding suggestions would be brought to the attention of the CFO. The Township Attorney indicated that the ordinance suggestions had been forwarded to her and that she would investigate further.

2. JCP&L – Jose Ortiz – Customer Outage Talking Points and Reporting Outages.

Mayor Koury introduced Jose Ortiz, the Township's current contact liaison with JCP&L, and praised him for his responsiveness during the recent storms.

Jose Ortiz reminded the Committee that he had been filling in for Stan Prater who had been out on medical leave and has been moved to another position within the company, resulting in the need to find a permanent replacement.

The Township Clerk provided Mr. Ortiz with host privileges at 7:41 pm to share a PowerPoint presentation.

Mr. Ortiz presented internet and mobile tools that could be used to access outage information. He explained some options that could be found on mobile devices and JCP&L's website. He indicated that mobile devices could be programmed with alerts and reminders and that the website could be accessed without sign-up or application installation. He further indicated that additional information could be located on the company's social media (Twitter and Facebook) pages. He provided a list of important phone numbers and the website's address (firstenergycorp.com). Mr. Ortiz explained that JCP&L staff is increased when a region is experiencing an event. Mayor Koury requested that a copy of the presentation be forwarded to the Township Clerk for inclusion on the Township's website.

Mr. Ortiz updated the Committee on the tree trimming cycle that affects the Township, citing efforts at the Clinton and Cherryville Substations. Upon questioning by Mayor Koury, Mr. Ortiz agreed to seek a status update on replacements made to connectors in municipal areas that experience bad outages due to contact loss when it is windy. Upon Mayor Koury's invitation to question Mr. Ortiz, Committeeman Homulak, Committeeman Repmann, George Reichert (OEM) and Captain Snyder, indicated that they did not have any questions.

Upon Mayor Koury's offer for the public to speak to Mr. Ortiz, Elizabeth Shaw, Rural Awareness, expressed her appreciation for the service provided by JCP&L. She further expressed her displeasure for the services provided by CenturyLink and Comcast, citing delays to correct service disruption. Upon her request that JCP&L train other companies, Mr. Ortiz indicated that there were some joint use team options JCP&L could use to assist in service recoveries and requested that the Township contact him in such events.

Upon the return of host privileges to the Township Clerk, Darlene Green, Township Planner, and Elizabeth Shaw, Rural Awareness, entered the meeting at 7:52 pm.

Approval of Minutes

Motion to approve the May 27, 2021 minutes Work-Session/Regular Meeting: Repmann

Second: Homulak

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

Payment of Bills

Motion to approve the Bills List: Repmann Second: Homulak

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

Mayor Koury welcomed the Township Planner to the meeting.

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2021-06: An Ordinance to Create Chapter 285 of the Township of Franklin, Hunterdon County, New Jersey to Prohibit Smoking and Consumption of Tobacco and Cannabis Products in Public Places.

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

No members from the public came forward to speak.

Motion to close Public Hearing: Homulak Second: Repmann All in favor. Motion carried.

Motion to adopt: Homulak Second: Repmann

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

2. Introduction & First Reading of Ordinance 2021-08: Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey to Amend Revise and Supplement Chapter 182, "Fees," of the Code of the Township of Franklin to Correct a Typo and to Provide for a Penalty for Failing to Comply with Section 182-12.
 - a. Public Hearing and Final Adoption scheduled for July 8, 2021.

The Township Attorney explained the ordinance's objective to correct a typographical error regarding an anacronym in a previously adopted ordinance and the addition of a provision to enforce compliance.

Motion to Introduce: Homulak Second: Repmann

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

3. Introduction & First Reading of Ordinance 2021-09: An Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey Prohibiting the Operation of Any Class of Cannabis

Businesses Within Its Geographical Boundaries and Amend Chapter 220 "Land Use," Article VI "General Zone Regulations," Section 30 "Prohibited Uses," of the Code of the Township of Franklin to Add Cannabis Businesses to the List of Prohibited Uses.

- a. Public Hearing and Final Adoption scheduled for July 8, 2021.

Motion to Introduce: Homulak Second: Repmann

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

The Township Attorney explained that the ordinance opts out of the provisions of the cannabis legislation to provide time to put the revisions through the Land Use Board for review and control. Darlene Green, Township Planner, advised the Committee on how to adjust the Township Code and Master Plan to accommodate the legislation. The Township Attorney and Township Planner responded to Committeeman Repmann's questions regarding cultivating and manufacturing zoning ordinance changes and possible locations for retail distribution. The Township Planner offered examples of conditional use options and explained that placing cannabis under conditional uses would provide the Township with more control. Upon questioning by Mayor Koury, the Township Planner confirmed that the most recent re-evaluation of the Master Plan had taken place two years prior and that subject ordinances had been implemented the previous year. Mayor Koury requested that the Township Planner research and provide suggestions for future implementation of the cannabis legislation. Upon polling by Mayor Koury, Committeeman Homulak indicated that he did not have any comments and Committeeman Repmann indicated that the Clinton Walmart shopping complex was the only sensible location for retail distribution. Mayor Koury reiterated, and the Township Attorney confirmed, that the ordinance opts out of the cannabis legislation to provide the Township time to perform due diligence research into the Township's options.

Mayor Koury offered the public an opportunity to speak on the ordinance.

John Benscoter, 171 Old Franklin School Road, questioned why the Township was considering restrictions when the State had not yet put out any recommendations on restrictions and regulations. Mayor Koury reiterated the Township's desire to acquire more time to perform due diligence research.

Resolutions:

1. Resolution 2021-24: Delaware, Franklin & Kingwood Townships' Joint Bid Award – Road Maintenance & Repair Materials.

Motion to adopt: Homulak Second: Repmann

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

2. Resolution 2021-25: ABC License Renewal – Clinton Elks Lodge No. 2434.

Motion to adopt: Repmann Second: Homulak

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

3. Resolution 2021-26: ABC License Renewal – Quakertown Recreation Club.

Motion to adopt: Repmann Second: Homulak

Roll call: Burgess (Absent) Donaruma (Absent) Homulak (Aye) Koury (Aye) Repmann (Aye)

Staff Administrative Reports:

Police: Captain Snyder indicated that he had nothing to add to the report he had previously submitted to the Committee. He praised the Township’s police officers for their efforts regarding the “UDrive UText UPay Distracted Driving Crackdown” and “Click It or Ticket Mobilization” grant campaigns held the previous month.

Administrative: The Township Clerk reported that Primary Election Day had gone smoothly and that the Election Poll Workers expressed their appreciation of the breakfast and lunch provided by the Township.

OEM: George Reichert advised the Committee of a road rally supporting police and emergency medical services safety scheduled to take place in July. Mayor Koury expressed his appreciation and requested that information be forwarded to the Township for inclusion on the website.

BOE: Virginia Evans indicated that she did not have anything to report but was available to answer questions. She further indicated that Franklin Township School would be in session until the following Wednesday.

Old Business: None.

New Business:

1. SACD Farmland Preservation Program’s Continued Interest in Preserving Furlong Farm

Mayor Koury informed the Township Planner of the County and State’s interest in preserving the Furlong Farm on Pittstown Road and explained the Committee’s concerns regarding preservation along a county road and its potential impact on possible future development. The Township Planner agreed that the subject farm had a lot of frontage on Pittstown Road and that it would be possible to develop the area with approved relief from the Land Use Board. She offered subdividing out the portion along Pittstown Road as a possible compromise. The Municipal Attorney addressed Mayor Koury’s questions regarding Franklin Township’s percentage of preserved land and explained the Planner’s option of subdividing out the frontage on Pittstown Road. Mayor Koury reaffirmed his objection to the preservation of the Furlong Farm, citing that it was a matter of location and not funding. Committeemen Homulak and Repmann indicated that they had not changed their opinions regarding the preservation. The Township Attorney advised the Committee that the County had agreed not to preserve the farm if the Township did not agree with it, but no such assurances were provided by the State. Upon the Mayor’s solicitation of advice from the Township Planner and Township Attorney, the Township Attorney agreed to speak with the State on the Committee’s behalf.

2. Re-Opening Plan for Municipal Building to Meetings and Large Gatherings in Response to Governor's Release of COVID-19 Restrictions.

The Township Clerk explained the advice of the Township's insurance company regarding re-opening the Municipal Building to large gatherings such as private organization meetings. She indicated that the recommended options included adding COVID-19 specific language to the Facility Use Agreement or waiting until the autumn to allow people more time to become fully vaccinated. After brief discussion the Committee agreed to wait until the autumn to open the Municipal Building for anything other than municipal purposes.

Board of Health: None.

Committee Member Reports:

Committeeman Repmann reported that the graduation ceremony at Franklin Township School would be taking place the following day and that his daughter would be graduating with a speaking role at the ceremony. Mayor Koury expressed his congratulations to Committeeman Repmann's daughter.

Committeeman Homulak indicated that he did not have anything to report and expressed his congratulations to Committeeman Repmann's daughter.

Mayor Koury reported that the Land Use Board meeting held the previous day had gone smoothly and that there were no issues paying the bills. He indicated that the Land Use Board Chairman had decided that public hearings would revert to in-person meetings, but bills list approvals would continue to be conducted online. Upon questioning by Mayor Koury, the Township Attorney explained hybrid meeting options and indicated that the Township may not be technologically equipped to conduct hybrid meetings. George Reichert explained how his organization conducts in-person meetings while accounting for attendees that have not received a COVID-19 vaccination.

Comments from the Public:

Upon invitation by Mayor Koury, Elizabeth Shaw, Rural Awareness, indicated that she did not have any comments to make.

John Benscoter, 171 Old Franklin School Road, requested an update on the purchase of 43 Lower Landdown Road. The Township Attorney explained the status of ongoing inspections and that the ordinances were still in processing. Mayor Koury clarified the status of the septic and mechanical inspections. The Township Attorney indicated that a draft contract had been sent to the County for purchase of a portion of the land. Mr. Benscoter requested that status updates be included on future agendas. Upon further questioning by Mr. Benscoter, Mayor Koury indicated that the property fared well in the recent flash-flooding event and that most flooding took place on the Clinton side of the area. George Reichert explained the intensity of the storm and responded to Mayor Koury's questions regarding drainage issues within the Township.

Upon invitation by Mayor Koury, Virginia Evans, Board of Education, indicated that she did not have any comments to make.

Executive Session:

The Township Attorney explained the need to enter Executive Session, that action would not be taken, and that all attendees of the meeting could wait in the Zoom application's Waiting Room except for the Committee, the Township Clerk, and the Township Attorney.

Upon questioning by Elizabeth Shaw, Rural Awareness, the Township Attorney clarified that the litigation to be discussed was in reference to the denHollander Deed of Easement violation that had progressed up to the Supreme Court.

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

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

Committee entered Executive Session at 9:01 pm.

Topics discussed:

1. Litigation – SADC vs Quaker Valley Farms

Committee exited Executive Session at 9:14 pm.

The Township Clerk resumed audio-visual recording of the meeting.

Action by the Committee: None.

Adjournment:

Motion to adjourn: Repmann Second: Unrecorded All in favor. Motion carried.

Meeting was adjourned at 9:15 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 06/24/2021