

REGULAR MEETING

The Franklin Township Committee held their regular monthly meeting at 7:00 pm on Monday, April 06, 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 were: Mayor Bonnie Butler, Committeemen: Mark Blaszk, Michael Ferri and Michael Toretta, Brian Tipton, Township Attorney, Michael Finelli, Township Engineer, Jim Onembo, Zoning/Code Enforcement, Raymond Read, OEM, Denise L. Cicerelle, Municipal Clerk.

Absent were: Committeeman Jeffrey DeAngelis

Roll Call of Committeepersons

Following the flag salute the Regular Meeting Minutes of March 2nd, 2009 were accepted on motion by Michael Toretta and seconded by Michael Ferri, Mark Blaszk abstained, all in favor. Executive Session Meeting Minutes of March 2nd, 2009 were accepted on motion by Michael Toretta, and seconded by Michael Ferri, Mark Blaszk abstained, all in favor.

At this time, Bonnie Onembo, 1st Grade Teacher of the Franklin Township Elementary School, presented awards for the Municipal Alliance Drug Poster Awareness Contests as follows:

1 st – 2 nd Grade Level: Santino Flora	"Kids of the world/Say no to drugs"
3 rd – 4 th Grade Level: Isabella Corvelli	"Don't be a fool/Drugs aren't cool"
5 th – 6 th Grade Level: Phillip Fazekas	"Say no Way/Walk away"
1 st ,2 nd ,3 rd Grade Level: Rachel Payne	"I don't need drugs to be me"
4 th ,5 th ,6 th Grade Level: Simon Ficken	"Doing drugs just doesn't hurt yourself/Hurts people around you"

A representative from the New Jersey State Police was present with no concerns voiced by Committee or Public. A report was presented to committee as it pertains to Franklin Township as follows:

173 Motor Vehicle Stops, 2 (911) Hang Up Calls, 5 Fire Calls, 9 Motor Vehicle Accidents, 8 Alarms, 10 Medical Assists, 3 Suspicious Vehicles/Persons, Traffic Detail in February (53 Stops, 14 Summonses, 41 Warnings).

INTRODUCTION/ADOPTION OF:

The following **Resolution 2009-46** was presented for Introduction/Adoption.

RESOLUTION NO. 2009-46

WHEREAS, an application has been approved for a total exemption from taxation for Edward Tomlinson, Block 7 Lot 17.18, who is a permanently and totally disabled veteran and,

WHEREAS, 2009 1st quarter property taxes have been paid, in the amount of \$ 2789.37, by Mr. Tomlinson and,

WHEREAS, Mr. Tomlinson has requested a refund be issued,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 2789.37 to Edward & Janet Tomlinson, 9 Whites Road, Washington, NJ 07882.

The within **Resolution 2009-46** was moved by Mark Blaszk and seconded by Michael Ferri 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 () Absent	Motion carried

**Introduction of 2009 Municipal Budget By Title Only
(Resolutions 2009-47 – Resolution 2009-50)**

INTRODUCTION/ADOPTION OF:

The following **Resolution 2009-47** was presented for Introduction/Adoption.

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

RESOLUTION-#2009-47

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 2009 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 2009 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.

The within **Resolution 2009-47** was moved by Mark Blaszk and seconded by Michael Ferri 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) Absent	Motion carried

Date: April 6, 2009

INTRODUCTION/ADOPTION OF:

The following **Resolution 2009-48** was presented for Introduction/Adoption.

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

RESOLUTION #2009-48

WHEREAS, the 2009 Local Municipal Budget was introduced on the 6th day of April, 2009; and,

WHEREAS, during the fiscal year 2009 the Township of Franklin has been allocated a state grant for various programs in the amount of \$437,549.00.

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2009 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:**"

Recycling Tonnage Grant	928.00
NJ Transp Trust – Millbrook Bank Restor.	300,000.00
NJ Transp Trust – Willow Grove II	120,000.00
Clean Communities Program	7,253.00
ANJEC Open Space Grant	5,500.00
Municipal Alliance on Alcoholism & Drug Abuse	<u>3,868.00</u>
	<u>\$ 437,549.00</u>

On motion by Michael Ferri and seconded by Mark Blaszk a the aforementioned **Resolution 2009-48** be adopted as read.

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

INTRODUCTION/ADOPTION OF:

The following **Resolution 2009-49** was presented for Introduction/Adoption.

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

RESOLUTION #2009-49

WHEREAS, the 2009 Local Municipal Budget was introduced on the 6th day of April, 2009; and,

WHEREAS, during the fiscal year 2009 the Township of Franklin has been allocated a state grant for various programs in the amount of \$81,000.00.

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2009 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-Other Special Items:**"

Sale of Municipal Assets	<u>\$ 81,000.00</u>
	<u>\$ 81,000.00</u>

On motion by Mark Blaszkza and seconded by Michael Ferri the aforementioned **Resolution 2009-49** be adopted as read.

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

INTRODUCTION/ADOPTION OF:

The following **Resolution 2009-50** was presented for Introduction/Adoption.

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

RESOLUTION-#2009-50

WHEREAS, the Township of Franklin is holding a meeting on April 6, 2009, for the purpose of introducing the 2009 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 2009 Local Municipal Budget be introduced and approved on April 6, 2009.

2009 FRANKLIN TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 766,000.00
Total Miscellaneous revenue	1,033,433.00
Receipts from Delinquent Taxes	180,000.00
Local Property Taxes	<u>700,142.00</u>
Total General Revenues	<u>\$2,259,417.00</u>
Total Operations	\$1,269,088.00
Capital Improvements	525,000.00
Debt Service	310,415.00
Reserve for Delinquent Taxes	<u>575,072.00</u>
Total 2009 Municipal Budget	<u>\$2,679,575.00</u>
2009 Municipal Tax Rate	.1666

On motion by Mark Blaszk and seconded by Michael Ferri the aforementioned **Resolution 2009-50** 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

INTRODUCTION/ADOPTION OF:

The following **Resolution 2009-51** was presented for Introduction/Adoption.

**RESOLUTION #2009-51
FRANKLIN TOWNSHIP**

**RESOLUTION AMENDING RESOLUTION 2008-55 AUTHORIZING
MAYOR BUTLER AND THE FRANKLIN TOWNSHIP COMMITTEE
TO UPDATE THE 2009 MUNICIPAL ALLIANCE PROGRAM**

WHEREAS, the Township of Franklin wishes to update the 2009 Municipal Alliance Program; and

WHEREAS, the Municipal Alliance shall request (DEDR Funds) in the amount of \$3,989.00 with a required cash match from the Township of Franklin in the amount of \$1,197.00; and In-Kind Match of \$2,793.00 for a total Program Budget of \$7,979.00 and

WHEREAS, the aforementioned cash match is specifically subject to appropriation by the Township of Franklin; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin that Mayor Butler is hereby authorized to execute said request for the Franklin Township Municipal Alliance.

This Resolution shall take effect immediately.

The within **Resolution 2009-51** as moved by Michael Ferri and seconded by Mark Blaszk and upon Roll Call Vote was passed.

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

Dated: August 4, 2008

INTRODUCTION/ADOPTION OF:

The following **Resolution 2009-52** was presented for Introduction/Adoption.

RESOLUTION 2009-52

WHEREAS, the Township of Franklin has been served with notice of filing of a 2009 tax appeal directly to the State Tax Court on Block 15 Lot 11.02 owned by Carpenter Realty; and

WHEREAS, the municipality intends as part of its defense to reserve the right to petition for an increase of the 2009 valuation if warranted.

NOW, THEREFORE, let it be resolved by a majority of the members of the Franklin Township Governing Body that the appointed special tax counsel of Conley & Sozansky be authorized to file a counterclaim as a part of the municipality’s defense.

On motion by Mark Blaszk and seconded by Michael Ferri the aforementioned **Resolution 2009-48** 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

FIRST READING/INTRODUCTION OF:

The following **Ordinance 2009-4** was presented for First Reading/Introduction (**Regulation of Donation Clothing Bins**) The committee decided after a brief discussion that further detail was needed prior to the introduction of this Ordinance and it would be tabled until next month for introduction.

FIRST READING/INTRODUCTION OF:

The following **Ordinance 2009-5** was presented for First Reading/Introduction (**United Telephone Company Use of Various Public Roads, Streets or Highways for local and through lines and Communications Facilities and Prescribing the Conditions**) Per Attorney Tipton United Telephone provides dial tone service in our Township. They are attempting to put a new agreement in place. Kelly & Ward, attorneys for United Telephone will comply with the statutory requirements for publication and posting of said ordinance.

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, NEW JERSEY
Ordinance No. 2009-5**

AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF UNITED TELEPHONE COMPANY OF NEW JERSEY, INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC ROADS, STREETS, OR HIGHWAYS IN THE TOWNSHIP OF FRANKLIN, WARREN COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF.

BE IT ORDAINED by the Mayor & Committee of the Township of Franklin, Warren County, New Jersey that:

SECTION 1: Pursuant to the provisions of N.J.S.A. 48:17-10, N.J.S.A. 48:17-11, and N.J.S.A. 48:17-12, non-exclusive permission and consent is hereby granted to United Telephone of New Jersey, Inc., ("Company"), its successors and assigns, to erect, construct and maintain the necessary poles, wires/cables, conduits, or other fixtures in, upon, along, over or under any public street, road, or highway, and parts thereof, throughout their entire length, and to effect the necessary street openings and lateral connections to curb poles, property lines and other facilities in the Township of Franklin (the "Township") for said Company's local and through lines in connection with the transaction of its business. This Ordinance does not authorize placement of wireless telecommunications facilities within the Township's rights-of-way. This Ordinance also does not authorize Company to construct switching stations in the Township's rights-of-way without separate permission.

SECTION 2: All poles and above-ground facilities hereafter located within the rights-of-way shall be placed back of the curb lines where shown on the official map(s) of the Township or other filed maps, surveys or approved site plans that are necessary to establish the location of road rights-of-way. Said facilities shall be located in accordance with applicable standards, including, but not limited to, Township ordinances, Residential Site Improvement Standards, and NJDOT standards, or at the points or places now occupied by the poles or other facilities of Company, or at such other convenient points or places in, upon, along, adjacent, or across the public streets and ways as may be mutually agreed upon between Township and Company. Facilities to service all new residential sub-divisions will be constructed underground unless the property owner obtains the Township's permission otherwise.

SECTION 3: Company may bury its facilities within the right-of-way of the various public streets and ways and at such locations as shall be mutually agreed upon by the parties. Underground conduits and associated facilities shall be placed at least eighteen (18) inches below the surface of said public streets and ways and, with the exception of lateral branches to curb poles and property lines and other facilities, the same shall generally not be constructed more than ten (10) feet from the curb line, unless obstructions make it necessary to deviate from such course or unless the parties mutually agree to another location. Manholes shall be located at such points along the line of underground conduits as may be necessary or convenient for placing, maintaining, and operating the facilities which Company may from time to time use in connection with its underground conduit system and shall be so constructed as to conform to the cross-sectional and longitudinal grade of the surface so as not to interfere with the safety or convenience of persons or vehicles.

SECTION 4: Any such area affected by Company in constructing its facilities shall be restored to as good condition as it was before the commencement of work thereon. No public streets or ways shall be encumbered for a period longer than shall be reasonable to execute the work. Company shall comply with Township Ordinance(s) regarding road openings.

SECTION 5: Company agrees to indemnify and save harmless the Township from and against all claims and liabilities resulting from any injury or damage to the person or property of any person, firm or corporation caused by or arising out of conditions resulting from any negligent or faulty excavation, installation or maintenance connected

with its work or equipment. The provisions of this Section shall not be interpreted to relieve the Township from liability to Company or third parties in the event of joint or concurring negligence or fault of Company and the Township; provided, however, that the legal liability of the Township, if any, shall be determined under applicable law, taking into account the privileges and immunities afforded a governmental entity.

SECTION 6: Whenever a curb line shall be established on streets where one does not now exist, or where an established curb line shall be relocated in order to change the width or realign an existing street in conjunction with road construction being performed by the Township, Company shall change the location of its above-ground and below-ground facilities covered by this Ordinance, so that the same shall be back of, and adjacent to, the new curb line so long as the Township has acted in accordance with applicable law and with reasonable care in establishing the new curb line and providing notice thereof. Company shall bear the costs so long as the relocation is not for aesthetic purposes or governed by N.J.S.A. 40A:26A-8.

SECTION 7: Any company or corporation having legal authority to place its facilities in the public streets and ways of the Township may jointly use Company's poles, conduits or other fixtures for all lawful purposes, provided that Company consents to such use, on terms and conditions acceptable to Company and not inconsistent with the provisions of this Ordinance, and that said company or corporation has obtained consent from the Township.

SECTION 8: If any or all of the said streets or ways are later taken over by the County of Warren or the State of New Jersey, such County or State shall have the rights and privileges and be subject to the same terms, conditions and limitations of use as apply herein to the Township, provided, however, that such satisfactory prior arrangements as may be necessary are made with the Township and Company for the full protection of the respective interest of each.

SECTION 9: The term "Township" as used in this Ordinance shall be held to apply to and include any form of municipality or government into which the Township or any part thereof may at any time hereafter be changed, annexed, or merged.

SECTION 10: The permission and consent hereby granted shall apply to facilities, existing or hereafter constructed or operated by Company, its predecessors, successors, or assigns. This Ordinance shall cancel and supersede all prior consent ordinances between the Township and Company regarding the subject matter hereof.

SECTION 11: This Ordinance shall not affect the ability of the Township to impose real property taxes on the facilities of Company under current law. Further, if in the future applicable law should change so as to enable the Township to impose a franchise fee or other fee, tax, charge, or monetary obligation on Company's operations or facilities hereunder, Company agrees that the provisions of this Ordinance shall not preclude the Township from imposing or collecting such fee, tax, charge or other monetary obligation which may be permitted by law.

SECTION 12: Company shall maintain its property within the Township in good condition and shall comply with applicable law for the provision of safe, adequate and proper service at just and reasonable rates, and safeguard the public interest in continuous and uninterrupted service.

SECTION 13: Nothing contained in this Ordinance shall be construed to impose an obligation on the part of the Township to open any street not heretofore dedicated or opened to public use, and nothing herein shall be construed as an acceptance by the Township of any unaccepted street or any part thereof where any pole, wire, conduit, cable or other fixture may exist.

SECTION 14: In the event that any public street or way where any pole, conduit, cable or other fixture owned or used by Company exists is vacated by the Township, the Township agrees to reserve unto Company the rights granted by this Ordinance. Township would have no further obligation or responsibility to maintain or provide access to the right-of-way.

SECTION 15: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared to be unenforceable or invalid for any reason whatsoever, such decision or declaration shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect; and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 16: Company shall pay the expenses incurred for advertising required in connection with the passage of this Ordinance, after the date of its first reading, within thirty (30) days after Company has received a bill for said advertising.

SECTION 17: Following final passage of this Ordinance, the Township Clerk shall provide Company with written notice thereof by certified mail. As provided by applicable law, this Ordinance, and any subsequent amendments, shall not become effective until acceptance by Company and approval by the Board of Public Utilities.

SECTION 18. This Ordinance shall take effect in the time and manner prescribed by law.

Denise Cicerelle, Clerk

Bonnie Butler,
Mayor

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on April 6, 2009, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on May 4, 2009 at 7:00 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 2093 Rt. 57, Broadway,

NJ, at which time all persons interested may appear for or against the passage of said Ordinance.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

On motion by Michael Toretta and seconded by Michael Ferri the aforementioned **Ordinance 2009-5** be adopted as read at first reading.

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

Dated: April 6, 2009

FIRST READING/INTRODUCTION OF:

The following **Ordinance 2009-6** was presented for First Reading/Introduction (**Recycling Ordinance Amended**)

**TOWNSHIP OF FRANKLIN
ORDINANCE NO. 2009-6**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN,
STATE OF NEW JERSEY, OF THE CODE OF THE TOWNSHIP OF
FRANKLIN –RECYCLING AMENDMENT**

BE IT ORDAINED, by the Township Committee of the Township of Franklin, County of Warren and the State of New Jersey, that Chapter 83 Recycling shall be deleted and replaced as amended in its entirety so as to read as follows:

CHAPTER 83

ARTICLE I

§ 83-1 Participation in model program authorized; implementation; jurisdiction.

A.

The Township of Franklin, County of Warren, and its officers shall take all action necessary and appropriate to participate in the New Jersey Clean Communities Model Program for Municipalities pursuant to P.L. 1986, c. 187, N.J.S.A. 13:1E-99.2e, as the same shall, from time to time, be amended. It is the intent of the Mayor and Committee to provide for, promote, clarify and consolidate certain provisions of local law in order to assist and promote efforts toward an attractive, safe, healthy and clean environment within the Township of Franklin.

B.

The implementation of the New Jersey Clean Communities Model Program for Municipalities in the Township of Franklin shall be the responsibility of the Clean Communities Act Coordinator of the Township of Franklin.

C.

The Mayor of the Township, after consultation with the Township Committee, shall designate a resident of the Township as Coordinator for this program annually in January of each year.

D.

The Municipal Court for the Township of Franklin is hereby given jurisdiction to hear charges of all violations of Chapter [83](#) of this Code as issued by the enforcement officer or Board of Health Officer or their agents.

§ 83-2 Littering; deposits or accumulation of wastes prohibited.

A.

It is unlawful for any person in the Township of Franklin to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than in a litter receptacle. "Litter" means any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material or any combination thereof, including but not limited to any bottle, jar or can or any top, cap or detachable tab of any bottle, jar or can; any unlighted cigarette, cigar, match or any flaming or glowing material; or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction materials, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing, except as herein otherwise provided.

B.

No person, persons, partnership, association, firm or corporation shall deposit, maintain or permit to be deposited, maintained or to accumulate in or upon any public or private street or thoroughfare or place or in or upon any privately owned property or building in the Township of Franklin any household, garage or factory waste; any garbage, offal, excrement, sewage, tin cans or rubbish; any dead animals or parts thereof; any decaying; or putrescible matter, fruit, vegetables, fish, meat or bones; any oyster or clam shells, or any foul, putrid or decaying liquid or substance.

§ 83-3 Sweeping of litter; receptacles for storage.

A.

No person shall be permitted to sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any private or public sidewalk or driveway. Every person who owns or occupies property must keep the sidewalk in front of the premises free of litter. All litter sweepings must be collected and properly containerized for disposal.

B.

Any and all litter and garbage which may be collected or accumulated in said Township of Franklin or which may be stored, kept or retained therein without violating this article shall be kept in watertight metal, plastic or rubber receptacles provided with tightly fitting covers. Said receptacles shall be kept clean, and no water shall be allowed to enter or collect therein except for the purpose of cleaning, and it shall be unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins on his or her property.

§ 83-4 Leaking from containers or vehicles prohibited.

A.

No person, persons, partnership, association, firm or corporation shall allow any garbage or excrement or any other offensive or decomposed solid or fluid matter or substance to leak or escape from any truck, container or vehicle used for the conveyance or carriage of litter or garbage materials through any portion of the Township of Franklin.

B.

It shall be unlawful for any vehicle to be driven, moved, stopped or parked on any public roadway unless such a vehicle is constructed, covered or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any of the articles constituting litter have fallen or escaped, which could cause an obstruction, damage a vehicle or otherwise endanger travelers or public property, must immediately cause the public property to be cleaned and cleared or all such materials and must pay the costs therefor.

ARTICLE II

§ 83-5 Accumulation of wastes on site prohibited.

It shall be unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter, garbage, refuse or debris resulting from such activities to accumulate either before, during or after completion of the work. It is the duty of the owner, agent or contractor in charge of a site to furnish containers adequate to accommodate flyable and nonflyable debris, garbage or refuse at areas convenient to the construction or demolition site and to maintain and empty the receptacles in accordance with this chapter on a regular basis in such a manner as to prevent spillage of such debris, garbage or refuse on the land, and, in any event, all such debris, garbage and refuse shall be removed from the site not more than 30 days after completion of the construction or demolition activities. Salvaged building materials neatly stored on the owner's premises shall not be considered refuse or debris.

§ 83-6 Abandoned vehicles.

A.

No person shall keep, store, abandon or leave upon any parcel of land, street, road, alley, way or parkway in the Township any motor vehicle not currently used for transportation and not being licensed for the current year or which cannot be readily operated under its own power; provided, however, that nothing herein contained shall be determined to prohibit the placing, keeping or storing of any such motor vehicle in an enclosed barn, garage or building, duly licensed junkyard or public garage or filling station. Farm machinery kept on a farmer's own premises is excluded from the provisions of this section.

B.

Nothing herein shall be construed to pertain to junk dealers, junkyards, motor vehicle junk dealers, motor vehicle junkyards, wholesale junk dealers, wholesale junkyards or scavengers duly licensed by the Township of Franklin.

§ 83-7 Complaints; investigation of conditions.

Upon complaint of any resident or property owner of the Township of Franklin or any person, firm, corporation or employee of said Township or upon his own volition, the Health Officer or Code Enforcement Officer or their designated agents shall make an investigation of the condition complained of and report thereon, in writing, to the Township Clerk for the Township Committee and/or issue a summons or summonses for said violation or violations.

§ 83-8 Notice of violation.

Upon receiving said report, if the land in question about which the complaint was made is found to be in such condition that a violation of one or more of the provisions of [§ 83-5](#) or [83-6](#) hereof exists on said land, the Township Clerk shall notify the owner and possessor of said lands complained of, in writing, either personally or by certified mail (return receipt requested) and regular mail, to take such steps as will effectively remove said violation from said land within 10 days after receipt of said notice.

§ 83-9 Reinspection and report.

The Health Officer or Code Enforcement Officer or their designated agents shall reinspect said lands after the ten-day period shall have expired and shall report, in writing, to the Township Clerk for the Township Committee whether or not the unlawful condition complained of and previously found to exist in violation of this article has been abated or remedied.

§ 83-10 Failure to comply, remedy by Township.

In the event that the owner or possessor of said lands shall refuse or neglect to abate or remedy the condition complained of, and which constituted a violation of this article,

after said 10 days' notice, the Township Committee shall cause the condition complained of to be abated and remedied.

§ 83-11 Assessment of costs.

Upon the removal of any of the materials prohibited to be stored or abandoned on lands by this article by or under the direction of such officer or officers of this Township in cases where the owner or tenant shall have refused or neglected to remove the same in the manner and within the time provided above, such officer or officers shall certify the cost thereof to the Township Committee, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said lands; the amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon said lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

§ 83-12 Violations and penalties.

Any person convicted of a violation of any of the provisions of Article **I** or Article **II** shall, upon conviction, pay a fine not exceeding \$1,000 or be imprisoned for a term not exceeding 90 days or by a period of community service for a term not exceeding 90 days, or any combination thereof, all in the discretion of the court before which such conviction is had. For each day that the court finds the violation or violations to have continued, the same shall constitute separate and distinct offenses, for which separate penalties can be imposed for each day of the continuing violation or violations.

ARTICLE III

§ 83-13 Definitions.

The following terms, whenever used or referred to in this Article shall have the following respective meanings for the purposes hereof, unless a different meaning clearly appears from the context:

ALUMINUM CANS - Includes all aluminum containers used for the packaging of food or drink for human consumption.

COMMINGLED – means a combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

COMMERCIAL USE – means an activity involving the sale of goods or services carried out for profit;

CONTAINER GLASS -- Includes all products made from silica or sand, soda ash and limestone; which said product shall be transparent or translucent and being used for packaging or bottling of food or drink for human consumption being bottles and jars; excluding, however, blue or flat glass, commonly known as “window glass”, “leaded glass”, “cookware”, “dishware” or “mirror glass”.

DESIGNATED RECYCLABLE MATERIALS – means those materials designated within the Warren County District Solid Waste Management Plan to be source separated for the purpose of recycling:

Aluminum cans	Magazines and mixed paper
Antifreeze	Newsprint
Asphalt and concrete pavement	Non-treated wood
Carpet	Oil filters
Computer paper	Plastic containers (types 1 and 2)
Computers	Propane tanks
Corrugated cardboard	Scrap metals (including junkyard autos)
Flourescent tubes	Source-separated metal
Glass bottles and jars	Steel and tin cans
High-grade white office paper	Stumps
Household batteries	Textiles/clothing
Laser and inkjet cartridges	Tires

Latex paint *	Used motor oil
Lead-acid batteries	White goods
Leaves and yard waste (brush, tree parts)	

*the County designates Latex paint, but only if the PCFA restarts its collection of the material.

ELECTRONIC WASTE – shall mean a computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones;

HOTEL – shall mean any building, including but not limited to any related structure, accessory building, and land appurtenant thereto, and any part thereof, which contains 120 or more units of dwelling space or has sleeping facilities for 25 or more persons and is kept, used, maintained, advertised as, or held out to be, a place where sleeping or dwelling accommodations are available to transient or permanent guests.

This definition shall also mean and include any hotel, motor hotel, motel, or established guesthouse, which is commonly regarded as a hotel, motor hotel, motel, or established guesthouse, as the case may be, in the community in which it is located; provided, that this definition shall not be construed to include any building or structure defined as a multiple dwelling in this act, registered as a multiple dwelling with the Commissioner of Community Affairs as hereinafter provided, and occupied or intended to be occupied as such nor shall this definition be construed to include a rooming house or a boarding house as defined in the “Rooming and Boarding House Act of 1979,” P.L.1979, c.496 (C.55:13B-1 et al.) or, except as otherwise set forth in P.L.1987, c.270 (C.55:13A-7.5, 55:13A-7.6, 55:13A-12.1, 55:13A-13.2), any retreat lodging facility, as defined in this section.

MULTI-FAMILY DWELLING – means any building or structure of complex of buildings in which three or more dwelling units are rented or leased or offered for rental or lease for residential purposes (see NJSA 13:1E-99.13a) except hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the “Hotel and Multiple Dwelling Law,” P.L. 1967, c.76(C.55:13A-1 et seq.);

MUNICIPAL RECYCLING COORDINATOR – means the person or persons appointed by the municipal governing body and who shall be authorized to enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder.

MUNICIPAL SOLID WASTE (MSW) STREAM – means all solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Municipality of Franklin;

RECYCLABLE MATERIAL – means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

SOURCE-SEPARATED RECYCLABLE MATERIALS – means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

SOURCE SEPARATION – means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

TIN CANS - Includes all bimetal and tin-coated steel cans used for packaging beverages or prepared foods for human or animal consumption.

WASTE MOTOR OIL -- All petroleum-based or synthetic oil which is used in an internal-combustion engine, which oil, through use, storage or handling, has become unsuitable for its original purpose due to the presence of chemical or physical impurities or loss of original properties.

WHITE GOODS -- Bulky recyclable wastes of metal and shall include scrap metal and metal appliances such as refrigerators, dishwashers, dryers, clothes washers and water heaters.

§ 83-14 Mandatory source separation requirements.

A. Mandatory Source Separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the municipality of Franklin, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by owners, tenants, or occupants of such premises and shall be placed separately at the side of the road in the manner and on such days as arrangements for pick-up by haulers have been made by said parties who generated the waste. Alternatively, residents may bring their recyclable materials to the Township drop-off center located on Asbury-Broadway Road on the times and dates posted in Section 83 of this Article.

B. Exemptions. Pursuant to N.J.S.A. 13:1E-99.169(d) the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The forms shall include, at a minimum, the following information:
The name of the commercial or institutional entity; the street address, location and lot and block designation; the name, official title and phone number of the person making the application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, any certification and a certification that the designated recyclable materials will be recycled and, and that, at least on an annual basis, said recycling service provider shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

§ 83-15 Methods of Collecting Recyclable Materials.

The collection of recyclable materials shall be in the manner prescribed as follows:

All residents and occupants as owners or tenants of residential properties as well as owners, occupants or tenants of commercial, business and industrial properties, along with private public governmental institutions, unless otherwise herein exempt or arranged for disposal through private handlers, shall separate from disposable waste all recyclable materials as herein provided and deliver said recyclables to the Franklin Township recycling shed located at the municipal garage on Asbury-Broadway Road, being County Road #643, during the times and dates as follows:

Franklin Township Recycling Drop-Off Center's Business Hours

First Saturday of each month from 9:00 A.M. until 1:00 P.M. and

Third Wednesday of each month from 12:30 P.M. until 4:30 P.M.

§ 83-16 Residential Dwelling Compliance Requirements.

- A. The owners/occupants of single family and two family dwellings shall be responsible for compliance with this Ordinance.
- B. For multi-family units, the management or owner is responsible for setting up and maintaining the recycling system, including designation of a building/complex recycling coordinator who will oversee the recycling system which includes the collection of recyclable materials.
- C. Violations and penalty notices will be directed to the owner, occupant, or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every six months during their occupancy.

§ 83-17 Commercial Establishment Compliance Requirements.

- A. All commercial, business or industrial facilities shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited in the location of the litter receptacle, and shall provide for separate recycling service for their contents.
- C. Annually, every business, institution or industrial facility shall report to the Municipal Recycling Coordinator the recycling activities undertaken at their premises, including the amount of recycled materials, by material type, elected and recycled and the vendor or vendors providing recycling service. The forms to be used shall be provided or approved by the Municipal Recycling Coordinator.
- D. All food service establishments as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products and maintain such records as may be prescribed, for inspection by any Code Enforcement Officer.

§ 83-18 New Developments of Multi-Family Residential Units or Commercial, Institutional or Industrial Properties.

- A. Any application to the Land Use Board of the Township of Franklin for subdivision or site plan approval for the construction of multi-family dwellings of three (3) or more units, single family developments of fifty (50) or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:
 - 1. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development;
 - 2. Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (Signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator;

3. Provisions shall be made for the indoor, or enclosed outdoor storage and pickup of solid waste, to be approved by the Municipal Engineer.

B. Prior to the issuance of a Certificate of Occupancy, by the Township of Franklin, the owner of any new multi-family housing or commercial, institutional or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials. or provide the Municipality with a plan for recycling, which may include transporting recyclable materials to the Township's Recycling Center.

§ 83-19 Prohibition of the Collection of Waste Mixed with Recyclable Materials.

A. 1. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of designated recyclable materials.

2. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

B. It shall be the responsibility of the resident or occupant to properly separate the uncollected waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local Sanitary Code.

C. Once placed in the location identified by the Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove or otherwise handle designated recyclable materials.

§ 83-20 Enforcement.

A. The Township Board of Health, the Recycling Coordinator, the Zoning Officer, the Building Inspector, or other Code Enforcement Officer, the State Police and the Warren County Department of Health are hereby individually and severally empowered to enforce the provisions of this Ordinance.

B. An inspection by these authorized enforcement agents may consist of sorting through containers and opening solid waste bags to detect, by sound or sight, the presence of any recyclable material.

§ 83-21 Violations and Penalties.

Any person, corporation or occupant, or entity that violates or fails to comply with any provision of this Ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$250, nor more than \$1,000. Each day for which a violation of this Ordinance occurs shall be considered a separate offense.

§ 83-22 Severability Effective Date.

In the event it is determined by a court of competent jurisdiction, that any provision or section of this Ordinance is unconstitutional, all other sections and provisions shall remain in effect. This Ordinance shall take effect immediately, unless otherwise provided by Resolution of the governing body.

§ 83-23 Recycling Coordinator.

A. POSITION. The Township hereby establishes the position of Recycling

Coordinator pursuant to P.L. 1981 c. 278, as amended within and for the Township of Franklin in the County of Warren.

B. DUTIES. The recycling Coordinator, as appointed, has the following duties and responsibilities:

(1) To study methods of recycling materials and to recommend to the Mayor and Township Committee alternative methods that appear to be viable within the Township of Franklin.

(2) To establish a recycling program in the Township with recommendations for the recycling ordinance and to provide and enforce same.

(3) To establish and promulgate reasonable rules and regulations to fulfill and carry out said program.

(4) To coordinate the activities of recycling within the Township of Franklin with the County of Warren and other governmental agencies.

(5) To recommend and establish the manner, days and times of collection, sorting and transportation of recyclable materials.

(6) To study the sale and/or marketing possibilities of recycling materials and to coordinate all activities with the County Recycling Plans.

(7) To keep records as to amounts of recyclable materials collected by their various categories which shall include a waste list for type of materials transported from the recycling program of the Township as well as a waste list from private industry or businesses and to further collect, file and record waste oil paperwork from designated waste oil depositories.

(8) Compile and maintain quarterly weight receipts and reports, monitor progress of the program in the Township, and file required annual tonnage reports with the County or State as may be required or as a means or basis for the obtaining of the recycling grants towards the further development of the recycling program in the Township.

(9) To attend the Franklin Township Monthly Committee Meeting and provide regular reports to the Township Committee of the progress or of any problems with the recycling program or the enforcement thereof within the Township of Franklin.

(10) To research and apply, on behalf of the municipality, for any available State and Federal Grants, and then to oversee that successful grant proceeds are disbursed according to grant guidelines.

(11) To act as the Spring clean-up coordinator, by supervising facilities and coordinate with the Franklin Township Public Works Department, and the Franklin Township Clerk, the date, time, place and procedure for the annual Franklin Township Spring Clean-Up.

(12) To collect all weight slips to be used in the yearly tonnage report.

§ 83-24 Waste Motor Oil.

A. All waste motor oils disposed of either by owners or occupants of residential properties or by owners or tenants of businesses, commercial and industrial establishments shall be collected and stored in proper containers upon their respective properties and shall then be delivered to State approved waste motor oil recycling establishments as designated by

the Township Committee.

- B. Upon the delivery and depositing of said waste oils to said center, the proper documentation shall be completed and recorded as to the amount by quantity and name of the individual or agent for any business, commercial or industrial establishment. The designated center(s) shall provide the Recycling Coordinator and/or the Township Clerk a yearly statement regarding the total amount of motor oil collected. The yearly report shall be submitted no later than January 2nd of the year immediately proceeding the year it reports.

§ 83-25 Ownership of Recyclable Materials.

The Township hereby assumes ownership of all recyclable materials once dropped off at the Township Recycling Shed.

§ 83-26 Collection by Unauthorized Persons Prohibited.

Collection of recyclable materials as defined herein by unauthorized persons is hereby strictly prohibited. Violations of such collection shall constitute a separate and distinct offense punishable as hereinafter provided.

§ 83-27 Exemptions.

The owners, tenants or operators of all businesses, commercial and/or industrial establishments may be declared exempt under the collection process of this article, until amended, by continuing their use of an established private collection of recyclable materials certifying as to the existence of said private contract. Said certification shall have attached thereto the contract for the collection, delivery and pickup of recyclable materials listing the materials subject to said contract. Said establishment shall not be exempt from the recycling of the materials set forth in this article that are not collected by said private collector.

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on April 6, 2009, and ordered published in accordance with the law. The following Ordinance was introduced by Title only at the Franklin Township Committee Meeting held on April 6, 2009. Complete copy of the Ordinance will be available during regular business hours at the Franklin Township Municipal Building. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on May 4, 2009 at 7:00 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 2093 Rt. 57, Broadway, NJ, at which time all persons interested may appear for or against the passage of said Ordinance.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The within **Ordinance 2009-6** was moved by Michael Toretta and seconded by Michael Ferri and upon roll call vote was passed.

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

Dated: April 6, 2009

APPROVAL/RELEASE

(Driveway Inspection, Doug Stryker, Block 16.04, Lot 1.03, Bryan Road, Release of \$5,000 Cash Bond)

Per Engineer Finelli, Engineer Duveneck handles all of these for the township, outstanding work is complete for release of said Bond.

On motion by Mark Blaszk and seconded by Michael Toretta to release monies accordingly.

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

APPROVAL/EXECUTION

(Municipal Alliance 2009 County Contract)

On motion by Mark Blaszk and seconded by Michael Toretta to authorize the mayor to execute said contract.

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

APPOINTMENT

(Jean Marie Murray/Franklin Township Representative to the River Management Council)

On motion by Michael Ferri and seconded by Michael Toretta to appoint Mrs. Murray to above stated council representing Franklin Township.

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

REPORTS:

Engineer: Committeeman Ferri advised that 2 bid packages need to be put out to bid for Good Springs Road to Mountain View Road and Willow Grove Road to Mountain View Road. Mr. Finelli commented if going out to bid in order to secure a better price would be a better route than using the conventional Co-Op Prices?

On motion by Bonnie Butler and seconded by Michael Toretta to authorize Mr. Finelli to prepare plans/specs/applications for Good Springs Road to Mountain View Road and Willow Grove Road to Mountain View Road.

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

On motion by Bonnie Butler and seconded by Michael Toretta to authorize Mr. Finelli to prepare the 2010 NJDOT Grant Applications, which are due, June 12th. Mr. Finelli will deal with Committeeman Ferri on the details.

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

Mr. Finelli touched base on the Waste Water Management Program, still nothing concrete, still trying to obtain what exactly is being asked of us. Heard of a \$10,000 grant that may be available. Committeeman Toretta commented as to the plan reflecting the entire township if you are not able to build in the highlands side of the township, as well as spend taxpayers dollars if grant monies are not available. Engineer Finelli will get something together by next meeting to bring back to the meeting that clearly outlines the township's responsibilities.

Attorney Report: On File. Mayor Butler questioned if Mr. Tipton was able to get back to Terri DeTore from the Copperfields HOA in reference to a fence issue. Mr. Tipton to follow up with her.

Reports/Updates/Discussions:

Committee Reports:

Michael Ferri – Need to obtain quotes for furnace replacement at the DPW garage and insulation is also needed as well.

Michael Toretta – Attending Open Space Meetings

Jeffrey DeAngelis – Mayor Butler informed that Committeeman DeAngelis was held up out of town on business. Mr. DeAngelis obtained a quote for the replacement of the 2 front doors and 1 Community Center Door, including key fob, software and a computer may be needed to work the system for \$6,800 to \$7,000. Joe Flynn informed that the Franklin Township School had their custodian install their door system and is controlled by a laptop and works fabulous. Mr. Flynn also provided a quote as well. Mayor Butler advised that these ideas will be considered.

Mark Blaszkowski – Met with a roofing contractor, advised that there is a lot of masonry problems causing some leaks. A report was presented for committee to review. Mr. Blaszkowski also provided an ad, for review by committee, to be placed in area colleges for an Intern to manage the Community Center/fields for games and practices as well as scheduling in town and out of town organizations use in the community center. A stipends will be paid out of the Trust Fund. Committeeman Toretta concerned with recent and past problems with the Community Center. Mayor Butler informed that a check list needs to be made up for those using the building. Resident, Sam Santini questioned why every month and when he is at a meeting, we are always spending money for the back of the building. Deputy Mayor Blaszkowski informed that the curtain for the Community Center previously spoke of was donated by the Youth Association. Mayor Butler informed that the Recreation Trust Fund provides 75% for heating cost and 25% of electricity cost. Operation of the Community Center, taxpayers are not paying anything, per Deputy Mayor Blaszkowski. Revenue is coming from the rentals of the building. Mayor Butler also addressed the problems with the bathrooms and the open access of the public to the building is of major concern. Mr. Flynn commented that our Community Center, there is no other facility like it in the area and a significant amount of outside organizations know the Community Center is available. Mayor informed that the heating system is the original system when building purchased. A decision needs to be made as to the installation of the curtain as to cutting the heating system and leaving it and obtain heating quotes and install a new system in prior to fall or cutting the heating system and hooking it up. Committeeman Toretta said he would like to see a new roof with solar panels installed to heat the back of the building. Mr. Toretta also showed concern as to the Youth Association taking over the operation of the Community Center. Mayor Butler commented as to a lot of legal issues, township still owns the building, insurance. \$5000 has been already appropriated to re-route the heating system, for the curtain to be installed, so we should move forward with the original plan.

Bonnie Butler – Mayor informed that the ugly green building with the wall is gone. There will be a River Resource meeting to be held, April 16th. Spring Clean Up is just around the corner and a decision as to costly advertising needs to be addressed. Quotes received would cost \$690 for the 1st ad to run in the Easton Express and \$483 for the 2nd advertisement. Committee consensus to scrap the idea of advertising in newspaper and get the word out via the Franklin Fireball and area post offices. DPW part-time summer help, are we in a position for this at this time, per Committeeman Ferri to let this go for another month.

Zoning Officer:

Jim Onembo – Receiving complaints as to foreclosed homes with overgrown weeds and grass and debris. Attempting to obtain who owns the property is harder than it seems with taxes paid current and still in the previous owners name. Is it possible to bring in a Community Service group to clean up the property? Other matters on plate is H&K, hours of operation with towing and Speedex is in court again. Per Attorney Tipton no need to appear in court on behalf of this matter and he will address this case further with

prosecutor. Also another complaint are unlicensed motor vehicles and unregistered vehicles, and will be canvassing the township for them.

Raymond Read – OEM- April 20th, Insurance meeting with Volunteers still on? Per Mayor Butler, Committeeman DeAngelis advised that it was in speaking with them.

Open Public Section:

Neil Cody resident of Asbury would like an Engine Break Ordinance in place. He has a signed petition of neighbors concerning this matter. The problem seems to be in the middle of town in the intersection by Asbury Willows. Attorney Tipton to look into this matter.

EXECUTIVE SESSION

BE IT RESOLVED, on this 6th day of April, 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/OSC Issues/Local Health Department Violation

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 6th, day of April, 2009 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 9:17 p.m.

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

On motion by Michael Ferri and seconded by Mark Blaszkka to return to the regular session 9:52 p.m. Unanimous Vote

Two Appraisals reviewed by township committee. Holzhauer & Hostenstein, LLC for a fee of \$3,150 and Landmark I Appraisal, LLC for a fee of \$ 2,250, with respect to the Ron Sigler Sr. property, Block 45 Lot 26

Upon review the committee has decided to go with Landmark I Appraisal, LLC for a fee of \$2250.

On motion by Michael Toretta and seconded by Mark Blaszkka

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

On motion by Mark Blaszkka and seconded by Michael Toretts 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		

X (4) Yes (1) Absent Motion Carried

On motion by Michael Toretta and seconded by Michael Ferri, hearing no objection, meeting stands adjourned at 9:55 pm. Unanimous Vote.

Respectfully submitted,

Denise L. Cicerelle
Municipal Clerk