

**REGULAR MEETING**

The Franklin Township Committee held their regular monthly meeting at 7:00 pm on Monday, April 05, 2010. Mayor Mark Blaszkza 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 were:** Mayor Mark Blaszkza, Bonnie Butler, Jeffrey DeAngelis, Joe Flynn, Michael Toretta, Denise L. Cicerelle, Municipal Clerk, Michael Finelli, Municipal Engineer, Brian Tipton, ESQ, Municipal Attorney, Roger Bulava, Recycling, Raymond Read, OEM.

Following the flag salute the Regular Meeting Minutes of March 1, 2010 were accepted on motion by Jeffrey DeAngelis, and seconded by Bonnie Butler, all in favor. Executive Session Meeting Minutes of March 1, 2010 were accepted on motion by Bonnie Butler, and seconded by Jeffrey DeAngelis, all in favor.

New Jersey State Police present with a stat sheet as to Franklin Township. Resident Pat Baines commented as to a robbery stat, where was this and Committeeman DeAngelis inquired as to if the robber was apprehended? The robber was apprehended.

**FIRST READING/INTRODUCTION**

**TOWNSHIP OF FRANKLIN  
ORDINANCE NUMBER: 2010-6**

**AN ORDINANCE ENABLING THE MAYOR TO DECLARE  
VARIOUS LEVELS OF SNOW EMERGENCIES**

**WHEREAS**, the Township of Franklin is empowered to respond appropriately to threatened or impending emergencies; and

**WHEREAS**, the occurrence of snow, sleet and freezing rain can be hazardous for motor vehicle traffic and increases the risk of collisions; and

**WHEREAS**, motor vehicles on roadways during such times may substantially interfere with the removal of snow and ice from the roadways by the Public Works Department and associated contractors and may interfere with the movement of emergency vehicles, essential employees, public safety officials and medical personnel upon the roadways; and

**WHEREAS**, the Township of Franklin has determined that in order to protect and safeguard the property, health, safety and welfare of its citizens during such

occurrences, it should delegate authority to declare various levels of snow emergencies to the aforementioned township officials.

**NOW THEREFORE**, be it ordained by the Township of Franklin:

**Section - \_\_\_\_**

Upon the occurrence of snow, sleet or freezing rain and after consultation with the Franklin Township Public Works / Road Supervisor, the Mayor and/or Public Safety Councilperson Franklin Township, Warren County, NJ may declare a Snow Emergency and the level thereof. Upon such declaration, all major news media outlets, other governmental jurisdictions and school district authorities in Franklin Township may be notified by the most expedient method practicable under the circumstances.

**Section - \_\_\_\_**

Snow Emergencies may be declared at one of the following levels:

**Level One:** Conditions: Roadways are hazardous with blowing and/or drifting snow, roadways may be icy. Advisory: Cautious driving is advised. Parking is not permitted on designated snow emergency routes.

**Level Two:** Conditions: Roadways are hazardous with blowing and drifting snow and roadways may be icy. Advisory: Only motorists whose travel is necessary should be on the roadways. Residents are urged to contact their employer to see if they should report to work. Parking is not permitted on all public roadways.

**Level Three:** Conditions: All roadways are restricted to emergency personnel use only for travel to work, for delivery of medical supplies, medical treatment and snow removal operations. Advisory: Essential travel only is advised. Residents are strongly urged to contact their employer concerning work schedules. Parking is not permitted on all public roadways.

**Section - \_\_\_\_**

Should any section or provision of this ordinance be declared invalid by a court of competent jurisdiction for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this ordinance.

**Section - \_\_\_\_**

This Ordinance shall be in full force and effect from and after its passage, publication and recording, according to law.

This ordinance shall take effect upon passage and publication as required by law.

On motion by Committeeman Jeffrey DeAngelis and seconded by Committeeman Bonnie Butler the aforementioned ordinance be adopted at first reading. Final reading and adoption to take place on **May 3rd, 2010 at 7:00 p.m.**

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Bonnie Butler	X		
Jeffrey DeAngelis	X		
Joe Flynn	X		
Michael Toretta	X		
Mayor Mark Blaszka	X	(5) Yes	(0) Absent
carried			Motion

On motion by Committeeman \_\_\_\_\_ and seconded by Committeeman \_\_\_\_\_ the aforementioned ordinance be adopted at final reading on May 3<sup>rd</sup>, 2010.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Bonnie Butler			
Jeffrey DeAngelis			
Joe Flynn			
Michael Toretta			
Mayor Mark Blaszka		(0) Yes	(0) Absent
			Motion carried

The following **Resolution 2010-47** was presented for First Reading/Adoption

**FRANKLIN TOWNSHIP, WARREN COUNTY, NEW JERSEY  
2093 Rt. 57  
Broadway, New Jersey 08808**

**RESOLUTION # 2010-47**

**WHEREAS**, the Multi-Jurisdictional Flood Mitigation Plan for Municipalities in the Non-tidal, New Jersey portion of the Delaware River Basin has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and,

**WHEREAS**, The Township of Franklin, has participated in the preparation of the multi-jurisdictional Plan; and,

**WHEREAS**, The Township of Franklin, is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

**WHEREAS**, The Township of Franklin, has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

**NOW THEREFORE, BE IT RESOLVED**, The Township of Franklin, Warren County, New Jersey, adopts the Multi-Jurisdictional Flood Mitigation Plan for Municipalities in the Non-tidal, New Jersey portion of the Delaware River Basin and resolves to execute the actions in the Plan.

On motion by Michael Toretta and seconded by Jeffrey DeAngelis the aforementioned **Resolution 2010-47** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Bonnie Butler	X		
Jeffrey DeAngelis	X		
Joe Flynn	X		
Michael Toretta	X		
Mayor Mark Blaszka	X	(5) Yes	(0) No (0) Absent Motion Carried

Adopted by Franklin Township, Warren County, NJ, this 5<sup>th</sup> day of April, 2010.

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Mark Blaszka, Mayor

The following **Resolution 2010-48** was presented for First Reading/Adoption

**RESOLUTION 2010-48**

**RESOLUTION SUPPORTING THE ESTABLISHMENT OF THE  
ROUTE 57 SCENIC BYWAY COMMITTEE WITH WARREN  
COUNTY AS THE LEAD AGENCY**

**WHEREAS**, much of State Highway 57 in Warren County has been designated as Route 57 Scenic Byway by the Federal Highway Administration (FHWA), and

**WHEREAS**, a Study Committee established under the auspices of the new Jersey Department of Transportation (DOT) has been working diligently to institute the required committee structure to oversee the Byway, and;

**WHEREAS**, that committee has recommended a structure that is based on a government entity as lead agency,

**THEREFORE BE IT RESOLVED**, by the Township of Franklin as follows:

The Township of Franklin hereby supports the establishment of the Route 57 Scenic Byway Committee with the County of Warren as the lead agency.

On motion by Bonnie Butler and seconded by Joe Flynn the aforementioned **Resolution 2010-48** be adopted as read.

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

Adopted by Franklin Township, Warren County, NJ, this 5<sup>th</sup> day of April, 2010.

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Mark Blaszk, Mayor

The following **Resolution 2010-49** was presented for First Reading/Adoption

**RESOLUTION 2010-49**

**A RESOLUTION FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF FRANKLIN**

**BE IT ORDAINED**, by the Mayor and Committee of the Township of Franklin, County of Warren and State of New Jersey, as follows, until a subsequent salary resolution is adopted

**Section I.** The salary for the following officer/employee for the Township of Franklin shall be as follows:

<u>Title</u>	<u>Salary</u>
Day Laborer	\$18.00/per hour

**Section II** This salary above shall be retroactive to March 17, 2010 unless otherwise noted.

**Section III** Any resolution or part of resolution inconsistent herewith is hereby repealed.

On motion by Bonnie Butler and seconded by Jeffrey DeAngelis the aforementioned **Resolution 2010-49** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Bonnie Butler	X		
Jeffrey DeAngelis	X		
Joe Flynn	X		
Michael Toretta	X		
Mayor Mark Blaszka	X		
		(5) Yes	(0) No (0) Absent Motion Carried

The following **Resolution 2010-50** was presented for **First Reading/Adoption (Further discussion to ensue in executive session and will be addressed after)**

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

### **PROCLAMATION**

**WHEREAS**, it has become a tradition that the Month of May is designed as Older Americans Month, and

**WHEREAS**, the growing population of older adults is making many positive contributions to our municipality through their many efforts as volunteers and citizens; and

**WHEREAS**, Franklin Township, Warren County, NJ, wishes to honor our older adults, 60 years and older, for their past and present contributions and encourage them to remain in the mainstream of life as they continue to play a vital role in our society and particularly in our local community; “Age Strong! Live Long!

**NOW, THEREFORE, BE IT RESOLVED**, that, I, Mayor Mark Blaszka of Franklin Township, Warren County, NJ, hereby proclaim May 2010 as **OLDER AMERICANS MONTH** in Franklin Township, Warren County, NJ

The aforementioned **Proclamation** be adopted by unanimous vote.

The following **Resolution 2010-51** was presented for First Reading/Adoption

### **RESOLUTION # 2010-51**

**RESOLUTION OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A FEDERAL AID AGREEMENT NUMBER 2009-DT-BLA1-17 FOR THE PROJECT ASBURY HISTORIC DISTRICT SIDEWALK**

WHEREAS, the Transportation Improvement Program will support and encourage transportation projects developed at the local level to advance community based needs to develop safe pedestrian transportation facilities, and

WHEREAS, the Transportation Improvement Program can provide funding for the construction of new facilities or improvements to existing facilities that provide for safe pedestrian transportation, and

WHEREAS, the Township of Franklin has received a State Transportation Improvement Grant for the construction of sidewalks on Asbury Road, and

WHEREAS, the Township of Franklin has committed to assist in the funding of the sidewalks and curb construction, and

WHEREAS, the Township of Franklin has committed to complete the above-referenced project, and

WHEREAS, the grant is conditioned upon the execution of a Federal Aid Agreement Number 2009-DT-BLA1-17;

NOW THEREFORE BE IT RESOLVED, that the Township of Franklin endorses the above-referenced Federal Agreement to replace and install new sidewalks and curbing in the Township of Franklin, and

FURTHER BE IT RESOLVED, the Mayor and Committee endorse the Grant Agreement and hereby authorized the mayor to execute same.

On motion by Joe Flynn and seconded by Bonnie Butler the aforementioned **Resolution 2010-51** be adopted as read.

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

The following **Resolution 2010-52** was presented for First Reading/Adoption

**\*\*\*Waiting for the electronic copy of grant to be emailed to download in minutes\*\*\*\*\***

**Introduction of 2010 Municipal Budget By Title Only  
(Resolutions 2010-53 – Resolution 2010-56)**

Mayor Blaszk commented as to budget figures, per our township auditor the \$80K loss in state aid, puts the township over the levy cap by \$79,049 and we are over the appropriations cap by \$11,403. Deductions from:

1. DPW (other expenses) \$6,500 from line item 26-290-2
2. Legal Services \$2,000 from line item 20-155-2
3. Engineering Services \$2,000 from line item 20-165-2
4. Street Lighting \$500 from line item 31-435-2

A total of \$12,000 from the above line items and the remainder \$67,049 from deferred school tax

The following **Resolution 2010-53** was presented for First Reading/Adoption

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

**RESOLUTION #2010-53**

**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:

	<b>FY 09-10 SCHOOL LEVY</b>	<b>MAX AMT OF DEFERRED TAX</b>
LOCAL SCHOOL TAX	\$3,936,116.00	\$1,968,058.00
TOTAL MAXIMUM DEFER TAX 12/31/09		1,968,058.00
LESS – DEFERRED SCHOOL TAX 12/31/08		978,374.00
INCREASE IN MAXIMUM DEFER TAX ALLOWABLE FOR CALENDAR YEAR 2009		\$989,684.00
AMOUNT DEFERRED AT 12/31/09		\$510,000.00

On motion by Bonnie Butler and seconded by Jeffrey DeAngelis the aforementioned **Resolution 2010-53** be adopted as read.

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

The following **Resolution 2010-54** was presented for First Reading/Adoption

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

**RESOLUTION-#2010-54**

**WHEREAS**, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 31 of the fiscal year; and,

**WHEREAS**, the Township of Franklin holds its regularly scheduled monthly meeting on the first Monday of the month and has delayed the introduction of the 2010 Municipal Budget past the statutory deadline; and,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Franklin, Warren, Warren County, New Jersey, that the Township of Franklin hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2010 Franklin Township Municipal Budget; and,

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

Date: April 5, 2010

On motion by Bonnie Butler and seconded by Jeffrey DeAngelis the aforementioned **Resolution 2010-54** be adopted as read.

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

The following **Resolution 2010-55** was presented for First Reading/Adoption

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

**RESOLUTION #2010-55**

**WHEREAS**, the 2010 Local Municipal Budget was introduced on the 5th day of April, 2010; and,

**WHEREAS**, during the fiscal year 2010 the Township of Franklin has been allocated a state grant for various programs in the amount of \$14,413.00.

**NOW, THEREFORE BE IT RESOLVED**, that petition be made herewith to the Director of the Division of Local Government Services that the 2010 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:**"

<b>Recycling Tonnage Grant</b>	<b>1,694.00</b>
<b>Clean Communities Program</b>	<b>9,284.00</b>
<b>Municipal Alliance on Alcoholism &amp; Drug Abuse</b>	<b><u>3,435.00</u></b>
	<b><u>\$ 14,413.00</u></b>

On motion by Bonnie Butler and seconded by Jeffrey DeAngelis the aforementioned **Resolution 2010-55** be adopted as read.

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

The following **Resolution 2010-56** was presented for First Reading/Adoption

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

**RESOLUTION-#2010-56**

**WHEREAS**, the Township of Franklin is holding a meeting on April 5, 2010, for the purpose of introducing the 2010 Municipal Budget and conducting other matters; and,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Franklin, Warren County, New Jersey, that the Township of Franklin hereby petitions the Director of the Division of Local Government Services that the 2010 Local Municipal Budget be introduced and approved on April 5, 2010.

**2010 FRANKLIN TOWNSHIP MUNICIPAL BUDGET**

Surplus anticipated general revenues	\$ 990,000.00
Total Miscellaneous revenue	411,002.00
Receipts from Delinquent Taxes	180,000.00
Local Property Taxes	<u>722,503.00</u>
Total General Revenues	<u>\$2,303,505.00</u>
Total Operations	\$1,317,973.00
Capital Improvements	231,000.00
Debt Service	173,060.00
Reserve for Delinquent Taxes	<u>581,472.00</u>
Total 2010 Municipal Budget	<u>\$2,303,505.00</u>
2010 Municipal Tax Rate	0.1711

On motion by Bonnie Butler and seconded by Jeffrey DeAngelis the aforementioned **Resolution 2010-56** be adopted as read.

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

**DISCUSSION:**

Committeeman Flynn addressed this issue at the last Historical Commission meeting as to options to change the name of New Street; suggestions as follows: Weller Lane, Audrey Lane. We also received letters/emails from residents with suggestions as well, to name a few; Schmidt Court, Safety John Lane. Raymond Read, OEM, advised committee, that this is a safety issue and a decision needs to be made tonight. Mr. Read will check with the 911 Center and post offices as to any problems with this new street name prior to the adoption of the ordinance.

**FIRST READING/INTRODUCTION**

**TOWNSHIP OF FRANKLIN  
ORDINANCE NO. 2010-7**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN,  
STATE OF NEW JERSEY, OF THE CODE OF THE TOWNSHIP OF  
FRANKLIN TO CHANGE THE NAME OF NEW STREET TO AUDREY LANE**

**WHEREAS**, there is a New Street in Washington Borough and a New Street in Franklin Township, whereby both streets are served by the same post office in Washington Borough;

**WHEREAS**, it has come to the attention of the Committee of the Township of Franklin, County of Warren, State of New Jersey, that residents on New Street in Franklin Township often do not get mail or deliveries, or get Washington Borough residents mail or deliveries, and have experienced problems with giving directions to visitors;

**WHEREAS**, the confusion caused by the similar Streets has also created a safety and emergency management problem in that responses to emergency situations could be delayed;

**WHEREAS**, N.J.S.A. § 40:67-1(k) grants the Township the authority to change the name of a street;

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

New Street is hereby changed to Audrey Lane for the benefit and well being of the residents living on New Street.

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

Dated: April 5, 2010

On motion by Committeeman Jeffrey DeAngelis and seconded by Committeeman Bonnie Butler the aforementioned ordinance be adopted at first reading. Final reading and adoption to take place on **June 7th, 2010 at 7:00 p.m.**

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Bonnie Butler	X		
Jeffrey DeAngelis	X		
Joe Flynn	X		
Michael Toretta	X		
Mayor Mark Blaszk	X	(5) Yes	(0) Absent Motion carried

On motion by Committeeman \_\_\_\_\_ and seconded by Committeeman \_\_\_\_\_ the aforementioned ordinance be adopted at final reading on June 7th, 2010.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Bonnie Butler			
Jeffrey DeAngelis			
Joe Flynn			
Michael Toretta			
Mayor Mark Blaszk		( ) Yes ( ) Absent	Motion carried

**DISCUSSION:**

Roger Bulava, Recycle Coordinator, brought up to the committee, traditionally Clean Communities monies was a tax on liter. We have a choice this year as to utilize monies with the fire companies or the township committee can be the sponsor and present this to the rescue squad and/or youth association as well. It is the township committee’s choice on how to do the roadside clean up. This years grant monies have not been received, roughly \$15,000. In 2008 \$7000 and change and in 2009 \$9000 and change. Committee does not need to make a decision on this tonight. Mr. Read will take this back to the fire companies and Karen Chiu will discuss with the squad as well to see if they would be interested.

A one day used tire/rim event at the Oxford Burner, May 12<sup>th</sup>, 7am – 2pm, free to Warren County residents.

Spring Clean Up, we submitted to 3 companies and only received 1 quote from Sanico. Clean Up day will be Saturday, June 12<sup>th</sup> from 7 am to 3 pm. Mr. Bulava researched back to 2005 and estimated cost of clean up, roughly \$6000. Global Computer Pro, a electronics recycling center in Phillipsburg, are willing to come to the day of our clean up, at no cost, to recycle computers, tvs, phones, etc. This will help defray the cost in the roll offs and credit in our yearly report as well. Mr. Bulava will do a little more research on this company to have them come out to our clean up. Committeeman Toretta knows of a metal containers company that might be cheaper than Sanico doing this part of the clean up. Mr. Toretta will get this information to Mr. Bulava for further research prior to clean up.

On motion by Michael Toretta and seconded by Jeffrey DeAngelis to approve and accept the Sanico quote with the exception of Roger Bulava checking in with other company from Mike Toretta for metal containers..

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

**DISCUSSION/APPROVAL:**

Appraisal for services to preserve the Christopher Montana Property, Block 46, lots 20, 21, 23 & 29.

On motion by Jeffrey DeAngelis and seconded by Bonnie Butler to approve Landmark I Appraisal for \$1950 and Mackoff for \$1750.

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

**DISCUSSION/APPROVAL:**

We received a letter from the Warren County Housing Program requesting funds from the Franklin Township COAH housing rehabilitation account of \$10,000.00, \$8,000 represents housing rehabilitation and \$2,000 represents administration costs for project case at 7 Thatcher Avenue.

On motion by Jeffrey DeAngelis and seconded by Bonnie Butler to approve the release of \$10,000 from COAH housing rehabilitation account for 7 Thatcher Avenue accordingly.

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

**DISCUSSION/APPROVAL:**

As submitted by CFO, Dawn Stanchina, needing a motion to cancel outdated, stale checks. Committee would like to get additional information from CFO as to the dates of the checks prior to their approval. Will revisit this next month.

**APPROVAL:**

Raffle Application **RA 2010-4** was submitted by PTA Franklin Township, for an Off Premises 50/50, Date of Event, 9/17/10, on motion by Bonnie Butler and seconded by Joe Flynn, application approved to issue license accordingly.

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

**REPORTS/UPDATES/DISCUSSIONS**

**OEM**

Nothing further to report.

**OPEN SPACE COMMITTEE**

No Representative

**ZONING**

Not present.

**RECYCLING**

Nothing further to report.

**ATTORNEY REPORT**

Report on file. Further discussion to ensue in Executive Session.

**ENGINEER REPORT** – Engineer Finelli gave a brief update as to the Willow/Grove Road Section II, “Z” Brothers is in agreement with the \$10,000 adjustment. Final voucher can now be processed. Mr. Finelli recommends that the township committee authorize the mayor to sign off on the necessary paperwork.

On motion by Bonnie Butler and seconded by Michael Toretta to authorize the mayor to sign off on the necessary paperwork with “Z” Brothers

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

**1. THIRD STREET DRAINAGE PROBLEMS  
(No change since last month’s report)**

- 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 Duvencck 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). Our office then forwarded a follow-up correspondence to the Warren County Morris Canal Committee in answer to questions they raised in their review of the project.
- 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 optimistic that the project can move forward into the design phase once the required property is secured by the Township.
- 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 necessary to develop the proposed detention basin. In the past, we have had only marginal success in discussing the project with the Chiu's.
- The Township recently executed an extension to the original grant agreement for an additional period of three (3) years to expire on August 31, 2012.
- Nevitt Duveneck and I met with Mayor Blaszkowski on January 15, 2010 to review a number of current Municipal projects including this project. It is our understanding that Mayor Blaszkowski will be following up on this matter in an effort to meet with Mr. Chiu to discuss acquiring the necessary parcel of property to allow this project to move forward.

## 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 (1) year from the date of the adoption of the rules which would be July 7, 2009. As previously discussed by me at recent Township Committee meetings, if a "new" Township-specific WMP would not be submitted, the Township would be subject to the withdrawal of any wastewater service area designations.
- 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. I attended a Highlands Council Information Session meeting on January 22, 2009 regarding Plan Conformance. At that meeting, 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 have since received confirmation that there will be extensions granted to Highlands municipalities within Warren County. The Township has now formally requested an extension from the NJDEP, via a correspondence from our office dated June 1, 2009.

- The NJDEP has amended their requirements for Warren County municipalities relative to the submission of a “complete” WMP. We have spoken with numerous NJDEP personnel regarding the NJDEP’s requirements for WMP submissions in Warren County/Highlands municipalities. The NJDEP will be accepting an “interim” WMP which is a much abbreviated and more concise WMP submission. Additionally, the NJDEP has made available a \$10,000 grant for each municipality who decides to proceed and submit an “interim” plan. Our office, with assistance from both Denise Cicerelle and Dawn Stanchina, has developed the grant application. At the August 10, 2009 Committee meeting, the Township Committee approved a Resolution which was a requirement of the submission of the grant application. Our office has forwarded the completed grant application to the NJDEP via correspondence dated August 19, 2009.
- Our office received a copy of an Agreement from the NJDEP on October 28, 2009 which must be executed by the Township in conjunction with the \$10,000 grant referenced above. The grant agreement was signed and executed by Mayor Butler and Denise Cicerelle. The agreement will enable the Township to secure the \$10,000 grant from the NJDEP for the work associated with the development of this interim WMP.
- Our office will keep the Committee updated as we proceed forward in developing the “interim” WMP. Prior to any submission of an “interim” WMP to the NJDEP, the Township Committee will need to approve same.
- Very recently, Administrative Order #2010-03 was signed by Mr. Bob Martin, NJDEP Commissioner, which extended the deadline for submitting a WMP until April 7, 2011. Until then, it is our understanding that all current wastewater service area designations will remain effective. Our office has communicated directly with our NJDEP representative, Mr. Neal Ferrari, on this project, who suggested that it would still be prudent for the Township to proceed forward with their revised/amended/updated WMP and submit same to the NJDEP in the near future to expedite the processing of same.

### 3. SAFE ROUTES TO SCHOOLS GRANT APPLICATION (SRTS)

- Confirmation was received by the Township that they were successful in receiving funding in the amount of \$70,000 for the project. According to the grant guidelines, the project requires project authorization (design plan approval) by the NJDOT within two (2) years of the date of the grant award.
- The Township should be advised that there is additional administrative work required through this funding program than the typical DOT Trust Fund project (i.e. Report Item # 4).
- Our office completed the design phase and preliminary construction plans for the project and have been coordinating with the Warren County Engineer’s office prior to completing the final design on Asbury-Broadway Road.
- As a result of the lack of ROW on Bryan Road, as the project enters the Rocky Brook housing development, the proposed sidewalk could not be completed in front of the first home on the north side of Bryan Road. As a result, our office requested and received approval from the NJDOT to reduce the length of the project. Our office is now proceeding forward to prepare the bid specifications and the advertising of the project.
- In conjunction with stake-out of the proposed 10-acre recreational facility (ref. report item #5), our office has also staked out the limit of disturbance for the construction of the sidewalk off of Bryan Road.

#### 4. 2009 NJDOT TRUST FUND APPLICATION: WILLOW GROVE ROAD, SECTION II

- The Township previously received notification of a grant allocation for Willow Grove Road Section II in the amount of \$120,000. As a result of the fact that in-place asphalt paving from independent paving contractors can result in a savings of up to \$10.00 per ton under the current MCCPC price for in-place paving, the Committee authorized our office to go “out to bid” for the project.
- The NJDOT initial 75% voucher in the amount of \$90,000 was previously submitted to the NJDOT which represented the initial reimbursement amount due the Township of Franklin.
- After coordinating with the NJDOT regarding the status of the initial NJDOT payment voucher, it appeared that they did not have a record of the voucher request forwarded by our office on September 10, 2009 in their files. In addition, the NDOT informed us that we could not close-out the project with the state until the project was closed-out with the contractor (which may not occur until spring). As a result, our office prepared a second initial 75% NJDOT voucher with the CFO signature and forwarded same onto the NJDOT for processing (refer to February 11, 2010 correspondence).
- Our office has received confirmation that the initial payment due to the Township from the NJDOT has been approved.
- Our office has prepared a Final Voucher and Change Order for the project which was detailed in our December 29, 2009 correspondence. The Committee took no action regarding authorization to approve the Voucher and Change Order. Subsequently, our office met with Mayor Blaszka and it was decided, and the contractor consented to retainage in the amount of \$20,000.00 to cover the costs of milling and paving of the defective pavement seams on the project.
- Our office has coordinated with the contractor regarding the pavement repairs and requested a \$10,000.00 adjustment for same as discussed with the Mayor. The contractor has requested that they be allowed to mill and pave the unacceptable areas of the roadway. The Township should give our office direction related to allowing Z-Brothers to repair the pavement.

#### 5. TOWNSHIP RECREATIONAL FIELDS COMPLEX

- The original concept plan had 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 Blaszka, 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 accompanied the previously filed Letter of Interpretation (LOI) application to the NJDEP. Our office is in receipt of an approved NJDEP LOI for the project dated December 1, 2009.
- Greg VandeRydt of our office met with Mayor Blaszka and Committeeman Flynn to discuss revisions to Phase I of the proposed recreational complex. Some field layout and location changes are being evaluated and an amended Phase I plan has been developed (please reference enclosed sketch). Mayor Blaszka and Committeeman Flynn may wish to update the Township Committee further on this matter.

- Recently, our office performed the necessary field survey work to allow us to develop the topography of a 10-acre portion slated for the development of the initial recreational facilities (Phase I) off of Asbury-Broadway Road. In addition, our office field staked the area in question to limit the planting of crops within the area slated for development.

**6. HIGHLANDS PLAN CONFORMANCE  
(No change since last month's report)**

- 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.
- It is my understanding that Planner McGroarty has made application(s) to the Highlands for the grants associated with the Plan Conformance process. The total for this grant program is \$50,000 with a maximum upset amount of \$100,000. This grant amount would be inclusive of all seven (7) modules required in conjunction with the plan conformance process. Confirmation should be made regarding the submission of these grant applications to the Highlands Council prior to the Township incurring any additional costs. The Township should be aware that receipt of these grant monies from the Highlands does NOT obligate the Township to "opt in" to the HRMP.
- It is our understanding that Chuck McGroarty, P.P., completed the balance of the Highlands Plan Conformance process and the compilation and submission of all required documents and completed Modules and forwarded same to the Highlands Council. At this juncture, we are waiting for the Highlands Council to review and provide comment on our Module 7 submission and the Township's Petition for Plan Conformance. Our office is in receipt of a recent correspondence from the Highlands Councils indicating that our submission was determined to be administratively complete.
- The next phase of the Highlands Conformance is the development of the Fair Share Housing Plan for the municipality which is being handled Chuck McGroarty, P.P.

**7. 2010 TRANSPORTATION ENHANCEMENT APPLICATION**

- The Township was originally awarded a \$76,000 grant for the project and it is being funded through the American Recovery and Reinvestment Act (ARRA) through the federal government. Subsequently, the amount of the grant award was increased to \$104,770 to correspond to the additional estimated costs associated with this project.
- Additionally, as required, we met on site with the employees from the State Historic Preservation Office (SHPO), NJDOT and the Chair and Vice Chair of the Township Historic Commission to receive their input on the project. All of their respective comments have been incorporated into the construction plans as required by the NJDOT.

- After review by the NJDOT's consultant, Greenman-Pedersen (GPI), we received final approval and "Authorization" from the NJDOT for the project.
- The project has been advertised and we are currently in the "bidding" period. The bid opening for the project is scheduled for April 22, 2010 where a representative from our office will be present to open the bids. We hope to be in a position to make a contract award recommendation at the May 3, 2010 Township Committee meeting.
- In conjunction with the Federal Aid Funding of this project, a Resolution in support of the Federal Aid Agreement and authorizing the Mayor to endorse same is required to be adopted by the municipality. A draft resolution has been forwarded to Denise Cicerelle and the Township Committee should take action on this resolution at the April 5, 2010 meeting.

**8. TRAFFIC SPEED LIMIT ORDINANCE  
(No change since last month's report)**

- Our office is currently working with Attorney Tipton to prepare a revised Speed Limit Ordinance for future introduction and consideration for adoption by the municipality.

**9. TILLABLE AREA REDUCTION OF TOWNSHIP PROPERTY**

- Our office staked the non-tillable areas on the Township's property for both the limit of disturbance for the sidewalk construction on Bryan Road as well as the 10-acre area slated for the development of the Township Recreation Fields and attendant parking lots. Our office has determined that the reduction in the tillable land would be 10.0 acres + 0.56 acres = 10.56 acres.
- For your negotiations with the farmer, the entire area being tilled and planted **outside** of the Bryan Road ROW equals 58.29 acres. There is an additional ROW area on Bryan Road (the ROW is exceptionally wide towards the Rocky Brook housing development) that equals 0.44 acres that was previously being planted.
- The resultant tillable area would be  $58.29 + 0.44 = 58.73 - 10.56$  (as referenced above) which results in a net tillable area equal to 48.17 acres.

**COMMITTEE REPORTS**

**Joe Flynn** – Community Form held on March 27<sup>th</sup>; a question was asked, what would bring people to the community center? SSP will present at the next meeting its analysis. Committeeman Toretta commented as to proposals to fix the roof. Committeeman Flynn advised that the analysis will advise us of what we need to do to fix the roof and present us with options on how to proceed.

**Michael Toretta** - Nothing additional.

**Bonnie Butler** – As to engine braking signs, prior to them being posted on County Roads, road foreman advised that an ordinance must be adopted. A chart was received as to the repair of all roads in the township. Committeeman Toretta commented that our roads need to be put back on rotation, to keep up with repairs. An OSHA inspection revealed that we had 2 minor problems at the road garage that need to be addressed. The fuel card for the Chief's vehicle has been turned in and the fire chief is paying for the gas

out of his own pocket. A township owned dump truck is needed for a few firemen to take the CDL test in Randolph, they can't use an emergency vehicle since they are not an inspected vehicle. A CDL licensed driver must go along with the firemen to drive the dump truck, this should be scheduled with Foreman Read. Summer Help was addressed for the DPW, we are down one man at this time, see how it goes to see if more help is necessary. Highlands reimbursement is still a concern, still haven't received any money back on the modules. Mike Finelli advised that Tiffanie from his office is handling this and he will get back to the township committee on this. Committeeman Toretta commented that if we send a letter to Assemblyman Eric Peterson and he would personally work on this for us.

**Jeff DeAngelis** – Updates on Policy Manual, need to get this scheduled, as soon as possible.

**Mark Blaszk** – May 2<sup>nd</sup> is the Run for the River, can go on their website for additional information. A letter was received by the mayor from a major recycler as to placing a bin on our property to collect clothes/shoes, committee consensus not to entertain. A letter received from Warren County as to our OEM Manual has been completed, good job Sonny. Hydrants will be flushed in the township between 4/26 and 4/30. 2010 Tax Appeals, received a list from our assessor. Our township attorney will notify us of any conflicts. The roads in the township will be swept this Wednesday. The mayor has an article in the NJSLM and mentioned area businesses in the township as well as on Comcast Cable on the Newsmaker this month. Mayor has also contacted Governor's office with concern as to the increase in taxes due to preservation of land and the Highlands restricting ratables. Our elementary school has gone from an 85% capacity to 58%. The largest town sending most of the students to Warren Hills is seeing a \$2 per 100 decrease and the smallest town, Franklin Township, is getting an \$83 per 100 increase. An adjustment to the formula is needed to get rid of the funding bias.

## **OPEN PUBLIC SESSION**

John Kirick of Millbrook Road - Millbrook Road has not been maintained in the past 10 years, patches have patches, looking for the unpaved portion, to have drainage looked at and catch basin pipes need to be replaced. Township Committee advised Engineer Finelli to review the situation and get back to them.

Peter Jost, Greenwich Township Attorney and Steve Balzano, Land Use Consultant for Greenwich Township were asked to be present this evening by Greenwich Township Committee to convey their concerns with the zoning of the IP Zone on Bloomsbury Road and the traffic implications that would affect Greenwich Township. Mr. Jost noted that they are aware that the Greek Application is off the boards for now. Mayor Blaszk commented that we understand the situation and we have already had our discussions and unlike Greenwich Township that has industrial zones Franklin Township does not. Consensus of our committee that Greenwich Township should mind their own business as to what is going on in our township. Committeeman Toretta suggested to solve the problem, get all the municipalities together that have complained about this property and put their money in a pot and purchase it and put it into farmland preservation. Resident Bill Butler found it offensive for Greenwich Township to come into our town to tell us how to run our township.

Steve Tabert – Commented as to the Sidewalk Grant for Asbury-Broadway Road and Bryan Road are the sidewalks from Rt. 57 to Bryan road included in this to be fixed? Mr. Finelli advised that, yes they are included in the grant.

Karen Chiu – Commented that it is nice to see that we have a strong board, not wishy washy with Greenwich Township.

Mike Ferri – Questioned as to where the money is coming from for baseball fields as we always keep coming up short with everything else? Mayor Blaszka informed Mike for the third time coming out of Open Space. Ferri addressed why this issue wouldn't be put out on a referendum for the people to vote on? Committeeman Flynn commented that we don't put each farm that is preserved out to vote. If fields are built; you need equipment to maintain, grooming infield, mayor advised that this will all be addressed. Mayor also informed that fields can not be rented from Washington Township anymore after this year. Committeewoman Butler also shares the same concerns as our DPW is busy enough. Mayor Blaszka explained that the DPW in previous years took care of the two fields at the school, the school property, and the Edison Fields. Each of these fields are no longer being maintained by the township and the area across the street would be less than what they used to do. Committeeman Flynn advised that all these factors will be taken into consideration. Committeeman Flynn will be checking into the fund availability to be fair to the taxpayers and this needs to include upkeep of the grounds per Committeewoman Butler.

Sam Santini – Questioned the amount of tax payers money that is used to operate the Community Center? Commented as to a report on the back room, where is the \$35,000 we earn going? Committeewoman Butler advised that she can attest to the fact that November – March 75% of heat/gas and a quarter of the electric is paid out of recreational trust fund. Committeeman Flynn advised that approximately \$7,000 is left.

Sam Santini- Commented as to stakes posted all over the field in which he farms on Franklin Township property. Where is he to plant and not to plant his crop? Also received an invoice for the farming on that field and if not the same area, why is he being charged the same annual rate per the contract? Mayor advised that a credit will be issued. Mr. Finelli will meet with Mr. Santini to clear this issue up.

## **EXECUTIVE SESSION**

**BE IT RESOLVED**, on this 5th day of April, 2010, 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/Contract Negotiations/Shared Service Contract Negotiation**

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 5th, day of April, 2010 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 9:22 p.m.

On Motion by Jeffrey DeAngelis and seconded by Bonnie Butler to exit to executive session. Unanimous Vote

On motion by Jeffrey DeAngelis and seconded by Michael Toretta to return to the regular session 10:35 p.m. Unanimous Vote

The following **Resolution 2010-50** was presented for First Reading/Adoption, and to exclude Lot 1 and amended language as per Attorney Tipton.

**RESOLUTION 2010-50**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF FRANKLIN  
TO ENTER INTO AN AGREEMENT TO PURCHASE  
DEVELOPMENT EASEMENT  
ON BLOCK 57 LOT 34,  
COMMONLY KNOWN AS THE LEAVENS FARM**

**WHEREAS**, Officials of the Township of Franklin agree that the permanent preservation of lands devoted to agricultural use is in the public interest and benefits the citizens of the Township and that the purchase of development rights to accomplish the preservation of said land is a worthwhile and prudent expenditure of public funds; and

**WHEREAS**, the Township of Franklin has applied for and have been awarded funds from the State of New Jersey Farmland Preservation Program (hereinafter, the "Program"), which program makes monies available for the purchase of development rights to properties in agricultural use in order to permanently restrict said properties to such use; and

**WHEREAS**, the Township of Franklin Farmland Preservation Plan ("Plan") has been approved by the Warren County Agricultural Development Board (CADB), which makes farms in the Plan eligible for matching funds from the Warren County Open Space and Farmland Preservation Trust to preserve farmland, and

**WHEREAS**, William B. Leavens, III, has represented that he is the exclusive owner of real property, designated on the tax map of the Township of Franklin, Warren County, as Block 57, Lot 34, (hereinafter referred to as the "Property"); and

**WHEREAS**, the Property has been identified in the Plan as farmland that has significant agricultural value and constitutes a priority for preservation under the goals of the Plan; and

**WHEREAS**, William B. Leavens, III is committed to the continued agricultural use of the Property and wishes to permanently preserve and restrict the Property to agricultural use for himself and his heirs, executors, administrators, successors and assigns and for the benefit of the public; and

**WHEREAS**, William B. Leavens, III has applied to the State of New Jersey Agriculture Development Committee (SADC) under the SADC Municipal Planning Incentive Grant Farmland Preservation Program to participate in the Program through the sale of the development rights to the Grantee; and

**WHEREAS**, William B. Leavens, III's application had been granted preliminary approval by the SADC and the CADB; and

**WHEREAS**, by virtue of the Agreement to Sell Development Easement, the Township of Franklin has offered to purchase the development rights and a development easement on the Property from William B. Leavens, III on certain conditions stated within the Agreement subject to final review and negotiation; and

**WHEREAS**, William B. Leavens, III and the Township of Franklin intend to permanently preserve and restrict the Property to agricultural use for and in consideration of payment to be made by the Township in accordance with the terms and conditions contained in the final negotiated Agreement; and they agree that said permanent preservation shall occur and be effective upon Mr. Leavens's execution of a deed of easement conveying a development easement to the Township;

**BE IT RESOLVED** by the Township Committee of the Township of Franklin that it hereby authorizes participation in the purchase of the development rights to the Leavens property.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Franklin that it hereby authorizes the municipal clerk, township attorney and municipal bond counsel, if needed, to take all action necessary and appropriate to effectuate the intent and purpose of this resolution.

**NOW, THEREFORE BE IT RESOLVED**, by a majority of the members of the Governing Body of the Township of Franklin, County of Warren, State of New Jersey, that members seek to effectuate the Ordinance.

DATED: April 5, 2010

\_\_\_\_\_  
Mark Blaszk, Mayor

ATTEST: \_\_\_\_\_  
Denise L.Cicerelle, Municipal Clerk

On motion by Bonnie Butler and seconded by Michael Toretta the aforementioned **Resolution 2010-50** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Bonnie Butler	X		
Jeffrey DeAngelis		X	
Joe Flynn		X	
Michael Toretta	X		
Mayor Mark Blaszk	X		(3) Yes (2) No (0) Absent Motion Carried

On motion by Bonnie Butler and seconded by Joe Flynn to pay bill list as presented by the CFO, excluding the summer fun checks made out to Ernie Chavez, Pauline Albrecht, Leslie DeSilva, looking for further clarification as to why checks were made out prior to services rendered.

<b>ROLL CALL VOTE</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT/ABSTAINED</b>
Bonnie Butler	X		
Jeffrey DeAngelis	X		
Joe Flynn	X		
Michael Toretta	X		
Mayor Mark Blaszk	X		(5) Yes (0) Absent Motion Carried

On motion by Michael Toretta and seconded by Mark Blaszk, hearing no objection, meeting stands adjourned at 10:50 pm. Unanimous Vote.

Respectfully submitted,

Denise L. Cicerelle  
Municipal Clerk