

MINUTES
FRANKLIN TOWNSHIP COMMITTEE
WORK-SESSION/REGULAR MEETING
THURSDAY, SEPTEMBER 8, 2022
7:30 PM

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

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 (absent)
Sebastian Donaruma (present) Mike Homulak (absent)
Craig Repmann (present)

Also present: Igor Bykov, Attorney (Lavery, Selvaggi, Ambromitis & Cohen)
Christine Burke, Municipal Clerk
Cameron Keng, Chief Finance Officer/Human Resources Officer
Chief Timothy Snyder, Police
Fredrick Roll, Director of Public Works
Virginia Evans, Board of Education
Mike Chabra, Project Coordinator, New Municipal Building

Mayor Koury led a moment of silence in honor of the passing of Queen Elizabeth II of the United Kingdom.

Comments from the Public on Agenda Items Only:

Elizabeth Basile, 16 Upper Kingtown Road, questioned the Committee regarding the Land Use Board appointment, the Council on Affordable Housing (COAH) property and the State Agriculture Development Committee (SADC). Mayor Koury and the CFO explained that the Request for Proposals (RFP) for COAH development was required by the State.

Bruce DeRites, 119 Locust Grove Road, questioned the Land Use Board interviews and explained his attempts to email responses to the Land Use Board Clerk. Mayor Koury, the Township Attorney, and the CFO responded. They explained that one position was being filled at this meeting and that interviews were still being conducted to fill another vacancy. The CFO further explained that some emails sent by Mr. DeRites had not been received by the Township's servers.

Elizabeth Shaw, 18 Locust Grove Road, spoke regarding Ordinance 2022-07. She was advised to save her commentary for the Public Hearing of the ordinance scheduled for later in the meeting.

Resolutions:

1. Resolution 2022-43: Resolution in Support of Senate Bill No. 713 to Commemorate the Events of September 11, 2001.

Motion to adopt: Donaruma Second: Homulak

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

2. Resolution 2022-44: Re-Appointment – Certified Municipal Registrar (CMR) of Vital Statistics – Christine Burke.

Motion to adopt: Repmann Second: Donaruma

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

3. Resolution 2022-45: Appointment – Plumbing Subcode Official and Inspector – Henry Bell.

Motion to adopt: Donaruma Second: Homulak

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

4. Resolution 2022-46: Appointment – Land Use Board – Class IV Alternate #2 – Unexpired Term – James Witkowski.

The Township Clerk explained the position being filled.

Motion to adopt: Repmann Second: Homulak

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

Board of Health: None.

Old Business:

1. State Agriculture Development Committee (SADC) Farmland Preservation
 - a. Estate of Thomas Evans – 1061 Croton Road – Block 42, Lot 7 – SADC ID#10-0281-DE (Notification of Application originally received March 2nd, 2022 and presented by SADC at the May 26th Town Committee Meeting.)
 - b. James & Holly Maynard – 170 Oak Grove Road – Block 43, Lots 15 & 20 – SADC ID#10-0277-DE (Notification of Application originally received July 17th, 2022 with no presentation offered by SADC)

Mayor Koury explained the Township's Master Plan goals and that he was not in support of these farmland preservation applications. He further explained that he had spoken with the Township Planner regarding preserving the properties and explained her response, citing county road frontage on 1061 Croton Road and the limitations of development on 170 Oak Grove Road due to the presence of wetlands. He indicated that he was not in favor of spending State or County money to preserve these properties. Committeeman Donaruma indicated that the State had not provided the Township with a list of priority properties as requested. Mayor Koury explained the discussion that had taken place during a meeting with the State in July.

Motion to authorize Mayor to sign a confirmation Letter of Non-Support of the State Agriculture Development Committee (SADC) Farmland Preservation Application for the Estate of Thomas Evans Property, 1061 Croton Road (Block 42, Lot 7), and the James & Holly Maynard Property, 170 Oak Grove Road (Block 43, Lots 15 & 20): Homulak Second: Donaruma

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

2. Council on Affordable Housing (COAH) – Request for Proposals (RFP) – Block 5, Lots 2 & 3

The CFO explained the State requirement via court order for the Township to conduct a reasonable effort to fulfill the Township's COAH requirements. He further explained that the Township's previous RFP had failed. He cited the results of the proposals that had been rejected. He indicated that the Township was hoping for a better response. Upon questioning by Mayor Koury, the CFO explained that failing to request proposals would be in violation of a court order. He indicated that the State could take over the Township's COAH requirements and that the Township would lose control of any COAH development projects. The CFO explained water concerns for the subject property and the possibility of forcing the Town of Clinton to supply water via court order.

Motion to authorize Request for Proposals (RFP) for Council on Affordable Housing (COAH) Property – Block 5, Lots 2 & 3 (behind the Cracker Barrel Restaurant): Repmann Second: Donaruma

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

3. New Jersey Department of Transportation (NJDOT) – Municipal Aid Grants – Oak Grove Road Improvement Project – Phases I and II.
a. Request for Proposals (RFP)

Mayor Koury explained the status of the grant application and its current level of progress.

Motion to authorize Request for Bids for the New Jersey Department of Transportation (NJDOT) Municipal Aid Grant Project – Oak Grove Road Improvement Project – Phases I and II: Homulak

Second: Donaruma

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

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

Mayor Koury indicated that he had received an email asking to be considered for sale of the property. He explained that the Township is continuing with its plans to turn the property into the New Municipal Building and that he had signed BAN Payment (financial) documents the previous day. The CFO provided further explanation.

Mike Chabra, Project Coordinator, explained the costs of the project and existing conditions. He indicated that discussion had commenced to revise the current plans to defray the unexpected costs. Upon questioning by Mayor Koury, Mr. Chabra explained that the New Jersey Department of Corrections (DOC) had not yet been contacted for approval as he was waiting to finalize the plans.

Elizabeth Basile and Frank Tota, 16 Upper Kingtown Road, questioned the project's budget and current status. Mr. Chabra responded, explaining that estimates had taken place prior to the COVID-19 pandemic and the cost increases that had resulted from supply chain shortages and inflation. Committeeman Homulak explained the Township's need to reassess priorities in the project. Mr. Chabra expressed his opinion that it was feasible to return the project to the Township's budgetary goals. Upon further questioning by Ms. Basile, the Township Committee explained that though Mr. Chabra is a resident of the Township, he is a contracted professional.

New Business: None.

Staff Administrative Reports:

POLICE: Chief Snyder reported on the August monthly activities of the Police Department, specifying background investigations, other investigations, arrests, motor vehicle warnings, tickets, accidents, radio calls, alarm calls, assist calls, animal complaints, service calls, property checks, and others. Mayor Koury indicated that, at the previous meeting, a resident had requested a report from the Police Department regarding activities that had taken place in the previous year compared to the current year. He indicated that said report had been provided and he briefly read from the report. Upon Committeeman Homulak's questioning, Chief Snyder updated those present on the County's response to the accident at the corner of Hogback Road and Sidney Road. He indicated that the County had addressed the issue by adding extra Stop signs and described the location of the additional signs. Upon Bruce DeRites' request for a status update, the CFO explained that the Township was seeking additional vendors for better options regarding speed warning signs that do more than flash at passing motorists. Chief Snyder explained that the signs that had appeared on Pittstown Road were in response to the County's efforts to enforce traffic laws on County roads. Discussion followed.

CFO: The CFO reported that the collection period for the 3rd quarter tax period had just concluded, and that the Township had received a favorable collection rate of 95.7%. He explained that the Township had a high rate of home ownership. Upon request from Mayor Koury, he explained that the Township's collection rate had improved from the previous year which had been low due to the COVID-19 pandemic.

ADMINISTRATIVE: The Township Clerk reported that the Clerk's Office had received several Open Public Records Act (OPRA) requests over the past month and that Township Raffle Licensing and Social Affair Permitting had increased in response to an increased number of events taking place in the Township. She indicated that the start of the school year and the fact that COVID-19 had become more manageable had encouraged an increase in social events.

BOE: Virginia Evans, Board of Education, reported that the school year had begun on August 25th. She further reported on the status of the replacement of the school's oil tank, indicating that most of the fencing had been removed. She indicated that the school was beginning the remediation of the fire code violation by reinstalling the windows in the multi-purpose room. She explained that the contract had been awarded and that the work would begin shortly. She advised those present that the school would be appointing an acting principle in the principle's absence. Upon questioning by Mayor Koury, Ms. Evans explained that school had been closed the previous Friday due to the death of a student. She further explained that the pre-school student had been hospitalized and that the mother was a teacher in the school. She indicated that the school would be closed again on Friday to allow attendance at the funeral. Mayor Koury expressed his condolences.

OEM: Mayor Koury indicated that George Reichert, OEM Coordinator, had prepared a monthly report that addressed the status of the Township's emergency plan, the dry conditions of the past month, and some County alert responses.

Committee Member Reports:

Committeeman Homulak reported that the Quakertown Fire Company would be conducting its annual Oktoberfest event on October 8th, 2022.

Committeeman Reppmann reported that the annual Trunk or Treat Halloween event would take place the Friday before Halloween, with a rain-date on Saturday.

Mayor Koury reported that the Land Use Board would meet the following week.

Committeeman Reppmann introduced Fredrick "Rick" Roll, the new Director of Public Works.

Comments from the Public:

Sharyn Sawczak, 7 Nixon Farm Road, requested a clarification of the Letter of Non-Support for the SADC Farmland Preservation application on a county road. Mayor Koury explained that the Master Plan reflects the Township's efforts to preserve opportunities for development along county roads and that farmland preservation status is permanent. Committeeman Donaruma reiterated that the State had not

provided the Township with a list of their preservation priorities. Ms. Sawczak questioned the commercial listing for the property for sale on Whitebridge Road. The Township Committee indicated that the municipality had no knowledge of the sale listing, and that the municipality did not need to be informed when a property goes on the market.

Ingrid Taff, 41 Upper Kingtown Road, questioned the process for requesting farmland preservation. Mayor Koury explained that the application is sent to the State, that the applicant is receiving payment for the development rights of a property and that the Township does not receive the application.

Elizabeth Shaw, 18 Locust Grove Road, questioned if the Township is always required to supply financial support for farmland preservation. Mayor Koury explained that the State could proceed with the preservation without municipal support and that the municipality could be included in cost-sharing if the municipality expresses support for the preservation.

John Rolfe, 170 Whitebridge Road, questioned the real estate sale sign on the large property on Whitebridge Road that indicated "Commercial". Mayor Koury explained that the municipality has no jurisdiction over private sales.

Elizabeth Shaw, 18 Locust Grove Road, questioned if the James Maynard farmland preservation request was the same individual that had requested support for a micro-cannabis business earlier in the year.

Bruce DeRites, 119 Locust Grove Road, commented on reports of dry wells on Quakertown Road in the month of August. Mayor Koury explained that the Environmental Commission had discussed the topic at their meeting the previous week.

Jim Parker, 255 Oak Grove Road, requested to see the Notice to Bidders for the NJDOT Oak Grove Road Improvement Project. The CFO explained that the Notice was public information and would be available for viewing. Mayor Koury explained the grant and cost of the project. He indicated that the Engineer had waited to combine the two phases of the project. The CFO explained the bid and grant timeframes.

Anna Jones, 182 Whitebridge Road, requested that the Township investigate the sale of the property on Whitebridge Road and place the topic as an agenda item for the next meeting. She indicated that the sign indicated "Commercial". Committeeman Donaruma used a personal device to research the real estate agency's listing and explained that the listing indicated that the property was zoned as "agricultural". Mayor Koury agreed to place the topic on the next meeting agenda.

Bruce DeRites, 119 Locust Grove Road, requested further clarification of the NJDOT grant bid timeframes. The CFO explained that the project could carry into the following year. Committeeman Repmann explained that the grant requirements indicated that the Township needed to commit to a vendor contract by November. Mayor Koury explained the funding for the project as provided by the Township Engineer and that a vendor needed to be authorized for Phase I of the project by November.

Elizabeth Basile, 16 Upper Kingtown Road, requested further clarification of the grant project. Committeeman Repmann responded.

Committeeman Donaruma explained that Whitebridge Road contained only two neighborhood business properties, neither of which are over 200 acres.

Frank Tota, 16 Upper Kingtown Road, questioned if the Bid process would be jeopardized by an error in the Engineer's estimation of the work. The CFO explained that he had never experienced such an event and cited the Township's experience with DOT grant projects. Upon Mr. Tota's comparison to the New Municipal Building Project, Mayor Koury explained that the two projects were entirely different and that the New Municipal Building project contained more variability due to the requirements imposed by the Department of Corrections (DOC) on the Police Department.

Elizabeth Shaw, 18 Locust Grove Road, commented on an on-going garage sale taking place on the corner of Croton Road and Quakertown Road. She indicated that the Zoning Officer had issued a violation and questioned follow-up procedures. The CFO explained that the Zoning Officer is the enforcement officer for property maintenance violations. Mayor Koury indicated that he would contact the Zoning Officer to follow up on the violation. Committeeman Homulak requested a clarification of Ms. Shaw's concerns. Mayor Koury indicated that he would include a status update on this topic at the next meeting.

Executive Session:

Mayor Koury explained the need to enter Executive Session, that action could be taken, and that all attendees of the meeting could wait outside of the meeting room except for the Committee, the CFO/Human Resources Officer, the Township Clerk, and the Township Attorney. Mike Chabra, Project Coordinator, New Municipal Building, also remained for participation in the Executive Session.

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: Homulak Second: Repmann
All in favor. Motion carried.

Committee entered Executive Session at 9:10 pm.

Topics discussed:

1. Personnel/Contractual – Police Department
2. Personnel/Contractual – Department of Public Works

Committee exited Executive Session at 9:55 pm.

Motion to exit executive session and resume regular meeting: Homulak Second: Repmann
All in favor. Motion carried.

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

Action by the Committee: None

Adjournment:

Motion to adjourn: Repmann Second: Donaruma

All in favor. Motion carried.

Meeting was adjourned at 9:55 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 09/22/2022