

**MINUTES  
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH  
WORK SESSION/REGULAR MEETING  
THURSDAY, FEBRUARY 9, 2023  
7:30 PM**

**(Location Changed to Franklin Township School, 226 Quakertown Road, Pittstown, NJ 08867)**

The meeting was called to order by Mayor Philip Koury at 7:32 pm. Mayor Philip Koury read the Open Public Meetings Act (OPMA) Statement and led the flag salute.

Roll Call: Mayor Philip Koury (present) Deputy Mayor Michael Homulak (present)  
Sebastian Donaruma (present) Craig Repmann (present) Deanna Seiple (present)

Also present: Igor Bykov, Attorney (Lavery, Selvaggi, Ambromitis & Cohen)  
Christine Burke, Municipal Clerk  
Cameron Keng, Chief Finance Officer (CFO)  
Mike Chabra, Project Coordinator, New Municipal Building

Mayor Koury thanked the Franklin Township School for hosting the Township Committee meetings for the month of February.

**Comments from the Public on Agenda Items Only:**

No one from the public spoke regarding Agenda Items.

**Proclamations & Presentations:** None.

**Approval of Minutes:**

Motion to approve the January 26, 2023, minutes Township Committee Work-Session/Regular Meeting & Executive Session: Donaruma

Second: Homulak

Roll call: Donaruma (Aye) Homulak (Aye) Koury (Abstain) Repmann (Aye) Seiple (Aye)

**Payment of Bills:**

Motion to approve the Bills List: Seiple Second: Repmann

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

**Ordinances:** None.

**Resolutions:**

1. Resolution 2023-18: Resolution of Support from Local Governing Body Authorizing the 2023 Sustainable Jersey Grants Program Application, Funded by the PSE&G Foundation, for a \$20,000 Grant for the Environmental Resource Inventory Update.

Mayor Koury explained that the Environmental Commission would be applying to Sustainable Jersey for a grant to help fund an update to the Natural Resource Inventory (NRI) which would now be renamed to the Environmental Resource Inventory (ERI).

Motion to adopt: Homulak Second: Repmann

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

2. Resolution 2023-19: Resolution of Support from Local Governing Body Authorizing the 2023 Sustainable Jersey Grants Program Application, Funded by the PSE&G Foundation, for a \$2,000 Grant for Environmental Commission Green Team Support.

Mayor Koury explained that the Environmental Commission would be applying to Sustainable Jersey for a grant to assist in paying for Environmental Commission events.

Laney Britton, Environmental Commission Deputy Chairperson, and John Bencotter, Environmental Commission Member, further explained that the Township could only receive one grant from Sustainable Jersey per year and would select the larger grant opportunity if it was accepted by Sustainable Jersey.

Motion to adopt: Donaruma Second: Seiple

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

3. Resolution 2023-20: Tax Sale Redemption of Lienholder – Certificate #22-00013 – Flowing Build LLC – 56 Allens Corner Road – Block 35, Lot 16, Qual. 0147.
4. Resolution 2023-21: Tax Sale Redemption of Lienholder – Certificate #22-00014 – Pro Cap 8 – 95 Rake Factory Road – Block 43, Lot 22.
5. Resolution 2023-22: Tax Sale Redemption of Lienholder – Certificate #22-00015 – Flowing Build LLC – 95 Rake Factory Road – Block 43, Lot 22, Qual. 0250.
6. Resolution 2023-23: Tax Sale Redemption of Lienholder – Certificate #22-00016 – Flowing Build LLC – 94 Rake Factory Road – Block 44, Lot 5, Qual. 0250.

Motion to adopt Resolutions 2023-20 through 2023-23: Repmann Second: Seiple

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

**Staff Administrative Reports:**

**ADMINISTRATIVE:** The Township Clerk reported that she had spent the past month processing the administrative results of the Township's Re-Organization. She further reported that she had completed a poll of the Hunterdon County Clerks regarding conducting hybrid meetings. She indicated that four municipalities conduct hybrid meetings and advised that additional staff would be required to implement hybrid meetings in Franklin Township. Mayor Koury further explained that a detailed report had been supplied to the Committee. Upon questioning by Mayor Koury, the Township Clerk advised that the Township received approximately 80 Open Public Records Act (OPRA) requests per year.

**CFO:** The CFO indicated that the Township's Finance and Tax Departments were doing well.

**DPW:** A member of the Committee advised that the Department of Public Works (DPW) Supervisor was not present but that he had indicated that the new employee was doing well.

**OEM:** Mayor Koury explained that George Reichert remained as the Township's Office of Emergency Management (OEM) coordinator and indicated that though Mr. Reichert was no longer a resident of the Township, the size of the municipality permits him to remain as the Township's OEM coordinator. Committeeman Repmann indicated that he wished to see the legislation that allows his continued appointment.

Old Business:

1. New Municipal Building (43 Lower Landsdown Road) – Status Update
  - a. Authorize Notification of Request for Bids.

Mike Chabra, Project Coordinator, explained that the plans for the New Municipal Building had been completed and that he, the subcommittee, and the Department of Public Works (DPW) were coordinating what needed to be done to go out to bid. He further explained that two sets of plans had been submitted to Chief Snyder to provide to the New Jersey Department of Corrections (DOC) for official approval. Committeeman Donaruma questioned if the plans showed the phases of the project as required by the DOC. Mr. Chabra briefly explained how the plans would show the phases of the project and indicated, upon questioning by Mayor Koury, how the phases would affect the bidding timeline. The Committee briefly discussed the bidding process.

John Benscoter, 171 Old Franklin School Road, stated that he wanted a public presentation that details the plans, budget and spending for the project. Deputy Mayor Homulak explained how the DOC was consulted, the cost of full compliance with DOC standards and the strategy to get the Township as close to full compliance as possible with a phased approach. He further explained that a set of plans were required to begin the bidding process. Upon further questioning by Mr. Benscoter, Mr. Chabra explained that the building's available space was planned to be as flexible as possible to accommodate utilization by the public, indicating that the Administrative offices were designed to be minimal and that 50% or more of the building was designed to be public space. Mayor Koury indicated that he had advised that the plans not be posted until the conclusion of the meeting to ensure that the Committee could discuss the plans and that all appropriate redactions had been made. He further indicated that the plans included a space to display Township historic artifacts.

Linda Peterson, 438 Quakertown Road, stated that the public was involved as much as the Township Committee wanted and commented on the subcommittee and DOC. She indicated that she was a professional engineer, and she questioned the bidding process and estimated construction time. Mr. Chabra indicated that completion time would vary heavily on product availability, particularly of Heating, Ventilation, and Air Conditioning (HVAC) materials. Ms. Peterson requested that the Township Committee and subcommittee conduct a presentation. Mr. Chabra explained that the layout of the Police Department could not be disclosed. Ms. Peterson expressed her disappointment.

Elizabeth Basile, 16 Upper Kingtown Road, questioned how the Township could go out to bid if the cost of construction was unknown. Committeeman Donaruma explained that the Township had begun the project prior to the COVID-19 pandemic and that if costs far exceed expectations, the Township would not proceed. Mayor Koury further explained the original cost estimate of the project and that the Township had reduced costs by scaling back on the wish-list for the project. He indicated that the building was being planned for possible future upgrades and that the intention was to vacate the current Municipal Building by moving both the Administrative and Police Departments to the new building, thus removing the cost of maintaining two buildings. He further indicated that moving into the New Municipal Building's meeting space would be a priority.

John Bencoter, 171 Old Franklin School Road, commented on the access roads to the building becoming flooded and reiterated his desire to see the Township's financial plans for the building.

Frank Tota, 16 Upper Kingtown Road, questioned the bid amount and the cost of the Police Department. Mayor Koury explained that the referenced estimate of the cost to upgrade the building was conducted prior to the COVID-19 pandemic and that the referenced cost of \$4 Million was the DOC's wish list to upgrade the Township's Police Department to full compliance. Upon further questioning by Mr. Tota, Committeeman Donaruma explained that the current Municipal Building's Police Department was also not in full DOC compliance and that upgrades would eventually be required. He further explained that the current Police Department in the Municipal Building was being permitted via waivers applied for by the Police Chief, and that the New Municipal Building was being designed to be a better, safer location. Mayor Koury explained that the New Municipal Building would bring the Police Department closer to compliance. Mr. Tota questioned the Township's alternate plan if the bid amounts come back too expensive. Mayor Koury requested that they wait until the bids come back and explained that the Township still intended on utilizing the building for its meeting space. He further explained that the purchase of the building was partially funded by State and Federal COVID-19 assistance and that the Township had a plan to sell off all properties not needed for public use which would place those properties back on the tax rolls.

Bruce DeRites, 119 Locust Grove Road, questioned the plan to move to the New Municipal Building. Mr. Chabra explained that the plan was to move everything at once. He further explained that the bid results would determine the spending plan. Mayor Koury reiterated the Township's goal to obtain a Township controlled Americans with Disabilities Act (ADA) compliant meeting space. Committeeman Donaruma reiterated that the referenced \$4 Million cost represented the cost of the DOC's wish list and not the full cost of the project. Deputy Mayor Homulak explained that the Township would continue utilizing the waiver process regarding DOC compliance concerns and that such a process was not uncommon. Upon further questioning by Mr. DeRites, Mr. Chabra and the Township Attorney explained that the bidding process would be conducted publicly at meetings and that the final bid package would be posted and advertised in accordance with the New Jersey Local Public Contracts Law.

Upon further questioning by Mr. DeRites and Ms. Basile, Mr. Chabra explained that it was not currently possible to determine the exact amount of the cost of the project and that the professionals were attempting to get as close to the original estimate as possible. The Township Attorney explained that the purpose of public bidding was to obtain the lowest possible cost, prevent favoritism and unethical

practices, and that the award would have to be made at a public meeting where the cost would be included. Committeeman Repmann indicated that the Township was not hiding the bidding process as the process had not yet begun.

Rick Conley, 17 Landsdown Road, questioned the starting estimate cost of the project and how the addition of the Police Department affected that cost. Committeeman Donaruma explained. The Committee explained that the cost of the project would be determined by the receipt of bids. Deputy Mayor Homulak explained that the delay in bidding the project by ensuring DOC approval was used to ensure a reduction in future costs. The Township Attorney explained that the bid package would contain explicit instructions to bidders on how to proceed. Upon further questioning by Mr. Conley, the Township Attorney, Mr. Chabra and Mayor Koury explained the length of time anticipated to conclude the bidding process. Mr. Chabra further explained the anticipated length of time that might be needed to complete the project once construction had begun. Mayor Koury and Committeeman Donaruma explained the Township's intended plan to proceed with the construction, indicating a desire to move the Township's meeting space as soon as possible and that the departments may take longer to move into the building. Mayor Koury indicated that furniture was being donated by a company.

Frank Tota, 16 Upper Kingtown Road, asked further questions on the bidding process, particularly regarding a potential bidder's ability to see the site. The Township Attorney advised that there is a legal procedure to follow for bidding regarding a pre-bid on-site meeting. Ms. Peterson further explained. Mr. Chabra confirmed that the Department of Public Works (DPW) would be conducting most of the demolition work and that bidders should be able to get a clear vision of the scope of the work.

Motion to authorize the Notification of Request for Bids for the New Municipal Building Construction  
Project: Repmann      Second: Homulak  
Roll call: Donaruma (Aye)   Homulak (Aye)   Koury (Aye)   Repmann (Aye)   Seiple (Aye)

New Business: None.

Committee Member Reports:

Committeeman Donaruma thanked the Franklin Township School for their cooperation in conducting Township Committee meetings. He provided a brief update on the School's request for a safety officer. He further provided a brief update on the placement of a speed monitoring sign on Locust Grove Road, explaining how the sign works and the average speeds currently being recorded.

Committeewoman Seiple briefly reported on the efforts of the school, citing the activities of kindergarten registration.

Committeeman Repmann reported that the Clinton Elks would be hosting the Easter Egg Hunt on April 2<sup>nd</sup>, explained those involved and that it was the first time the hunt would be conducted since the COVID-19 pandemic had begun. He expressed his hope for good weather.

Mayor Koury reported that the Land Use Board (LUB) had met the previous day and that questions had been asked regarding tax ratables on solar farms. He further explained that the LUB is seeking to alter

the Township solar ordinance as the Master Plan Review had unintentionally made it more difficult for residents to place ground mount solar on their properties. He indicated that the public hearing of the Quakertown Solar application would continue at the next LUB meeting and explained that he was uncertain as to the location of the meeting.

Comments from the Public:

Elizabeth Basile, 16 Upper Kingtown Road, questioned how the resolutions adopted earlier in the meeting reflect on certain payment items included on the Bills List. The CFO provided a brief explanation of Tax Title Lien Redemptions and the Township's stewardship of the money involved. Upon Ms. Basile's questioning of the continued inclusion of cannabis businesses in the Township's Master Plan, Mayor Koury explained that any inclusion of cannabis businesses in the Master Plan could not override the Township's ordinance to opt-out of all cannabis related businesses in the Township. The Township Attorney explained that alterations to the Master Plan and the inclusion of cannabis businesses in the Master Plan were questions that should be brought to the Township Planner. Mayor Koury indicated that the continued inclusion of cannabis businesses in the Master Plan is in response to the possibility of State mandates and that the current Township Committee had no intention of pursuing cannabis businesses in the Township.

Sharyn Sawczak, 7 Nixon Farm Road, stated that a member of the Land Use Board (LUB) had indicated that leaving the cannabis business language in the Master Plan leaves the option open for future inclusion. Committeeman Donaruma recommended that the Township Committee ask the Land Use Board to remove the language from the Master Plan.

Bruce DeRites, 119 Locust Grove Road, commented on the increase in State medical benefits for Township employees. The CFO responded that he had received an email from Mr. DeRites and advised that the County had concluded that they will pay the increased rates. He explained that the Township's only other option would be to seek out private medical benefits but that this option would only increase costs unless the County could create a regional benefits group. He further explained the difficulties in convincing all the various employee unions in accepting and cooperating with a regionalized medical benefits group. He indicated that employee medical benefits are a statutory expense that can't be changed.

John Benscoter, 171 Old Franklin School Road, questioned if the changes to the State medical benefits rates would require the Township to submit a referendum to increase taxes. The CFO attempted to explain how the medical benefits rates would factor into the annual Budget but, after consistent interruptions by Mr. Benscoter, Deputy Mayor Homulak called a "Point of Order" and the Committee agreed to move on to the next topic.

Executive Session:

Mayor Koury and the Township Attorney explained the need to enter Executive Session, that action was not expected to be taken, and that all attendees of the meeting could wait outside of the meeting room except for the Committee, the New Municipal Building Project Coordinator, the CFO/Human Resources Officer, 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 Second: Homulak  
All in favor. Motion carried.

Committee entered Executive Session at 9:03 pm.

Topics discussed:

1. Contractual – New Municipal Building
2. Attorney/Client Privilege – Zoning Legislation & State Legislation Updates
3. Contractual – Request for Proposals (RFP) – Council on Affordable Housing (COAH) Development Updates
4. Contractual – Special Officer for School

Committee exited Executive Session at 10:11 pm.

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

Meeting was adjourned at 10:12 pm.

Prepared by Christine Burke, Township Clerk

  
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Adopted: 02/23/2023