

## REGULAR MEETING

The Franklin Township Committee held their regular monthly meeting at 7:00 pm on Monday, July 07, 2008. 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, Mark Blaszk, Michael Ferri, Jeffrey DeAngelis, Michael Toretta, Nancy Jacobsen, Deputy Municipal Clerk, Michael Finelli, Engineer, John Zaiter, Esq., Roger Bulava, Recycling, Sonny Read, OEM.

Following the flag salute the Regular Meeting Minutes of June 2, 2008 were accepted on motion by Jeff DeAngelis and seconded by Michael Ferri, all in favor. Executive Session Meeting Minutes of June 2nd, 2008 were accepted on motion by Mark Blaszk, and seconded by Michael Toretta, all in favor.

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

### PROCLAMATION

**WHEREAS**, it has come to the attention of the Franklin Township Committee that Herman "Bud" Honecker will have dedicated 50 years of volunteer service this year with the Asbury Fire Company, joining in 1958; and

**WHEREAS**, Herman "Bud" Honecker served two terms as Chief of the Asbury Fire Company as well as Assistant Chief, Deputy Chief, Captain and Lieutenant, President, Vice President and Financial Secretary; he also helped to start the Warren County Fire Academy and the Franklin Township Firemen's Relief Association and played a major role in the expansion to the firehouse;

**WHEREAS**, the Franklin Township Committee wishes to honor him for past and present accomplishments and contributions to our community as he continues to play a vital role as a volunteer with the Asbury Fire Company, and particularly in our township, making positive contributions to our municipality through his efforts as a volunteer and a resident; and

**WHEREAS**, Franklin Township, Warren County, NJ wishes to honor Herman "Bud" Honecker for his contribution and dedication to our community as a volunteer;

**NOW, THEREFORE IT BE RESOLVED**, it is most appropriate that we recognize the accomplishments of:

Herman "Bud" Honecker

**THEREFORE, BE IT PROCLAIMED**, that the Township Committee of Franklin Township, Warren County, in the State of New Jersey, does hereby recognize Herman "Bud" Honecker for his untiring efforts to the Asbury Fire Company and to the community of Franklin Township. Your achievement reflects itself in the pride of our community and we appreciate your outstanding performance of excellence in service.

On motion by Mark Blaszk and seconded by Bonnie Butler the aforementioned **Proclamation** be adopted by unanimous vote as written.

I, Denise L. Cicerelle, Municipal Clerk, for the Township of Franklin, Warren County, NJ, hereby certify that this is a true copy of a Proclamation adopted by the Franklin Township Committee, July 7th, 2008.

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

Dated: July 7, 2008

The following **Resolution 2008-52** was presented for First Reading/Adoption

**RESOLUTION # 2008-52**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF FRANKLIN IN WARREN COUNTY, NEW JERSEY TO SUBMIT A PLANNING ASSISTANCE GRANT APPLICATION TO THE HIGHLANDS REGIONAL COUNCIL FOR INITIAL ASSESSMENT**

**WHEREAS**, the Township Committee of the Township of Franklin, Warren County, New Jersey, seeks to promote the health, safety, and welfare of its residents through local planning, and

**WHEREAS**, the Township Committee on behalf of the Township of Franklin is within the preservation area and planning area in the draft Regional Master Plan as prepared by the Highlands Regional Council, and

**WHEREAS**, the Township is required to bring its master plan and land development ordinance into conformance with the draft Regional Master Plan once it is adopted for the Preservation area, and

**WHEREAS**, the Highlands Council has made available funding for local governments to prepare assessments of local plans with the requirements of the draft Regional Master Plan referred to as Planning Assistance Grants, and

**WHEREAS**, the Township Committee is interested securing funding from the Highlands Regional Council to prepare a comparison report and prepare proposed amendments to the Land Capability Map as necessary, and

**WHEREAS**, the Township Committee is submitting a grant request in the amount of \$15,000.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Franklin, Warren County, New Jersey is hereby authorized to submit an application to the Highlands Regional Council for a grant in the amount of \$15,000 for the purpose of obtaining a planning assistance grant to determine its consistency with the draft Highlands Regional Master, and

**BE IT FURTHER RESOLVED**, that the Township Committee hereby authorizes the Mayor to execute the agreement and all necessary material on behalf of the Township of Franklin, and

**BE IT FURTHER RESOLVED**, that the Township Committee hereby directs the Clerk to forward a copy of this resolution to the Manager of Grants Administration at the Highlands Regional Council.

\_\_\_\_\_  
Bonnie Butler, Mayor

ATTEST:

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

On motion by Jeff DeAngelis and seconded by Mark Blaszk a the aforementioned **Resolution 2008-52** be adopted as read.

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

Dated: July 7, 2008

**CERTIFICATION**

**Certification:** I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, July 7, 2008.

Denise L. Cicerelle, RMC/CMR  
Municipal Clerk

The following **Resolution 2008-53** was presented for First Reading/Adoption

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

**RESOLUTION 2008-53**

**Re: Scenic Byway Designation of Interstate 78  
Through the Entirety of  
Township of Franklin, Warren County**

**WHEREAS**, Warren County has a rural character that is unique to the central part of New Jersey; and

**WHEREAS**, the open space in Warren County is scenic and consists largely of picturesque rolling hills replete with historic farmsteads and hamlets; and

**WHEREAS**, Township of Franklin is located in Warren County and hosts approximately 1 mile of Interstate 78; and

**WHEREAS**, Interstate 78 through Warren County allows approximately 87,000 motorists daily to experience this rural character from the viewsheds along the corridor which provide visibility for miles which includes views of rolling countryside, and a view of the Pohatcong mountain which is a prominent visual gateway to Franklin as viewed from I-78 westbound in the southeasterly area of the Township; and

**WHEREAS**, the viewsheds in Township of Franklin along Interstate 78 consists of viewsheds of serene rolling hills of farmland and forest that exemplify the rural and traditional character of Franklin Township; and

**WHEREAS**, Township of Franklin wishes to retain these scenic qualities in order to maintain the quality of life for the Township of Franklin residents and maintain a pleasant driving experience for motorists along Interstate 78; and

**WHEREAS**, the Township of Committee of the Township of Fanklin finds that designation of Interstate 78 as a Scenic Byway through the entirety of the municipality will help the Township of Franklin achieve its goals or maintaining quality of life for its residents and maintaining a pleasant driving experience for motorists along Interstate 78;

**WHEREAS**, The Land Use Plan calls for the establishment and implement of development regulations to protect scenic resources and guide development in a way that reinforces the purposes of the Municipal Land Use Law, the Highlands Act and local goals and objectives to preserve the visual environment through the use of creative development techniques;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Franklin, in the County of Warren, State of New Jersey, requests that the Commissioner of the New Jersey Department of Transportation designate Interstate 78 through the Township of Franklin as a scenic byway because of its scenic and natural characteristics; and

**BE IT FURTHER RESOLVED**, that the Township Committee of the Township of Franklin requests that one or more State Assemblymen and/or Senators representing Warren County sponsor the nomination of Township of Franklin as a scenic byway because of its scenic and natural characteristics; and

**BE IT FURTHER RESOLVED**, that Township of Franklin will work with all municipalities who also have a portion of Interstate 78 designated as Scenic Byway, as well as the Warren County Planning Board, to create a Corridor Management Plan in accordance with the specifications of the New Jersey Scenic Byway's Program within five years.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Attest:

\_\_\_\_\_  
Denise L. Cicerelle, Clerk

\_\_\_\_\_  
Bonnie Butler, Mayor

On motion by Jeff DeAngelis and seconded by Mark Blaszk a the aforementioned **Resolution 2008-52** be adopted as read.

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

Carried

**CERTIFICATION**

Certified to be a true copy of the resolution adopted by the Franklin Township Committee at a meeting held on July 7, 2008.

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

The following **Resolution 2008-54** was presented for First Reading/Adoption

**RESOLUTION #2008-54**

**RESOLUTION GRANTING SUPPORT  
FOR THE PURCHASE OF DEVELOPMENT RIGHTS  
ON A FARM IN FRANKLIN TOWNSHIP  
BY MORRIS LAND CONSERVANCY  
AND COUNTY OF WARREN**

**WHEREAS**, the Morris Land Conservancy and County of Warren have determined that the purchase of development rights is available on property known as the Santini Farm, located at Block 43, Lots 1, 10, and 11 on the official tax map of the Township of Franklin, consisting of approximately 124 acres, in accordance with the requirements of the State Agricultural Development Committee Non-Profit Program, and;

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

**WHEREAS**, the Morris Land Conservancy and Warren County have entered into a contract with the property owners to purchase said development easement using farmland preservation funds from the Garden State Preservation Trust and the Warren County Open Space Trust, and;

**WHEREAS**, Morris Land Conservancy will provide 50% of the funding for the acquisition using a grant from the SADC Non-Profit Program, and Warren County will provide 50% of the funding;

**WHEREAS**, the preliminary approval for the purchase of a development easement on this farm has been granted by the SADC and final approval has been granted by the Warren County Agricultural Development Board (CADB), and the Chosen Freeholders of the County of Warren;

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

On motion by Jeff DeAngelis, seconded by Michael Ferri, the following resolution was adopted by the Franklin Township Committee at a meeting held on July 7, 2008.

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

I hereby certify the above to be a true copy of a resolution adopted by the Franklin Township Committee on the date mentioned above.

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Denise L. Cicerelle, Municipal Clerk  
Franklin Township, Warren County, NJ

## APPROVAL

PTA Franklin Township Raffle License – 50/50 Off Premises 9-12-08 was presented for approval on motion by Michael Toretta and seconded by Michael Ferri to approve said license.

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

## REPORTS, UPDATES/DISCUSSION:

### REPORTS:

#### Engineer's Report –

#### 1. THIRD STREET DRAINAGE PROBLEMS

(No change from 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 Duvencik 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 Duvencik will continue to coordinate with both John Moyle and Lou Cattuna. We were notified by Lou Cattuna that in order for the project to proceed forward, an application to SHPO must be made in order to receive a "Project Authorization."
- Our office submitted the required SHPO application (refer to separate correspondence dated December 13, 2007). SHPO has requested that we answer questions/concerns submitted by the Warren County Morris Canal Commission. Our office will attempt to answer some of their questions related to the application.
- Once the Township receives approval for the project, we will begin negotiating with the landowner, Mrs. Chiu, regarding gaining rights to the canal property.

#### 2. TOWNSHIP WASTEWATER MANAGEMENT PLAN

(No change from last month's report)

- Mayor Butler recently received a letter, dated February 15, 2008, from Dave Dech, Warren County Planning Director, regarding the proposed new Water Quality Management Planning rules which will soon be adopted by the NJDEP. One of the major changes in the pending rules would be that the County would be designated as the Wastewater Planning Agency vs. the current regulation, which

allows for each individual municipality to be their own Wastewater Planning Agency. At the March 3, 2008 Committee Meeting, there was a decision made for a correspondence to be issued by the Township regarding the Township's desire to retain jurisdiction over wastewater planning issues. It is my understanding that Mayor Butler has forwarded a response to Warren County confirming the position of the Township where the Township would wish to remain as its own wastewater management planning agency.

- It is our understanding that the County Freeholders recently met and voted not to move forward towards becoming the County's overall WMP agency. Therefore, all jurisdiction relative to Wastewater planning will remain with the individual municipalities.

**3. REGIONAL FLOOD MITIGATION PLAN  
(No change from last month's report)**

- The Township previously agreed to participate in a Regional Flood Mitigation Plan being prepared by the Delaware River Basin Commission (DRBC). Our office has been coordinating the various efforts and work on this project through both Denise Cicerelle and Sonny Read. Joe Nalio from our office represented the Township at the mandatory Regional Flood Mitigation Plan meeting on October 17, 2007.
- We have prepared and submitted the required Municipal Worksheets to the DRBC and also have prepared the required questionnaire to be sent to Township property owners located in the various flood plains which will be mailed by Denise Cicerelle.
- Our office presented the Plan to both the Committee and the public at a public hearing held at the November 5, 2007 Township Committee Meeting. The purpose of the presentation was to receive input from any concerned property owners. The few comments which were made at the public hearing were consistent with the information previously developed and supplied to the DRBC by our office. The DRBC is estimating that the draft Plan will be ready for review by the end of November, 2007. As of the date of this report, we have not been notified that the draft Plan has been released.

**4. MILLBROOK ROAD ROADWAY FAILURE  
(No change from last month's report)**

- The Township DPW previously alerted our office to a significant problem to an existing section of Millbrook Road. Subsequently, we inspected a section of Millbrook Road which has exhibited significant failure. The section of the roadway in question is further north and beyond the limits of the Millbrook Road Realignment Project (reference Report Item #1).
- At the November 5, 2007 Township Committee Meeting, the Township Committee authorized our office to prepare an NJDOT Discretionary Grant Application based upon confirmation from the NJDOT that the application was both fundable and appropriate through this grant program. Our office completed and submitted the Discretionary Aid Grant Application to the NJDOT for consideration (refer to separate correspondence, dated December 24, 2007).
- The Township received notification that we were successful in obtaining a \$300,000 grant to stabilize and remediate the damage to the roadway.
- The Township Committee has authorized our office to prepare the construction plans for the project. Currently, we have completed the field survey work and base mapping of the area. We have met at the site with a representative of PMK to receive guidance regarding specific design requirements associated with the future stabilization and integrity of the steep slope on the northern embankment of

the roadway adjacent to the stream. We will continue to keep the Committee apprised regarding this project.

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

- The Township previously received a NJDOT Safe Routes to Schools Grant Application notice. The applications were due on April 18, 2008. According to the application criteria, the sidewalk project must be within two (2) miles of a school.
- The Township Committee previously authorized our office to prepare a SRTS grant application for a project which consisted of both a sidewalk extension on Bryan Road and sidewalk repair/replacement along Asbury-Broadway Road between NJSH Route 57 and the Elementary School. We completed the grant application for submittal which was prepared utilizing the System for Administering Grants Electronically (SAGE) procedure. The estimate developed by our office for this application totaled \$86,100.
- Our office submitted the application electronically and received confirmation that the application was received by the NJDOT in advance of the April 18, 2008 deadline.

**6. 2009 NJDOT MUNICIPAL TRUST FUND APPLICATIONS**

- Our office has completed the grant applications associated with the 2009 NJDOT Transportation Trust Fund. Applications for portions of both Willow Grove Road (0.17 miles in the amount of \$147,532.00) and Good Springs Road (1.52 miles in the amount of \$209,910.00) have been prepared utilizing the System for Administering Grants Electronically (SAGE) procedure. These applications were approved via Resolution by the Township Committee at the June 2, 2008 Committee meeting.
- Our office has forwarded the Approval Resolutions passed by the Committee to the NJDOT as required. At this point, all documentation has been forwarded to the NJDOT and the applications are now complete.

**7. SMITH PROPERTY SUBDIVISION**

- Our office has met with attorney Zaiter regarding development of the subdivision application on behalf of the Township. We hope to be in a position to submit the Subdivision application to the Township Land Use Board for their August meeting.

**8. NEW VILLAGE PLAZA**

- Our office released an Engineer's Acknowledgement and Certificate of Approval for the project (ref. separate correspondence dated June 25, 2008) which would allow for a Certificate of Occupancy (C.O.) for the building. As of the date of this report, we are unaware of the status of the issuance of a C.O. by the Township Construction Code Official. It is our understanding that the Dunkin' Donuts is hoping to open in the very near future.

Mr. Finelli commented on the following areas of his report:

-- The DOT Grant application was submitted. Should hear something by October or November.

- Smith Subdivision – hope to be able to submit to the township LUB for their August meeting.
- Dunkin Donuts – CO has been received. Committeeman Ferri commented on hazard of sign blocking view when making left-hand turn. Mr. Finelli to investigate.

**Attorney Report on file – Further discussions to ensue in Executive Session**

**Committee Reports; Updates/Discussions –**

Michael Ferri – None

Michael Toretta – None

Jeffrey DeAngelis –

- Updated committee on insurance Health Benefits. Policy expired July 1st – have renewed with Aetna for 1 year but will continue to look at other plans because of high increase in premiums – 25%. Would be able to terminate plan with Aetna with a 30-day notice.

- Would like permission to move forward with getting bids for “key fobs” for community room with increased traffic. Committee in agreement.

Mark Blaszkza –

- Explained Website update regarding Community Room Calendar. The public will be able to access the calendar to see if the dates they are interested in are available before they begin the process.

- Received inquiry from a company to run “indoor tennis” which would mean use of the Community Room during the day. Company would take care of scheduling, sign ups, etc. Will get further information.

- Checked on prices for volleyball poles. Found a price on the internet of around \$800 for two portable poles.

- State Police Funding – What is committee’s feeling? Discussion followed. Township should discuss alternatives with other municipalities. Mayor Butler to contact Senator Lance regarding the procedure to possibly continue State Police coverage. Motion followed by Mark Blaszkza and seconded by Michael Toretta to endorse Franklin Township’s commitment to join in the action sponsored by the League regarding State Police Rural Patrols and was followed by a unanimous roll call.

Bonnie Butler –

- Commented on new COAH bill and implications to Township.

- Mayor Butler will be attending a meeting on Wednesday with a company interested in possibly putting a ethanol plant somewhere along a rail line in the township or surrounding areas. Will keep committee informed.

- Questioned need for the “spring clean up” ad in Express Times. Cost was over \$900. A poll will be taken next year to ask people how they heard about the clean up – then decide if ad is necessary.

- ANJEC grant was received in the amount of \$5,500.

**Zoning/Jim Onembo – No report due to Mr. Onembo’s absence.**

**Recycling/Roger Bulava** – Spring Clean up was successful. Had three community service workers helping along with the cooperation of the Road Department. Total cost this year was \$6,047.59 -- \$1714 less than last year. Will sign off on bill to have payment made to Sanico. Committee in agreement.

**OEM/Sonny Read – No Report**

**Open Space/Frank Jacobsen** – Asked for committee’s authorization to go ahead with obtaining one appraisal for the Ron Sigler, Sr. farm. Motion followed by Mark Blaszk and was seconded by Michael Ferri to authorize appraisal. Unanimous vote followed.

**Open Public Session –**

**Wayne Ferguson** – Expressed concern regarding “dead” poles on corner of Millbrook Rd. Mr. Finelli to check into this.

**Steve Tabert – Captain Franklin Rescue** – Provided committee with quarterly report detailing on-scene man hours of the members of Franklin Rescue. The squad averages approximately 30 calls a month totaling on average approximately 105/month man hours. Approximately 5 calls a month are run with, Advanced Life Support, Paramedic Unit, that is called in to assist the squad with more serious emergencies, cardiac related and accidents. The squad is dispatched out on average of 6 times a month for mutual aid into neighboring municipalities to assist them with emergencies as well.

**Joe Banghart** – Questioned if any regulations exist on wind power. Also, asked if Franklin had an Historic Committee in place.

**Dave Werkhiser** – Responded to question regarding Historic Committee. Reported that an Ad-Hoc Committee was in place, but did not move forward due to not being named a “commission”. This would have allowed more power. Will provide committee names of interested parties that would possibly form new “commission”. Also asked if website could include a breakdown of where township tax monies are being spent.

**EXECUTIVE SESSION**

**BE IT RESOLVED,** on this 7th day of July, 2008, 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/CEMETERY HILL RD PROPERTY**

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 7th, day of July, 2008 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 7:49 p.m.

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

On motion by Mark Blaszkka and seconded by Michael Ferri to return to the regular session 8:02 p.m. Unanimous Vote

On motion by Michael Ferri and seconded by Jeffrey DeAngelis to pay the appropriate bills.

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

On motion by Michael Ferri and seconded by Michael Toretta, hearing no objection, meeting stands adjourned at 806 pm. Unanimous Vote.

Respectfully submitted,

Nancy Jacobsen  
Deputy Municipal Clerk