

UNAPPROVED DRAFT

WORK SESSION OF THE TOWNSHIP COUNCIL
TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY
JANUARY 22, 2002

The Work Session of the Township Council of the Township of Franklin, County of Somerset, New Jersey, held at 475 DeMott Lane, Somerset, New Jersey, was called to order by the Mayor at 7:12 P.M.

The Mayor read a statement indicating all requirements of P.L. 1975, Chapter 231 (The Open Public Meeting Act) had been met.

1. CALL TO ORDER

The Township Clerk called the roll.

Present: Mayor Eberle, Deputy Mayor Grippo, Ms. Barrier, Mr. Chivukula, Mr. Levine, Mr. Mazzola, Mr. McKenzie, Mr. Sumter. Mr. Mettler was absent at roll call but arrived later in the meeting.

Absent: No One

Also Present: Kenneth W. Daly, Township Manager, Jean C. Pellicane, RMC, Township Clerk. Daniel J. Fitzpatrick, Esq., Acting Township Attorney arrived immediately after roll call.

2. REVIEW PREPARED AGENDA FOR REGULAR MEETING

12. ORDINANCE INTRODUCTION - DEDICATE RIGHT OF WAY FOR REALIGNMENT OF MATILDA AVENUE AND PINE STREET

13. ORDINANCE INTRODUCTION - VACATE ABANDONED PORTIONS OF MATILDA AVENUE AND STOTHOFF STREET

In response to a question from Mr. Mazzola, Township Clerk Pellicane advised that the legal descriptions were not ready for ordinance preparation and that, in all probability, the ordinance dedicating right of way for Matilda Avenue and Pine Street will not be needed since there is no realignment of the roads proposed.

14.K PERFORMANCE GUARANTEE RELEASE REJECTION - GLEN RIDGE ESTATES, SECTION 1, COURTS 1, 2 & 3 (WHITEHALL MANOR) - DOCKET #SP507 - \$262,925.40

14.L PERFORMANCE GUARANTEE RELEASE REJECTION - WHITEHALL MANOR, SECTIONS 4-6 (GLEN RIDGE ESTATES) - DOCKET #SP507 - \$145,759.00; \$128,650.00; \$236,294.00

14.M PERFORMANCE GUARANTEE RELEASE REJECTION - US HOMES - HAMPTON RIDGE - P98029SF - \$508,245.00

In response to a question from Mr. Mazzola, Township Clerk Pellicane advised Council of the reasons set forth in the Township Engineer's recommendations for rejection of these performance bond releases, basically incomplete or unsatisfactory improvements.

14.O GRANT AGREEMENT - NJDEP - GREEN ACRES PROJECT AGREEMENT FOR NAAMAN WILLIAMS PARK - LOW INTEREST LOAN - \$500,000.00

In response to a question from Mr. McKenzie, Township Manager Daly advised that the proposed agreement with NJDEP grants the Township a \$500,000 low interest loan for the Naaman Williams Park renovations.

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14.F BID AWARD - GARDEN STATE HIGHWAY PRODUCTS, INC. & ROCAL, INC. - SIGN MATERIALS - \$18,000.00

In response to a question from Ms. Barrier, Township Manager Daly advised that road signs are made in the sign shop at the Department of Public Works. The cost of supplies used for the signs exceeds the bid threshold, so bids are sought and awarded periodically.

14.T APPROVE COMMISSIONERS' SALARIES - FIRE DISTRICT NO. 2

14.U APPROVE COMMISSIONERS' SALARIES - FIRE DISTRICT NO. 4

Mr. Levine questioned the substantial differential between proposed Fire Commissioners' salaries for Fire District No. 2 and Fire District No. 4. Township Clerk Pellicane responded that Fire District No. 4 is located in both the Townships of Franklin and South Brunswick and that the majority of the salaries come from South Brunswick.

14V. PROFESSIONAL SERVICE AGREEMENT - LOUIS RAINONE, ESQ., TOWNSHIP ATTORNEY - LEGAL SERVICES - 01/01/02 TO 12/31/02 - \$230,000.00

Township Clerk Pellicane advised Council that it was discovered after the agendas had been duplicated for this meeting that the amount to be allocated for this Professional Service Agreement must be changed from \$280,000.00 to \$230,000.00. The \$280,000.00 represents the entire 2002 budget allocation for legal fees, \$50,000.00 of which is allocated for the labor attorney services.

17. NOMINATIONS FOR TWO (2) TEENAGE NON-VOTING MEMBERS OF THE RECREATION COUNCIL - ONE (1) YEAR TERMS - 01/01/02 TO 12/31/02

Mr. Grippo requested that these appointments be deferred pending receipt of nominations from Director of Parks and Recreation Alice Osipowitz.

23. ROUTE 287 TASK FORCE

Council discussed the need for them to appoint Township representatives to the Task Force or if the appointments have already been made as set forth in the January 7th letter/roster from Freeholder Director Robert Zaborowski. Council determined to confirm the appointments set forth by Freeholder Zaborowski.

3. COMMITTEE/LIAISON REPORTS

Mr. Mettler arrived at this time.

Financial Oversight Subcommittee

Mr. Chivukula reported that the current Financial Oversight Subcommittee, consisting of Councilmembers McKenzie, Mazzola and Chivukula, met and discussed the following:

Henry Street Grant – the Subcommittee recommends awarding of a Professional Service Agreement to Keller & Kirkpatrick as recommended by Capital Projects Engineer Jim Pettit.

Franklin Boulevard – the Subcommittee recommends awarding of a Professional Service Agreement to CME Engineering as recommended by Capital Projects Engineer Jim Pettit.

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Easton Farms Drainage Project – the Subcommittee recommends awarding of a Professional Service Agreement to Van Cleef Engineering as recommended by Capital Projects Engineer Jim Pettit.

East Franklin Drainage Project – the Subcommittee recommends that this project be held in abeyance since there is no funding allocated at this time.

Dunham-Lebed Park Screening – the Subcommittee recommends that Council allocate funding for the installation of a 6' chain link fence along the common property line of the Park and the Barmouth Court residences, and that the property line be staked out and the residents consulted on the proposed fence location before installation begins.

Expansion of the Animal Shelter - the Subcommittee requested Township Manager Daly to make a recommendation on the best site for a shelter facility and provide a cost estimate.

Middlebush Park – the Subcommittee requested Township Manager Daly to seek and provide recommendations from Township staff and advocates for the Park.

Increase Bid Threshold from \$17,500 to \$25,000 – the Subcommittee reviewed a report from Purchasing & General Services Administrator Joyce Miller advising of the State Statute revision which will allow a municipality to go to a bid threshold of \$25,000 if the municipality meets the criteria of law with a certified purchasing agent. Ms. Miller recommends that Council avail the Township of this proposal as soon as the State Department of Community Affairs has completed its rules and regulations on the subject. The Subcommittee concurred with the recommendation.

Increase the purchases which can be made by the Township Manager without Council approval from \$8,500 to \$12,500.00 – the Subcommittee recommend not changing the existing Code language.

Alliance for Action Membership – the Subcommittee recommended that the Township continue membership in the Alliance at a cost of \$500.00 per year and to invite Phil Beachem of the Alliance to make a presentation to Council on the benefits of membership.

Business & Industry Advisory Committee

Ms. Barrier reported that the Business & Industry Advisory Committee met, elected a Chair and Vice Chair and set four goals for 2002:

1. Development of a mission statement;
2. Inform local businesses of the Committee's existence;
3. Look at new industries in the Township and survey their representatives to find out why they chose Franklin and use information learned for future economic development programs;
4. Proceed with prior discussions of impact fees and coordinate with the County so industries are not double taxed.

Hamilton Street Revitalization Committee

Ms. Barrier reported that the Committee met and:

1. Will be applying for an economic development incentive façade grant for the area in the maximum amount allowable, \$150,000. It is hoped to revitalize one hundred and five businesses. There were fifteen businesses represented at the meeting. The next meeting is scheduled for February 4th at the Community Fire House.

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2. The Committee has discussed the possibility of a farmers' market in the area with local farmers and will be conducting an agricultural market in the Hamilton Street area in July and October.

Recreation Council

Mr. Grippo noted that the Council has begun working on goals and objectives of 2002; reviewing capital projects, reviewing programs, and Township Council budgeting for Middlebush Park. Recommendations will be forthcoming.

Fourth of July and War Memorial Committees

Mr. Grippo reported that the first 2002 meetings for these Committees will be next week and the Committees will be making aggressive plans for 2002.

4. CABLE TELEVISION - UPDATE BY MICHAEL GALLAGHER

Michael Gallagher, Township Computer Administrator and Chair of the Cable Television Committee, reported on the following:

Cablevision Franchise – Following discussions with the Township Manager and Township Attorney, the Cable Television Committee has prepared a revised franchise proposal. Cablevision, however, is holding the proposal based on recent lay offs and market down turns in the cable industry and their desire not to submit the franchise proposal until they are sure they will be able to fully comply.

RCN Franchise – The RCN facilities upgrade from Claremont Road northerly to New Brunswick is 95% complete. There are, however, some isolated problem nodes being subjected to troubleshooting and remedies. Mr. Levine noted areas in Quail Brook and Elizabeth Avenue which do not have the upgraded facilities. Mr. Gallagher will investigate and report.

Work has begun on installation in south Franklin. The Committee is attempting to schedule a meeting with RCN to develop a schedule for completion of this work. Since the southern facilities are no longer tied to the Princeton upgrade, the plans had to be reengineered resulting in some delay but will now be coordinated with the dark fiber network to connect municipal, Board of Education and emergency buildings.

The BPU has not yet renewed RCN's franchise. The BPU did not give this matter high priority since RCN has been installing the upgrades anyway, and the BPU concentrated their efforts on the municipalities in which RCN has not done required upgrades. The Board anticipates scheduling hearings on the franchise in February.

Cable Television Committee – the Committee has been meeting regularly and has:

1. Finalized the Cablevision franchise;
2. Worked with RCN to insure that gaps in the north Franklin upgrade are addressed in timely fashion;
3. Worked with RCN to finalize the schedule for the south Franklin upgrade and dark fiber installation;
4. Worked with RCN towards obtaining recording and broadcasting equipment to develop our own content on the local channels;
5. Will be working with community leaders and residents to determine the type of programming desired;
6. Will be negotiating with a local business that will potentially provide us with recording facilities and volunteers.

Broadcasting of Council Meetings/Public Events

1. Before we can proceed with the broadcasting of Council meetings, equipment must be secured, decision made whether to broadcast live or record/edit for later viewing. A six to nine month period will be required to complete these arrangements.

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2. While it is possible to obtain the equipment now and decide live versus taped later, the Township currently does not have the staff or expertise. It is unknown if the Board of Education has the staff or expertise. Negotiations with the local business to provide training, guidance and volunteering staffing are on going.
3. Cost estimate of the project, including professional staffing, will be developed. It is estimated that it takes 15 hours to produce a 15 minute program. The only live programs that can be recorded are those at the equipment location in the Municipal Building since the equipment is not mobile.
4. While our current franchise allows the Township two public access channels, the second channel will not be available to us until we have fully utilized the first channel. The present use of the current channel is 20%.

Ms. Barrier suggested that Volunteer services might be available from Rutgers University, Raritan Valley Community College or Somerset County Vocational/ Technical High School.

5. PUBLIC AFFAIRS COMMITTEE

Mr. Grippo noted that the Township produces three or four publications which are distributed to residents about municipal business, events and recreational opportunities which are not coordinated with each other. The Township has no public relations department or coordinator. Mr. Grippo suggested the creation of a Public Affairs Committee to publicize the work and accomplishments of the Township Council and coordinate the various publications.

Council concurred with the creation of the Committee. Mr. Grippo, Mayor Eberle and Mr. Mettler will serve on the Committee. Township Manager Daly indicated that Joyce Miller, Purchasing and General Services Administrator, has experience in this area and will work with the Committee.

Mr. Mazzola agreed with the Committee but noted the need to insure that the activities of the Committee are free of political influence and activity.

Fire Chiefs' Association Survey

Mr. Chivukula noted that, during an informal discussion with Dan Dermer, President of the Fire Chiefs' Association, Mr. Dermer indicated that the Association is looking for a reply from the entire Council to their survey. The reply submitted by former Mayor Clyde does not satisfy their desires. Mr. Chivukula suggested that the Council as a whole, with the assistance of Director of Fire Prevention John Baab, complete and return the survey. The volunteers want to be appreciated and need to educate the Council on the services provided by the fire service. After receiving the Council's survey response, the Association is willing to come back to Council to make a presentation. Council concurred with the suggestion.

Fire Prevention Board

Deputy Mayor Grippo reported that the Fire Prevention Board had an excellent meeting at which he made it clear that Council is deeply appreciative of their services.

Deputy Mayor Grippo presented a plaque from Pop Warner Association to Mayor and Council. The plaque will be mounted in the Council office.

COUNCIL COMMENTS

Mr. Sumter noted a very successful Martin Luther King Memorial Breakfast attended by over 600 people and with guest speaker Bernard Spigner of WCTC.

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Mr. Levine concurred with Mr. Sumter, commended Board of Education President Eva Nagy and Superintendent of Schools Frank Pepe for their work organizing and planning the Breakfast.

Mayor Eberle added her commendations for the successful Breakfast.

Proclamation for School Board Recognition Month appears on the agenda for the Regular Meeting for presentation to Eva Nagy, Board of Education President and Frank Pepe, Superintendent of Schools. Because of other commitments by Ms. Nagy and Mr. Pepe, the proclamation was presented at this time but appears in the minutes of the Regular Meeting.

Upon a motion made, seconded and unanimously agreed, the Work Session was adjourned at 8:12 p.m.

Respectfully submitted,

Jean C. Pellicane, RMC
Township Clerk