

REGULAR MEETING

The Franklin Township Committee held a meeting with their auditor, Anthony Ardito at 6:00 pm and their regular monthly meeting at 7:30 pm on Monday, February 02, 2009. Mayor Bonnie Butler opened the meeting in accordance with the "Open Public Meeting Act" Chapter 231, P.L. 1975 having been duly advertised and a copy posted in the office of the Township Clerk.

Present for Budget Meeting were: Mayor Bonnie Butler, Mark Blaszk, Jeffrey DeAngelis, Michael Ferri, Michael Toretta, Denise L. Cicerelle, Municipal Clerk, Anthony Ardito, Auditor, Dawn Stanchina, CFO, Ron Read, DPW Foreman.

Present at 7:30 pm were: Brian Tipton, Esq., Nevitt Duveneck, Township Engineer, Roger Bulava, Recycling, Jim Onembo, Zoning.

Following the flag salute the committee reviewed figures for the 2009 budget with auditor as follows:

Insurance, Public Works (Snow Removal Trust), Municipal Court, Aid to Volunteer Fire Companies, Rescue Squad, Sale of Municipal Assets, Smith Property.

Looking at April 7th to introduce the budget and May 5th for adoption.

At this time a 5 minute recess was called at 7:30 pm on motion by Mark Blaszk and seconded by Michael Ferri. Unanimous Vote.

At 7:35 pm on motion by Michael Ferri and seconded by Michael Toretta to come out of recess status. Unanimous Vote.

At this time Regular Meeting Minutes of February 5, 2009 were accepted on motion by Michael Toretta and seconded by Michael Ferri, all in favor. Executive Session Meeting Minutes of February 5, 2009 were accepted on motion by Mark Blaszk, and seconded by Jeffrey DeAngelis, all in favor.

A representative from the New Jersey State Police was present with no concerns voiced by Committee or Public.

Joe Flynn – FTYA- present and updated committee as to the Community Room Curtain installation. Baseball/Softball registrations underway with possibly one more. Basketball season is in midstream. Mr. Flynn has a maintenance company in mind to clean Community Center will discuss with committee at a later time.

At this time Eileen Swan, Executive Director of the Highlands Council and Tom Borden Deputy Executive Director were present to give the Highlands Council/Plan Conformance Presentation. Some highlights of the presentation as follows:

1. Region divided into three Primary Zones – Protection, Conservation, Existing Community.
2. Four Sub Zones – Lake Community, Constrained, Environmental Constrained, Wildlife Management.
3. Equity Provisions with 17 exemptions; waivers, dual appraisal method, transfer of development rights.
4. Executive Order 114.
5. Plan Conformance – mandatory for lands in Presentation Area, Voluntary for lands in Planning Area.
6. Benefits – Planning Grants, Legal Shield, State Plan Endorsement, TDR Impact Fees, Priority Open Space Acquisition funding, Tax Stabilization Funding.
7. 15,076 acres of land in Planning/Preservation Areas; 11,284 in Planning Area and 3,792 in Preservation Area.
8. Highlands suggests that Franklin Township should apply for a Plan Conformance Grant of \$50,000-\$100,000. Township already awarded \$15,000 Initial Assessment Grant. 2009 Plan Conformance Grants consisting of 7 Modules. Township should start work on Module 1 of the Plan Conformance process.

At this time Mayor Butler asked the Committee and Professional if they would have any questions to address to the Highlands Representatives. Questions consisted of as follows:

1. Stormwater Management Plan needed for build out analysis?
2. What is in it for us if we Opt in?
3. Power and input of our Land Use Board?

At this time Mayor Butler Open the floor to Public Comment:

The following **Resolution 2009-40** was presented for First Reading/Adoption.

RESOLUTION 2009-40

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Historical Commission that shall be appointed by the Mayor of the Township of Franklin. The appointments for the year 2009 for the coming year were made on January 5, 2009 as follows:

MEMBER

Linda Feltovic 2 year exp. 12/2010
Judy Rosensteel 2 year exp. 12/2010

Joe Flynn 4 year exp. 12/2012
Bonnie Hamler 4 year exp. 12/2012
Brenda Higgins 4 year exp. 12/2012

ALTERNATES

Amy Perkins 2 year exp. 12/2010
Fred Kinney 2 year exp. 12/2010

ADVISOR

John O'Brien

On motion by Michael Ferri and seconded by Michael Toretta the aforementioned **Resolution 2009-40** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk			X
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(4) Yes (0) No (1) Absent	Motion Carried

The following **Resolution 2009-41** was presented for First Reading/Adoption

TOWNSHIP OF FRANKLIN COUNTY OF WARREN STATE OF NEW JERSEY

RESOLUTION #2009-41

WHEREAS, the provisions of C.63, P.L.1991 (The Supplemental Municipal Property Tax Relief Act) under Section 13 required municipalities whose school tax year is on a fiscal basis to defer twenty-five (25) per cent of the maximum allowable amount and anticipate it into their budget over a four (4) year period beginning

in budget year 1991, and ending in budget year 1994 as additional Municipal surplus to offset the local property tax levy for local purposes; and,

WHEREAS, the provisions of C.63, P.L.1991 were amended in calendar year 1993 that changed the mandatory provision of the use of this deferred school tax to a permissive provision; and,

WHEREAS, the revised provisions for electing to utilize the deferred school tax require the governing body to make such election by introduction of the municipal budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin that election be made to defer school taxes as of December 31, 2008, and be reflected in the Annual Financial Statement for the year 2008 as follows:

	<u>FY 08-09 SCHOOL LEVY</u>	<u>MAXIMUM AMOUNT OF DEFER TAX</u>
LOCAL SCHOOL TAX	\$3,995,588.00	\$1,997,794.00
TOTAL MAXIMUM DEFER TAX 12/31/08		1,997,794.00
LESS – DEFERRED SCHOOL TAX 12/31/07		778,374.00
INCREASE IN MAXIMUM DEFER TAX ALLOWABLE FOR CALENDAR YEAR 2008		\$1,219,420.00
AMOUNT DEFERRED AT 12/31/08		\$200,000.00

On motion by Jeffrey DeAngelis and seconded by Michael Ferri the aforementioned **Resolution 2009-41** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk			X
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(4) Yes (1) Absent	Motion Carried

The following **Resolution 2009-42** was presented for First Reading/Adoption

RESOLUTION 2009-42

BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren and State of New Jersey that the regular meetings of the Franklin Township Historical Commission for the remainder of the year 2009 shall be held the third Monday of each month at the Franklin Township Municipal Building, Broadway, N.J. at the hour of 7:00 p.m. unless otherwise noted.

The Franklin Township Historical Commission chose the following meeting dates for the year 2009.

TAKE NOTICE that pursuant to provisions of Section 231 of the "Open Public Meetings Act" Chapter 231, PL 1975 the following is a schedule of the Regular Meetings of the Franklin Township Historical Commission, of the Township of Franklin, County of Warren to be held for the year 2009. All meetings unless otherwise indicated shall be held at 7:00 p.m. at the Franklin Township Municipal Building, 2093 Rt. #57, Broadway, N.J. 08808.

January 19
 February 16
 March 16
 April 20
 May 18
 June 15
 July 20
 August 17
 September 21
 October 19
 November 16
 December 21

Dated: February 2, 2009

Disposition

1. Star-Gazette
2. Clerks Office
 Municipal Building Broadway, N.J.
 08808

The within **Resolution 2009-42** was moved by Michael Ferri and seconded by Michael Toretta and upon roll call vote was passed.

Roll Call Vote:	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(5) Yes (0) Absent	Motion carried

The following **Resolution 2009-43** was presented for First Reading/Adoption

**Franklin Township RESOLUTION
 #2009- 43**

**RESOLUTION GRANTING SUPPORT FOR AN
 APPLICATION TO THE SADC BY NEW JERSEY
 CONSERVATION FOUNDATION TO PURCHASE
 DEVELOPMENT RIGHTS ON A FARM IN
 FRANKLIN TOWNSHIP**

WHEREAS, the New Jersey Conservation Foundation has determined that the purchase of development rights is available on property known as the Truskowski Farm located at Block 58 Lots 26 and 28 on the official tax map of the Township of Franklin, consisting of approximately 147 acres, and;

WHEREAS, the purchase of development easement on the property will encourage the survivability of productive agriculture in Franklin Township, and;

WHEREAS, New Jersey Conservation Foundation has entered into a contract with the property owners to purchase said development easement, and;

WHEREAS, New Jersey Conservation Foundation has a SADC Non-Profit PIG grant for the Musconetcong Farm Belt project area, and a Federal Farm and Ranchland Protection Program grant for this farm, and;

WHEREAS, New Jersey Conservation Foundation has an application before the SADC for the Truskowski farm, and;

NOW, THEREFORE BE IT RESOLVED by the Franklin Township Committee that the township hereby supports the purchase of a development easement on the above-referenced farm property.

On motion by Jeffrey DeAngelis, seconded by Mark Blaszk, the following

Resolution 2009-43 be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(5) Yes (0) No	Motion Carried

Dated: February 2, 2009

The following **Resolution 2009-44** was presented for First Reading/Adoption

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, STATE OF NEW JERSEY**

RESOLUTION – 2009-44

BUDGET TRANSFER

WHEREAS, N.J.S.A. 40A:4-58 and 59 authorizes transfers from certain budget appropriations where it is expected that it will be insufficient, and

WHEREAS, it is reasonable expected that certain appropriations will not be sufficient for contemplated expenditures;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of Franklin Township, County of Warren, State of New Jersey, is hereby instructed

to adjust the financial records in accordance with the provision of this Resolution:

CURRENT FUND

Account:	From:	<u>To:</u>
Human Resources OE	\$ 580.84	
Legal Services OE	\$10,283.69	
Land Use Board OE	\$ 2,300.10	
General Admin OE		\$ 580.84
Aid to Volunteer Fire OE		\$2,283.69
Buildings and Grounds OE		\$6,000.00
Road Maintenance OE		\$2,000.00
Electricity		\$1,430.98
Street Lighting		\$ 869.12
TOTALS	\$13,164.63	\$13,164.63

On motion by Michael Ferri seconded by Jeffrey DeAngelis, the following **Resolution 2009-44** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(5) Yes (0) No	Motion Carried

Dated: February 2, 2009

The following **Policy#14** was presented for First Reading/Adoption

POLICY 14

The Franklin Township Committee hereby officially adopts the following Policy setting forth waivers for free or reduced fees for active volunteers of Fire and Rescue units, residing in the Township of Franklin, County of Warren, and State of New Jersey.

1. Free dog license – ****late fees still apply for dogs licensed after January 31st.**
2. Wedding license (State fee of \$25 cannot be waived, but, Township fee of \$3 waived **ONLY**) and (1) Certified copy of event (**Free**)
3. Building, Plumbing, *Fire and Electric permits* (up to \$250.00). **Please note that all State Training Fees must be paid by applicant. (These are State mandated and cannot be waived)*
4. Application fees for *Land Use Board* (up to \$250.00)
5. Free 2nd. Local “Spring Clean Up” pass

Applicants must show proof of current active membership to the Office of application.

On motion by Committeeman Jeffrey DeAngelis and seconded by Committeeman Michael Ferri the aforementioned **Policy 14** was amended effective February 2, 2009.

<u>Roll Call Vote</u>	<u>Yes</u>	<u>No</u>	<u>Absent/Abstained</u>
Mark Blaszk		X	
Jeffrey DeAngelis		X	
Michael Ferri		X	
Michael Toretta		X	
Mayor Bonnie Butler		X	(5) Yes (0) Absent
carried			Motion

Dated: March 29, 1999

Amended: February 2, 2009 / **See Changes Above

The following **Proclamation** was presented for First Reading/Adoption

PROCLAMATION

WHEREAS, the citizens of Franklin Township stand firmly committed to the promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, Franklin Township has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principal that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's **Read Across America**, a national celebration of reading, will be conducted on March 2, 2009, which would have been the 105th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, **Read Across America-NJ** is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UA W, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Committee calls on the citizens of the Township of Franklin assure that every child is in a safe place reading together with a caring adult on March 2, 2009;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA'S Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

On motion by Jeffrey DeAngelis and seconded by Michael Toretta the aforementioned Proclamation be adopted as read.

<u>Roll Call Vote</u>	<u>Yes</u>	<u>No</u>	<u>Absent/Abstained</u>
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Mark Blaszk	X	
Jeffrey DeAngelis	X	
Michael Ferri	X	
Michael Toretta	X	
Mayor Bonnie Butler	X	(5) Yes Motion Carried

PUBLIC HEARING and CONSIDERATION

The following **Ordinance 2009-1** was presented for Final Reading/Adoption (amended and adopted as amended and published in full amended state) Mayor Butler opened the Public Hearing on motion by Mark Blaszk and seconded by Michael Toretta, unanimous vote. Hearing no public comments, Clerk Cicerelle provided the information as to the salary changes from last month’s meeting as follows;

- DPW Foreman salary should be \$48,348 in lieu of \$48,339
- DPW Asst. Foreman salary should be \$46,703 in lieu of \$46,072 and an hourly rate of \$22.45 in lieu of \$22.15
- DPW Mechanic salary should be \$45,038 in lieu of \$44,595 and an hourly rate of \$21.65 in lieu of \$21.44
- Electrical Inspector salary should be \$6,150 in lieu of \$6,305

A motion to close the Public Hearing was made by Michael Toretta and seconded by Michael Ferri, unanimous vote. Motion to adopt; amended and adopted as amended and published in full amended state by Michael Ferri and seconded by Jeffrey DeAngelis. Roll Call Vote, below.

**Ordinance 2009-1
SALARY ORDINANCE TOWNSHIP OF FRANKLIN
WARREN COUNTY, NJ**

BE IT ORDAINED, by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey that;

1. The Compensation of each member of the Township Committee of the Township of Franklin, County of Warren and Sate of New Jersey shall be and the same is hereby set at 2,816.00 per annum. payable quarterly. Mayor \$4,338.00 per yr.
2. The salaries and wages of the Officers and other employees of the Township of Franklin, County of Warren, and State of New Jersey hereinafter set forth, shall be as follows:

Assessor, per year	\$30,412.00
Collector, per year	\$26,108.00
Tax Searches	All fees
Chief Financial Officer, per year	\$24,401.00
Assistant Treasurer, per year	\$ 4,163.00
Municipal Clerk, per year	\$41,359.00
Deputy Municipal Clerk, per year	\$19,393.00
Registrar/Deputy Registrar	\$3.00 per original marriage app/Certified copies all fees
Assessment Searches	All fees
Dog Licensing Official, per year	\$ 2,807.00
Zoning/Code Enforcement Officer, per year	\$22,382.00
Land Use Board Secretary, per year	\$19,096.00
Community Room Coordinator	
LUB Special Meetings to be paid at \$150	Out of Applicants Fee
Animal Control Officer	\$ 5,858.00
Dog Canvasses, every other year	\$ 500.00

Welfare Director, per year	\$ 6,846.00
Emergency Management Co-Ord., per year	\$ 2,477.00
911 Co-Ord., per year	\$ 1,466.00
Recycling Co-Ord., per year	\$ 8,596.00
DPW Foreman	\$ 48,348.00 (\$23.24/hourly)
DPW Asst. Foreman	\$ 46,703.00 (\$22.45/hourly)
DPW Mechanic	\$ 45,038.00 (\$21.65/hourly)
All Department of Public Works. Employees time and a half over 8 hour day.	
Day Laborer	\$ 11.92/hour
Emergency Call Out	\$ 16.37/hour
Construction Official, per year	\$ 27,815.00
Maintenance Person/Site Manager	\$11.92/hour
Open Space Clerk, per year	\$ 5,150.00
Plumbing Inspector, per year	\$ 13,261.00
Fire Inspector, per year	\$ 5,853.00
Electrical Inspector, per year	\$ 6,150.00

ALL AUTHORIZED TOWNSHIP OFFICIALS OR EMPLOYEES OF THE TOWNSHIP WHILE ON OFFICIAL BUSINESS FOR THE TOWNSHIP, WHEN A SWORN VOUCHER IS APPROVED BY THE TOWNSHIP COMMITTEE, SHALL BE PAID 58.5 CENTS PER MILE FOR USE OF THEIR OWN PERSONAL VEHICLE.

3. The salaries of all full-time employees, the Land Use Board Secretary, shall be paid on the 15th and the last day of the month.
4. The salaries of the Mayor, Committee and the Zoning Official shall be paid quarterly.
5. The salaries of all other employees shall be paid on the last day of the month.

6. All Ordinance or parts of ordinances which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

That this Ordinance shall remain in effect for one year. That said Ordinance will be presented for final reading and adoption at a public meeting to be held on February 2nd, 2009 at the hour of 7:30 p.m. following publication in the Star-Gazette.

On motion by Michael Ferri and seconded by Michael Toretta the aforementioned **Ordinance 2009-1** be adopted as read as introduced

Roll Call Vote	Yes	No	Absent/Abstained
Michael Ferri	X		
Mark Blaszk	X		
Bonnie Butler	X		
Michael Toretta	X		
Jeff DeAngelis	X	(5) Yes	Motion carried

On motion by Michael Ferri and seconded by Jeffrey DeAngelis the aforementioned **Ordinance 2009-1** be amended and adopted as amended and published in full amended state on Final Reading.

Roll Call Vote	Yes	No	Absent/Abstained
Michael Ferri	X		
Mark Blaszk	X		
Bonnie Butler	X		
Michael Toretta	X		
Jeff DeAngelis	X	(5) Yes	Motion carried

PUBLIC HEARING and CONSIDERATION

The following **Ordinance 2009-2** was presented for Final Reading/Adoption. Mayor Butler opened the Public Hearing on motion by Jeffrey DeAngelis and seconded by Michael Ferri, unanimous vote. Hearing no public comments, a motion to close the Public Hearing was made by Michael Ferri and seconded by Michael Toretta, unanimous vote. Motion to adopt by Michael Toretta and seconded by Michael Ferri. Roll Call Vote, below.

The following **Ordinance 2009-2** was presented for Final Reading/Adoption

ORDINANCE 2009-2

CALENDAR YEAR 2009

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS

AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

On motion by Michael Ferri and seconded by Mark Blaszk a the
aforenoted **Ordinance 2009-2** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk a	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		

Michael Toretta
Mayor Bonnie Butler

X
X (5) Yes (0) No (0) Absent
Motion Carried

FIRST READING/INTRODUCTION

The following **Ordinance 2009-3** was presented for First Reading/Introduction

TOWNSHIP OF FRANKLIN ORDINANCE NO. 2009-3

AN ORDINANCE AMENDING AN ORDINANCE OF THE CODE OF THE TOWNSHIP OF FRANKLIN (SAID ORDINANCE COMMONLY KNOWN AS “POULTRY BUSINESSES”), COUNTY OF WARREN, AND STATE OF NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Franklin,
County of Warren and the State of New Jersey, as follows:

1. Section 107-4(C)(6)(a)(1) Application for approval of MDP is hereby amended as follows:

“A list of the location or locations to which the poultry manure will be taken, including the name of each property owner and the lot and block numbers of property, and certification that for each disposal site an approved nutrient management plan is on file, provided from February 1st through October 14th of every calendar year, no poultry manure shall be delivered or applied if the ground is frozen or temperature reaches 60 degrees Fahrenheit in the following zone from north of the railroad to the Township line and east of Edison Road to the Township lines under any circumstances.”

2. Section 107-4(C)(6)(a)(6) Application for approval of MDP is hereby further amended as follows:

“The range of dates on which poultry manure may be delivered shall be limited to October 15 through April 15 of every calendar year unless the temperature on any given day reaches 60 degrees Fahrenheit and the ground is not frozen, then under those circumstances, no poultry manure shall be delivered.”

The amendment to this Ordinance shall take effect immediately after final passage, approval and publication according to law.

Date of final reading, March 2, 2009 at a regularly scheduled meeting at 7:00pm..

The within amendment to this **Ordinance 2009-3** was moved by Michael Ferri and seconded by Michael Toretta and upon roll call vote was passed.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk		X	
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X		
	(4) Yes (1) No (0) Absent		
	Motion Carried		

Dated: February 2009

Raffle Application **RA 2009-1** was submitted by Franklin Township PTA, on motion by Michael Ferri and seconded by Michael Toretta application approved to issue license accordingly.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X		
	(5) Yes Motion Carried		

Discussion: New Jersey State League of Municipalities forwarded documentation that Chapter 209/Charitable Clothing, the law is now in effect. Briefly reviewing and contacting the state, the municipality is responsible to apply a \$25 application fee and keep all bins registered and on file at the municipal building. Attorney Tipton to review law and advise if an ordinance is needed to apply this fee and what exactly is our municipality's responsibility.

REPORTS/UPDATES/DISCUSSIONS

Engineer's Report – Engineer Duveneck gave a brief overview of items.

1. THIRD STREET DRAINAGE PROBLEMS

- As authorized by the Committee, our office sent a Highlands Applicability Determination (HAD) application to the Highlands Council to receive formal authorization to construct the project. Unfortunately, the Township's HAD application was denied by the Highlands Council as it did not meet the requirements to be classified as one of the Qualified Exemptions.
- Our office previously prepared and submitted a "Pre-Application" package for review by the NJDEP. Nevitt Duveneck attended a meeting on October 4, 2007 with various NJDEP representatives including John Moyle, Division of Dam Safety and Lou Cattuna, Land Use Regulation. Nevitt Duveneck will continue to coordinate with both John Moyle and Lou Cattuna. We were notified by Lou

Cattuna that in order for the project to proceed forward, an application to SHPO must be made in order to receive a "Project Authorization."

- Our office submitted the required SHPO application (refer to separate correspondence dated December 13, 2007). SHPO has requested that we answer questions/concerns submitted by the Warren County Morris Canal Commission.
- Our office forwarded a correspondence to the Warren County Morris Canal Committee in answer to questions they raised in their review of the project. Once the concerns of the Canal Committee have been addressed, the project may be in a position to proceed to the design phase.
- On December 22, 2008, our office contacted the Warren County Morris Canal Committee Chairman, Dave Detrick as well as, Greg Sipple to coordinate a field meeting to review the scope of work and discuss any concerns they may have regarding the project. As previously reported, we are cautiously optimistic that the project can move forward into the design phase.
- On January 13, 2009, our office met with the Warren County Morris Canal Committee to discuss the project. Subsequently, we received a correspondence from the Committee which supports the project to utilize the canal as a detention structure. The next phase would involve negotiations with the property owner, the Chiu's to purchase the canal property or seek an easement on the property for the construction work to develop the proposed detention basin. In the past, we have had only marginal success in discussing the project with the Chiu's. I believe the property purchase negotiations could lead to potential litigation. As a result, we feel it would be appropriate to discuss the property acquisition phase of this project in Executive Session.

2. TOWNSHIP WASTEWATER MANAGEMENT PLAN

- Our office received a copy of a letter, dated September 24, 2008, from the NJDEP, Division of Watershed Management, to Mayor Butler regarding this matter. In summary, based upon the County's decision not to assume the wastewater management planning responsibilities, the Township is now the lead entity for the wastewater management planning responsibilities for the Township. Per the recently adopted and amended Water Quality Management Planning Rules (NJAC 7:15), the municipality is responsible to submit a WMP within one year from the date of the adoption of the rules which would be July 7, 2009. If a WMP is not submitted, the Township would be subject to the withdrawal of any wastewater service area designations. This matter will need to be discussed further and monies budgeted in 2009 for this work.
- As per the NJDEP's September 24, 2008 letter to the municipality, the NJDEP is requesting a letter from the Township which would indicate the Township's intended course of direction and WMP responsibilities. This matter has been discussed at the last few Township Committee Meetings and, in some detail, at the January Committee meeting. Based upon my attendance at the January 22, 2009 Highlands Council Information Session regarding Plan Conformance, there was an indication from Eileen Swan, Highlands Council, that a potential extension may be granted by the NJDEP to the July, 2009 submission deadline for Municipalities (within Warren County) that lie within the Highlands and have supplied a "Notice of Intent to Conform." We will continue to research this matter and advise the Committee accordingly. At this juncture, complying with a July, 2009 submission deadline is becoming increasingly difficult.

3. REGIONAL FLOOD MITIGATION PLAN

- The Township previously agreed to participate in a Regional Flood Mitigation Plan being prepared by the Delaware River Basin Commission (DRBC). Our office has been coordinating the various efforts and work on this project through both Denise Cicerelle and Sonny Read. Joe Nalio from our office represented the Township at the mandatory Regional Flood Mitigation Plan Meeting on October 17, 2007.
- We have prepared and submitted the required Municipal Worksheets to the DRBC and also have prepared the required questionnaire to be sent to Township property owners located in the various flood plains which will be mailed by Denise Cicerelle.
- Our office presented the Plan to both the Committee and the public at a public hearing held at the November 5, 2007 Township Committee Meeting. The purpose of the presentation was to receive input from any concerned property owners. The few comments which were made at the public hearing were consistent with the information previously developed and supplied to the DRBC by our office. The DRBC is estimating that the draft Plan will be ready for review by the end of November, 2007. As of the date of this report, we have not been notified that the draft Plan has been released.
- The draft plan was released in August, 2008. It is our understanding that FEMA will not be reviewing the plan as the funding source allowed under an Approved Flood Mitigation Plan has been eliminated. Funding is now only available to municipalities who have an approved All Hazards Plan which Warren County may be developing in the future.

4. MILLBROOK ROAD ROADWAY FAILURE

- The Township DPW previously alerted our office to a significant problem to an existing section of Millbrook Road. Subsequently, we inspected a section of Millbrook Road which has exhibited significant failure. The section of the roadway in question is further north and beyond the limits of the Millbrook Road Realignment Project.
- At the November 5, 2007 Township Committee Meeting, the Township Committee authorized our office to prepare an NJDOT Discretionary Grant Application based upon confirmation from the NJDOT that the application was both fundable and appropriate through this grant program. Our office completed and submitted the Discretionary Aid Grant Application to the NJDOT for consideration (refer to separate correspondence, dated December 24, 2007).
- The Township received notification that we were successful in obtaining a \$300,000 grant to stabilize and remediate the damage to the roadway.
- Our office met with a contractor to inspect existing conditions in an effort to determine the most cost effective procedure for stabilization of the roadway. At this juncture, we will continue our design efforts towards the completion of the construction plans which would place the project in a position for construction in 2009.
- Subsequent to receiving the Committee's authorization, our office has been finalizing the construction plans and bid specification in an effort to put the project in a position to go "out to bid." We are hoping to have the project in a position for award at the March, 2009 Committee Meeting.

5. SAFE ROUTES TO SCHOOLS GRANT APPLICATION (SRTS)
(No change since last month's report)

- The Township previously received a NJDOT Safe Routes to Schools Grant Application notice. The applications were due on April 18, 2008. According to the application criteria, the sidewalk project must be within two (2) miles of a school.
- The Township Committee previously authorized our office to prepare a SRTS grant application for a project which consisted of both a sidewalk extension on Bryan Road and sidewalk repair/replacement along Asbury-Broadway Road between NJSH Route 57 and the Elementary School. We completed the grant application for submittal which was prepared utilizing the System for Administering Grants Electronically (SAGE) procedure. The estimate developed by our office for this application totaled \$86,100.
- Our office submitted the application electronically and received confirmation that the application was received by the NJDOT in advance of the April 18, 2008 deadline. To date, we have not been notified of any grant awards through this program.

6. 2009 NJDOT MUNICIPAL TRUST FUND APPLICATIONS

- Our office completed the grant applications associated with the 2009 NJDOT Transportation Trust Fund. Applications for portions of both Willow Grove Road (0.17 miles in the amount of \$147,532.00) and Good Springs Road (1.52 miles in the amount of \$209,910.00) have been prepared utilizing the System for Administering Grants Electronically (SAGE) procedure. These applications were approved via Resolution by the Township Committee at the June 2, 2008 Committee Meeting.
- I am very pleased to report that the Township has received notification of a grant allocation for Willow Grove Road Section II in the amount of \$120,000. This project should be considered when developing the 2009 Township budget.
- At the January Township Committee meeting, our office received authorization to begin preparing the construction plans and project specifications for this project. We will continue to keep the Committee apprised as we move forward with this project.

7. SMITH PROPERTY SUBDIVISION
(No change since last month's report)

- Our office met with attorney Zaiter and coordinated with attorney Schneider regarding development of the subdivision application on behalf of the Township. Our office has completed both a Preliminary Plat and Final Major Subdivision Plat representing the subdivision of this property into three separate tax lots. The subdivision application was heard at the October 1, 2008 Land Use Board Meeting where both Preliminary and Final Major Subdivision approval were secured.
- Our office received communication from the Warren County Engineer's Office related to the Preliminary/Final Subdivision application filed with the County. I met with Dave Hicks, P.E., County Engineer, Nick Paoella, P.E. and Greg Sipple, P.P. on October 29, 2008 to discuss the aspects regarding the application as it relates to access to Asbury-Broadway Road, County Route 643 and other miscellaneous issues raised by the County Engineering and Planning Department in their review of our subdivision application.

- The subdivision recently received both Preliminary and Final Subdivision Approval from the County. This will now allow for recording of the plat and perfection of the subdivision. Our office is coordinating the signing and filing of the final plat to officially have the subdivision recorded.

8. TOWNSHIP RECREATIONAL FIELDS COMPLEX

- The concept plan has been finalized with the overall layout securing approval from the Township Recreation Subcommittee. On January 12, 2009, Greg VandeRydt from our office, along with Malia Corde and Mark Blaszk, presented the plan via a powerpoint presentation to the public at a public information session which was attended by approximately 50± citizens. The plan was generally well received and, we believe at this juncture, the funding mechanism(s) and sources are being evaluated and pursued.
- The wetlands have been delineated by our wetlands consultant and we have developed the plan which will accompany the Letter of Interpretation (LOI) application to the NJDEP. It was decided to wait until the subdivision of the property (ref. report item #7) was perfected before the application is submitted to reduce the total acreage of the property which will reduce the required application fees.

9. OIL AND CHIP PROGRAM

- The Washington Township Department of Public Works expressed an interest in a shared services agreement with other municipalities to perform their yearly Oil and Chip program. In prior years, Franklin Township “teamed-up” with Washington Township to bid the oil and worked together to haul the stone with the application of the stone being performed by the Warren County Road Department. Each municipality purchased the stone for their own project. Harmony Township has also expressed an interest in meeting to discuss the logistics of an agreement to perform this work collectively. We would suggest that Ron Read attend a meeting to scope out the possibility of combining forces with both Harmony and Washington to perform oil and chipping of roadways even if the Township decides not to proceed with any oil and chip resurfacing work in 2009. We look to the Committee for direction in this matter.

10. HIGHLANDS PLAN CONFORMANCE

- As previously referenced in Engineer’s Report item #2, Nevitt Duveneck, Joe Nalio and I attended an informational session at the Highlands Council office in Chester, NJ on January 22, 2009. The purpose of this meeting/informational session was to advise various professionals (engineers, planners and attorneys) about the Plan Conformance process, the timeline and the grant program associated with same. Our office will be working with Chuck McGroarty, P.P. towards the development of the various planning modules which constitute the Highlands Plan Conformance process. The intent of this program is to have all involved municipalities be in a position to make a better “informed” decision relative to whether or not they choose to “opt in” to the Highlands Regional Master Plan (HRMP) for the areas within the Planning Area of the HRMP.

Attorney Report on file – Attorney Tipton gave a brief overview on items listed available for public. **Further discussion to ensue in Executive Session**

Mayor advised that the Smith Property/Green Acres funding money is an issue. Also the ROSI needs to be amended for future rescue squad expansion.

Zoning Officer – Nothing further to comment

Recycling Coordinator – Nothing further to comment

Open Space Committee - Bob Hood was present on behalf of the committee and advised that they need committee approval for the Santini Parcel Trust. Two Appraisals were received and one company didn't supply a quote. Two appraisals received are as follows:

Landmark Appraisals, LLC from Chester, New Jersey \$2950
Norman J. Goldberg, Inc from Clinton, New Jersey \$3250

On motion by Michael Ferri and seconded by Michael Toretta to go ahead with both companies appraisals.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(5) Yes	Motion Carried

Dated: February 2, 2009

Committee Reports –

Michael Ferri – Furnace failure at the DPW, will need to replace, but should be able to make it til Spring. Road Forman is obtaining quotes. Insulation is also needed at the garage burning at an average of 100 gallons of fuel a week. Co-Op Paving prices received from Engineer Duvneck for this year looks like a \$7 a ton increase. Mayor brought up the eye wash station quote received from CINTAS for; for a new station, cost would be \$521.75 old station not worth cleaning up.

On motion by Mark Blaszk and seconded by Jeffrey DeAngelis to go ahead and purchase a new eye wash station at \$521.75.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(5) Yes	Motion Carried

Jeffrey DeAngelis – Public Official Bonds for the Tax Collector and the CFO are now apart of the PAIC insurance. The individual bonds through Selective Insurance can be canceled since this is duplicate coverage. Health Insurance; working with the CFO to use a calculation to offset the best interest for the township and the employee as to what the township contributes and the employee contributes. A meeting has been set with the insurance producer and the volunteers(fire companies and squad) to help better understand their coverages available through the township.

Mark Blaszk – Attended the Morris Warren Council meeting, which meets once a month; issue data system documents; retention, expense and offsite storage. Also met with a roof contractor with Ron, Road Foreman, a written report of deficiencies will be supplied as to our next step with the municipal building roof.

Bonnie Butler – Need to start pursuing bathrooms in the Community Center. Front doors need to be addressed prior to the lock change. Ron, Road Foreman to obtain prices for new doors. Need to address new policies for Community Center use

as well as the security deposit release. Committee received a thank you from the rescue squad and the other from the Census Bureau for the use of our building.

Raymond Read/OEM – Not present.

Open Public Session –

Joe Flynn - commented as to the Historical Commission being placed on the March meeting agenda. Also the Youth Association had someone design bathrooms for the Community Center approximately 8 to 9 months ago, committee can sit down and discuss design with them.

Steve Tabert – commented as to the front doors; new locks vs a keypad or thumbprint entry are quite reasonable in price, might want to look into that as well.

EXECUTIVE SESSION

BE IT RESOLVED, on this 2nd day of February, 2009, by the Township Committee of the Township of Franklin and pursuant to N.J.S.A. 10:4-1, that the Township Committee shall discuss the following matter in executive session

Brandywine Litigation/Central Warren Court Records/Singley Litigation/Morris Canal
Drainage Issue

It is not possible at this time for the Township Committee to determine when and under what circumstances the item which is to be discussed in executive session can be publicly disclosed.

THEREFORE, be it resolved on this 2nd, day of February, 2009 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 10:42 p.m.

On Motion by Mark Blaszkka and seconded by Michael Toretta to exit to executive session. Unanimous Vote

On motion by Jeffrey DeAngelis and seconded by Michael Toretta to return to the regular session 10:53 p.m. Unanimous Vote

On motion by Mark Blaszkka and seconded by Jeffrey DeAngelis to pay the appropriate bills.

ROLL CALL VOTE	YES	NO	ABSENT/ABSTAINED
Mark Blaszkka	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(5) Yes (0) Absent	Motion Carried

On motion by Jeffrey DeAngelis and seconded by Mark Blaszkka, hearing no objection, meeting stands adjourned at 10:54 pm. Unanimous Vote.

Respectfully submitted,

Denise L. Cicerelle
Municipal Clerk