

MINUTES
FRANKLIN TOWNSHIP COMMITTEE/BOARD OF HEALTH
WORK SESSION/REGULAR MEETING
THURSDAY, FEBRUARY 23, 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 invited Tyler Turek, a local Boy Scout, to lead the flag salute.

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

Also present: Wade Baldwin, Attorney (Lavery, Selvaggi, Ambromitis & Cohen)
Christine Burke, Municipal Clerk
Cameron Keng, Chief Finance Officer (CFO) (arrived at 8:25 pm.)

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 February 9, 2023, minutes Township Committee Work-Session/Regular Meeting & Executive Session: Donaruma

Second: Repmann

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

Payment of Bills:

Motion to approve the Bills List: Donaruma Second: Repmann

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

Ordinances:

1. Introduction and First Reading of Ordinance 2023-01: An Ordinance of the Township of Franklin, County of Hunterdon, State of New Jersey Creating Chapter 208 Entitled "Garage Sales" of the Code of the Township of Franklin to Regulate Garage Sales in the Township.
 - a. Public Hearing and Final Adoption scheduled for March 23, 2023.

Mayor Koury read the ordinance title and the public hearing date. He provided a brief explanation of the ordinance before reading an explanatory statement provided by the Township Clerk:

After numerous property maintenance complaints received from residents regarding the existence of several perpetual garage and yard sales in the previous year, the Township Committee of the Township

of Franklin believes that a need exists to provide a clear definition of such sales and regulate the frequency of garage and yard sales occurring in the Township.

Mayor Koury further explained that the ordinance did not add or change any Township processes regarding Garage and Yard Sales but provided clear definitions to assist the Township Zoning Officer in her efforts to enforce property maintenance standards.

Motion to introduce: Donaruma Second: Repmann

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

Resolutions:

1. Resolution 2023-24: Amending Resolution 2022-54: Resolution to Adopt the Town Committee 2023 Annual Meeting Schedule (Amend Meeting Location).

Mayor Koury explained that the 2023 Annual Meeting Schedule Resolution had been adopted the prior year and that the Township needed to change the notice to officially move all Township Committee meetings to the school. Mayor Koury further explained the efforts to change the meeting location.

Motion to adopt: Repmann Second: Donaruma

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

Staff Administrative Reports:

POLICE: Mayor Koury explained that Chief Snyder was not in attendance and provided a brief update on efforts to address speeding concerns on Locust Grove Road.

ADMINISTRATIVE: The Township Clerk indicated that a new monthly report would be compiled by the next meeting.

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 due to a recently enacted State law. He further explained that the Township Clerk had researched the new law upon the request of another Committee member made at the previous meeting. Upon questioning, the Township Clerk indicated that she did not recall detailed information regarding the law "off the top of her head".

Old Business:

1. Council on Affordable Housing (COAH) – Request for Proposals (RFP) – Block 5, Lots 2 & 3
 - a. Accept Proposal and Award Contract.

Committeeman Repmann explained that the Township had received a proposal for Affordable Housing development that looks attractive for the Township. He further explained that the proposal provides for 120 units of affordable senior housing to be located behind the Cracker Barrel Restaurant and that the proposal had been made by a company with a good reputation. He indicated that the next step was to

accept the proposal and then have the Township Planner and Township Attorney coordinate the creation of a contract. He further indicated that the company, Ingerman Development Company, LLC, would make themselves available at a future meeting.

Upon request from a member of the public, Mayor Koury permitted the public to ask questions and make comments.

Sharyn Sawczak, 7 Nixon Farm Road, questioned if the selected company was aware of the water and sewer problems that the property faces. Committeeman Repmann indicated that addressing the water and sewer problems would be the responsibility of the company. The Township Committee provided a brief history of the efforts made to seek proposals for Affordable Housing Development on the property. Committeeman Repmann explained that the Township had finally received a proposal that would benefit the Township and would provide needed affordable senior housing in the County. Mayor Koury explained the obligations of the Township and how the Payment In Lieu of Taxes (PILOT) program would affect Township taxes.

Frank Tota, 16 Upper Kingtown Road, questioned the two additional proposals received by the Township and requested an explanation of the differences in the financial offers. Committeeman Repmann responded that the attorneys would perform the contract negotiations and that the proposal from Ingerman Development Company, LLC, was the only proposal that satisfied all the Township's requirements.

Bruce DeRites, 119 Locust Grove Road, commented that this was the first time he had heard of the proposals despite the topic being brought up at the Economic Development Initiative Team (EDIT) meeting in January where it was discussed by Assemblyman Peterson. Committeeman Repmann explained that he had only met with the company on January 30th after being advised of a promising proposal by the Township Affordable Housing Planner. The Township Committee explained that Requests for Proposals (RFPs) were requested in the prior year and sent to the Township Affordable Housing Planner for review. They further explained that the possible interest in the proposal was only first mentioned to the Township Committee at the previous meeting in Executive Session. Mr. DeRites questioned the appraisal value of the land. Committeeman Repmann explained that the proposal is for \$1.2 Million based on what the Township seeks to do, and that the Township is cautiously optimistic that the land can be developed. Upon Mr. DeRites' further questioning, Committeeman Repmann and Mayor Koury explained that they couldn't be certain if the project would satisfy the Township's Council on Affordable Housing (COAH) requirements as the requirements are always changing, and that the Township must rely on the Township Affordable Housing Planner to ensure that the Township is doing all it can to address its Affordable Housing responsibilities. Mayor Koury reminded those present that the property is Affordable Housing property.

Mayor Koury further explained that the Township Committee could not predict the future and possible State mandates. He compared the Township's Affordable Housing obligations to the recent changes in State mandated Stormwater Management requirements, citing that the State had changed the Township's designation from Tier B to Tier A, resulting in a change of regulations regarding road maintenance. He indicated that the State's change in regulations was in response to the changes in Federal regulations. Committeeman Repmann explained that the Township's Department of Public

Works Supervisor and Chief Finance Officer were looking into grants and Shared Services Agreements to assist in complying with the new regulations. The Township Attorney explained that the Township had no choice but to comply with regulations provided by the State.

Liz Shaw, 18 Locust Grove Road, questioned the next steps and possible timeline for the Affordable Housing project. Committeeman Repmann explained that the Township Attorney would be working on the contract with the company's attorney, and it would include a Memorandum of Understanding. He indicated that the project would most likely end up in court due to the need for water and sewer services.

Motion to Accept the Proposal for Affordable Housing Development submitted by Ingerman Development Company, LLC: Repmann Second: Donaruma
Roll call: Donaruma (Aye) Homulak (Absent) Koury (Aye) Repmann (Aye) Seiple (Absent)

New Business: None.

Committee Member Reports:

Committeeman Donaruma reported on the efforts to address speeding concerns on Locust Grove Road, citing that 1300 vehicles had traveled the road in a week and that the majority of the vehicles were not speeding, with an average speed in the mid-30s mph (miles per hour). He indicated that the highest speed recorded by the radar sign was under 60 mph and that a total of 8 vehicles were recorded over 50 mph. He indicated that the speeding took place at different times during each day and would be difficult to catch.

Committeeman Repmann reported that he had attended the 78/22 Coalition meeting that morning and that the meeting had included a presentation from a network provider regarding the expansion of fiber optic services. He further reported that Hunterdon County had been present at the meeting and had provided promotional items that advertised Hunterdon County as "the other side of New Jersey".

Mayor Koury reported on the Land Use Board (LUB) meeting that had taken place the previous night. He indicated that the meeting was the fourth meeting of the Quakertown Solar Farm Application Hearing and that the hearing would continue to March 8th and 22nd. He explained that a lot of good questions were raised at the meeting, citing the topics discussed such as permitted uses and buffering, among others.

Mayor Koury further reported that Jersey Central Power & Light (JCP&L) had sent a notice indicating that they had installed Smart Grid technology along Township roads and explained how the technology worked in the event of a power outage as opposed to tree branches briefly touching power lines.

Mayor Koury indicated that he had located the correspondence on his laptop computer which contained the State law that allows the Office of Emergency Management (OEM) Coordinator to be a non-resident in municipalities with populations under 5000.

Mayor Koury reported that the New Jersey Department of Transportation (NJDOT) is seeking to realign the Route 78 exit and that he would be setting up a meeting, which will include the Deputy Mayor, to

discuss the proposed realignment. He briefly explained the history of vehicular accidents at the exit and the NJDOT's desire for change.

Mayor Koury further reported that he had received concerns regarding littering at Walmart Plaza and explained that the owner of the property was trying to put restrictions on overnight truck parking to address the problem. He explained that the Township Zoning Officer had received complaints and had sent a letter to the property owner to clean up the property. Mayor Koury further indicated that he had spoken with the property owner and was advised that there were no plans for additional development of the property. He explained that the slopes and grades on the property restrict further expansion and that it would not be easy to build a second story on the existing structures. Committeeman Repmann briefly commented on the littering concerns and the owner's efforts to clean up the property and place signage. Committeeman Donaruma questioned if the littering problem should be brought to the County Health Department's attention.

Mayor Koury thanked the Township Clerk and Deputy Finance Officer for their efforts in looking at furniture offered for donation by a company for use in the New Municipal Building. He explained that the Township's Department of Public Works had begun the demolition work inside the building.

The CFO/Human Resources Officer arrived at 8:25 pm.

Comments from the Public:

Liz Shaw, 18 Locust Grove Road, questioned when the Garage and Yard Sale Ordinance would become available for review. The Township Clerk explained that the ordinance would be posted on the Township website, Township Bulletin Board and published in the official Township newspaper per New Jersey law.

Frank Tota, 16 Upper Kingtown Road, questioned when the Township would complete the list of preserved land as discussed in the previous year. Mayor Koury indicated that the Township Planner was waiting for additional information.

Bruce DeRites, 119 Locust Grove Road, commented on the significant increase in train accidents in the country and questioned if the Township was prepared to address accidents resulting from the train traffic through Franklin Township. Committeeman Donaruma explained that the County Office of Emergency Management had an extensive plan on file regarding rail emergencies. He indicated that the Township had been very proactive and would be participating in an upcoming meeting with affected municipalities.

Rick Conley, 17 Landsdown Road, commented on railroad accidents and indicated that the last time an accident had occurred in the County it had taken place near Stanton. He explained the history of ownership of the railroad and indicated that the current owner was doing as well as they could. He further indicated that the railroad union had prevented the company from installing new technology. Mayor Koury explained that accidents happen and that he would not comment on union involvement. He indicated that he agreed that the Township needed to have a plan in the event of an emergency.

Executive Session:

Mayor Koury 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 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: Donaruma
All in favor. Motion carried.

Committee entered Executive Session at 8:31 pm.

Topics discussed:

1. Contractual/Personnel – Police Chief Contract
2. Personnel – Office of Emergency Management (OEM) Coordinator
3. Contractual – Request for Proposals (RFP) – Council on Affordable Housing (COAH) Development Updates

Committee exited Executive Session at 8:52 pm.

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

The Township Attorney explained the topics discussed in Executive Session, that no action would be taken, 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 8:53 pm.

Prepared by Christine Burke, Township Clerk



Adopted: 03/09/2023