

MINUTES
FRANKLIN TOWNSHIP COMMITTEE
WORK-SESSION/REGULAR MEETING
THURSDAY, OCTOBER 28, 2021
7:30 PM

(Location Changed to Online Application: Zoom - <https://us02web.zoom.us/j/83933756867>)

The meeting was called to order by Mayor Koury at 7:30 pm. Mayor Koury read the OPMA Statement and led the flag salute.

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

Also present: Katrina L. Campbell, Municipal Attorney (Lavery, Selvaggi, Ambromitis & Cohen)
Igor V. Bykov, Attorney (Lavery, Selvaggi, Ambromitis & Cohen)
Christine Burke, Municipal Clerk
George Reichert, Office of Emergency Management
Virginia Evans, Board of Education

Comments from the Public on Agenda Items Only:

No one from the public spoke regarding Agenda Items.

Proclamations & Presentations: None.

Approval of Minutes

Deputy Mayor Burgess requested that the word "systems" be changed to "grants" in her commentary regarding the new Municipal Building in the CFO report portion of the minutes.

Motion to approve the October 14, 2021, minutes Work-Session/Regular Meeting & Executive Session as amended: Repmann Second: Burgess

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

Payment of Bills

Motion to approve the Bills List: Repmann Second: Burgess

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

Ordinances:

1. Public Hearing and Final Adoption of Ordinance 2021-10: An Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey Authorizing the Lease for Agricultural Purposes of Certain Property Owned by the Township and Not Required for Public Purposes.

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

No members of the public came forward to speak.

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

Motion to adopt: Burgess Second: Repmann

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

2. Public Hearing and Final Adoption of Ordinance 2021-11: An Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey Authorizing the Lease for Hunting Purposes of Certain Property Owned by the Township and Not Required for Public Purposes.

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: Burgess All in favor. Motion carried.

Motion to adopt: Repmann Second: Burgess

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

Resolutions: None.

Staff Administrative Reports:

Administrative: The Township Clerk reminded those present that the following Tuesday was Election Day and encouraged everyone to vote. Deputy Mayor Burgess reminded those present of the availability of early voting and provided locations. Mayor Koury reminded those present that a Vote-By-Mail Drop Box was located at the Municipal Building.

CFO: Mayor Koury advised those present that he had spoken with the CFO regarding the Bills List and status updates on the new Municipal Building property.

Police: Mayor Koury advised those present that Captain Snyder was on vacation and that Sergeant Bollaro was in charge during his absence.

BOE: Virginia Evans, Board of Education, briefly reported on the upcoming School Election. She indicated that the school had found a full-time nurse and advised those present that the next Board of Education meeting would take place on November 22nd. Upon questioning by Mayor Koury, she advised those present that the meeting would take place in person with an available option to watch remotely. She clarified that those who watch the meeting remotely would not be able to participate.

Board of Health: None.

Old Business:

1. Lot Consolidation and Variance Plan Preparation, Lots 41 and 42, Block 16 – 204 and 206 Sidney Road, Lot 12, Block 36 – 326 Quakertown Road
 - i. Proposal – Rich Tree Service (State Contract #18-DPP-00645) – Tree Removal from 326 Quakertown Road (Block 36, Lot 12) - \$12,000.00

The Township Attorney advised the Committee that she had spoken with the Township Engineer regarding the proposal to remove trees from the property and indicated that the supplied quote was more extensive than necessary due to the inclusion of the Department of Public Work's recommendation to also remove the Ash trees from the property. She indicated that the Township Engineer would reach out to the soil testing company to specify the area that needed to be cleared and advised the Committee to request that the proposal be revised to include "not to exceed" language and specify the limited removal of trees from the property. The Committee briefly discussed the limited removal of ash trees from the property, specifying any trees with immediate impact to Quakertown Road.

Motion to allow the removal of trees from the property for an amount not to exceed \$12,000.00:

Repmann Second: Burgess

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

2. Discussion: Cannabis Implementation into the Current Zoning Ordinance.
 1. Authorize Darlene Green, Township Planner, to Prepare Master Plan Amendment.

Mayor Koury explained that previous action taken to Opt-out of cannabis implementation in the Township was to provide the Township with the necessary time it would need to Opt-in, indicating that the Township must amend the Master Plan to include cannabis implementation. Upon questioning by Deputy Mayor Burgess, the Township Attorney explained the step process and procedures needed to appropriately amend the Master Plan and adopt Cannabis implementation legislation.

Motion to authorize Darlene Green, Township Planner, to prepare a Master Plan Amendment:

Repmann Second: Burgess

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

The Township Attorney advised the Committee that she would ask the Township Planner to make a map indicating the locations being considered for cannabis implementation.

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

Mayor Koury explained that the CFO had met with Donnelly Energy to replace the lighting in the new Municipal Building with LED lights and informed the Committee that energy incentives were better this year than the previous year. Committeeman Homulak explained that the proposals for a Professional Project Manager would be discussed in Executive Session.

New Business:

1. 2021 Best Practices Inventory

Mayor Koury explained that the CFO and Township Clerk had submitted the annual Best Practices Inventory Survey, that the Township had scored high and would receive full funding from the State.

Committee Member Reports:

Committeeman Reppmann advised those present that the Halloween Trunk-or-Treat event had been cancelled due to impending weather.

Deputy Mayor Burgess reported on the status of the COVID-19 pandemic in the Township, indicating that there have been 262 cases since the beginning, and that the Township is experiencing about one case per week. She explained the status of COVID-19 cases in the school and the availability of booster vaccinations. She further reported that Trevor Wene, the Department of Public Works (DPW) employee that had been injured in a motor vehicle accident had returned to work and indicated the new crew member was scheduled to start on Monday, November 1st. The Township Attorney advised the Committee that they should formally hire the employee via official action and could memorialize the appointment by resolution at the following meeting.

Motion to hire Robert Podolec as a DPW Worker for \$20.00 per hour, starting November 1st: Burgess
Second: Reppmann

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

Deputy Mayor Burgess advised the Committee of the retirement plan submitted by Alan Dilley, Department of Public Works Supervisor, and recommended that the plan be memorialized. She explained that Mr. Dilley's last day in the office would be December 3rd, would be permitted to be compensated for accrued paid-time-off (PTO) by remaining on the payroll until March 1st of the following year, and his insurance coverage would be extended until April.

Motion to accept Alan Dilley's retirement plan: Burgess Second Reppmann

The Township Attorney explained that the Committee was approving keeping Mr. Dilley on the payroll rather than compensating him for his paid-time-off (PTO) via a single large payment. Upon questioning by Mayor Koury, the Township Attorney further explained that keeping Mr. Dilley on the payroll until March 3rd would keep him in the Township's medical insurance program until April.

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

Deputy Mayor Burgess reported on the efforts of the Environmental Commission and recommended that a resolution distributed to the Committee via email earlier in the day be added for approval by the Committee. She and Committeeman Reppmann explained that the resolution supported an amendment to the New Jersey Constitution regarding the rights of New Jersey citizens to clean air and water. Mayor Koury briefly read the resolution.

Motion to adopt Resolution 2021-45: Resolution in Support of "Green Amendment" to the New Jersey State Constitution: Burgess Second: Repmann

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

Deputy Mayor Burgess updated the Committee on the status of the Township's Sustainable Jersey Recertification Application, indicated that the Township had acquired 75 of the 150 points needed for recertification. She reported that a ban on plastic straws would go into effect on November 1st. Mayor Koury clarified that plastic straws were still available upon request until March 1st, 2022, at which time the full ban would go into effect. He further clarified that the ban also included plastic bags.

Deputy Mayor Burgess further reported that the State would be requiring PFAS water testing for any real estate sales beginning December 1st. She explained that the PFAS water test was not currently standard but is used to check for long-lasting contaminants in water. The Township Attorney explained that water testing required for real estate sales are handled privately between homeowners and outside companies will ensure that the proper testing is done before the conclusion of a sale. Deputy Mayor Burgess indicated that she would provide additional information to be placed on the Township website.

Committeeman Homulak reported on the Finance Subcommittee's meeting with the CFO regarding the Quarterly Update and explained discrepancies regarding the First Aid and Public Works line items. He clarified that the First Aid discrepancy was due to a County reimbursement grant and the DPW discrepancy was due to required line-item changes that were still in process.

Mayor Koury reported that the Department of Public Works (DPW) would return to full staff as of November 1st and that the Township Engineer had offered the Township the use of their Public Works Manager License as a courtesy until a member of the DPW acquired the license. He advised those present that he had spoken with the DPW regarding the maintenance of the Nixon Cemetery property and discovered that the department had been mowing the property as a courtesy to keep the site from becoming over-grown and unsightly. He indicated that the DPW would like the cemetery to find someone else to maintain the property. Upon questioning by Deputy Mayor Burgess, the Township Attorney advised the Committee that the property was a tax-exempt property and recommended contacting the Tax Assessor regarding the owner. Deputy Mayor Burgess recommended reaching out to Lora Jones, the Township Historian.

Mayor Koury reported that the Land Use Board meeting had been cancelled. He further reported that he would not be attending the NJLM Annual Conference, had been advised that NJLM was planning to increase dues for membership, and was authorizing Deputy Mayor Burgess to vote at the NJLM Annual Business Meeting on the Township's behalf.

Mayor Koury advised the Committee that he had been contacted by a resident of Tara Way regarding extending Comcast Internet services to Tara Way residents. He indicated that he had advised the resident to contact the State Board of Public Utilities. The Township Attorney explained the Board of Public Utilities standards for franchise agreements that indicate the number of homes required to be on a road before a service provider is required to extend service down the road. Mayor Koury advised those present that they could contact the Board of Education for hot spot equipment if their children

are having difficulty accessing the Internet. Mayor Koury reminded everyone to vote and indicated that the Township Clerk would be providing election poll workers with food.

Comments from the Public:

John Benscoter, 171 Old Franklin School Road, congratulated Mayor Koury for fifty years in the family business.

Laney Britten, 238 Hamden River Road, congratulated Mayor Koury for fifty years in the family business and thanked the Committee for approving Resolution 2021-45: "Resolution in Support of "Green Amendment" to the New Jersey State Constitution". She recommended that Raritan Headwaters be contacted for further information regarding well testing.

OEM: George Reichert reported that the recent heavy rain had caused erosion at the new Municipal Building property and indicated that he had spoken with the Department of Public Works but had not yet spoken with the County. He further indicated that the Department of Public Works believed they could handle the matter. Upon questioning by Mayor Koury, he indicated that he did not believe the Township would need to involve the Township Engineer.

Mayor Koury requested that the Township Clerk add OEM and BOE to the "Staff Reports" section of future agendas.

Suzanne Figler, 214 Sidney Road, indicated that she was just keeping up with the Township upon Mayor Koury's offer to comment.

Mayor Koury provided Halloween treats recommendations, citing a preference for chocolate versus gummy candies for dental reasons.

Executive Session:

The Township Attorney explained the need to enter Executive Session, that action could 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. Igor B. Vikov, Attorney from Lavery, Selvaggi, Ambromitis & Cohen, the Township Attorney's office, was also permitted to observe.

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: Burgess
All in favor. Motion carried.

Committee entered Executive Session at 8:28 pm.

Topics discussed:

1. Personnel – CFO Office Hours

2. Contractual & Attorney/Client Privilege – Quakertown Volunteer Emergency Medical Services (QVEMS) Lease
3. Contractual – Discussion for Proposals of Professional Services

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

Committee exited Executive Session at 9:19 pm.

Motion to exit executive session and resume regular meeting: Burgess

Second: Repmann

All in favor. Motion carried.

Action by the Committee:

Motion to authorize the Township Clerk to advertise Request for Proposals (RFP) for Township Attorney and other Township Professionals (Land Use Board excluded) whose terms are expiring: Burgess

Second: Homulak

All in favor. Motion carried.

Motion to accept the proposal for Project Manager from Chabra Enterprises for \$75/hour, not to exceed \$38,400.00 (under bid threshold): Repmann Second: Homulak

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

Adjournment:

Motion to adjourn: Repmann Second: Homulak

All in favor. Motion carried.

Meeting was adjourned at 9:21 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 11/11/2021