

REGULAR MEETING

The Franklin Township Committee held their regular monthly meeting at 7:00 pm on Monday, August 10, 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, Mark Blaszk, Michael Ferri, Jeffrey DeAngelis, Michael Toretta, Denise L. Cicerelle, Municipal Clerk, Nevitt Duveneck, Engineer, and Brian Tipton, Esq., Roger Bulava, Recycle Coordinator.

Following the flag salute the Regular Meeting Minutes of July 6, 2009 were accepted on motion by Mark Blaszk and seconded by Jeffrey DeAngelis, Michael Toretta, abstained, 4 in favor. Executive Session Meeting Minutes of July 6, 2009 were accepted on motion by Michael Ferri, and seconded by Mark Blaszk, Michael Toretta, abstained , 4 in favor.

Two representatives from the New Jersey State Police were in attendance at this month's meeting. Nothing to report or no questions addressed to the State Police.

The following Resolution #2009-63 was presented for First Reading/Adoption

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, NEW JERSEY
RESOLUTION 2009-63**

**RESOLUTION SUPPORTING THE CONSOLIDATION OF FRANKLIN
TOWNSHIP PUBLIC ASSISTANCE PROGRAMS**

WHEREAS, Franklin Township has a local Director of Public Assistance; and

WHEREAS, The governing body wishes to ensure appropriate levels of service for its residents receiving general assistance and other social services; and

WHEREAS, The Warren County Division of Temporary Assistance and Social Services has the staff, experience and resources to manage Franklin Township's Public Assistance Programs.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Franklin hereby supports the consolidation of its social benefit programs to the Warren County Division of Temporary Assistance and Social Services effective January 5, 2010.

The within **Resolution 2009-63** was moved by Michael Ferri and seconded by Michael Toretta and upon roll call vote was passed.

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

Dated: August 10, 2009

This Resolution shall be filed with:

Warren County Division of Temporary Assistance & Social Services
Court House Annex
Attention: Lorraine Scheibener, Division Director
501 Second Street
Belvidere, New Jersey 07823

The following Resolution #2009-64 was presented for First Reading/Adoption

Engineer Duveneck informed the committee that 5 bids were received for the Willow Grove and Good Springs Road Resurfacing Project. Summary of all bids on file. Z Brothers was the apparent lowest bidder for the project. Although engineer’s office has had no previous experience with Z Brothers they received favorable responses from all references contacted. It is the engineer’s recommendation that the contract be awarded to Z Brothers, Inc., Sayreville, NJ for a total bid price of \$169,015.30. A grant of \$120,000 was received, so we are \$50,000 short for project costs. Mayor sat down with CFO to figure this out, we have \$20,000 in building improvements, \$20,000 in reserve and \$12,000 in recreation equipment we could use for the Key-Fob system for the new doors. Will have to use Capital Improvement Fund \$50,000 to cover the remaining costs or project.

**RESOLUTION OF THE TOWNSHIP OF FRANKLIN
Warren County, New Jersey**

RESOLUTION NO. 2009-64

**Title or Subject: Resolution of Award, Willow Grove and Good Springs Road
Resurfacing Project**

Be It Resolved, that on August 10, 2009 the Township Committee of the Township of Franklin adopted **Resolution 2009-64** to award a contract for various construction items to perform the necessary construction to complete the Willow Grove and Good Springs Road Resurfacing project, a New Jersey Department of Transportation Local Aid Grant funded project, with a total project grant award in the amount of \$144,290.30.

Be It Further Resolved, that the Township Committee of the Township of Franklin does hereby award the project to Z Brothers Concrete Contractors, Inc., from Sayreville, NJ, for a total bid price of \$144,290.30, as listed and outlined within their completed project bid specification which was opened and read on July 22, 2009. Resolution and Written Contract are on file and available for public inspection in the office of the Municipal Clerk. Contract Duration 60 days from issuance of notice to proceed.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF FRANKLIN**

*Denise L. Cicerelle, RMC/CMR
Municipal Clerk*

Bonnie Butler, Mayor

Date of Adoption: August 10, 2009

On motion by Mark Blaszk a and seconded by Jeffrey DeAngelis the aforesaid **Resolution 2009-64** 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		

(5) Yes (0) Absent Motion Carried

The following Resolution #2009-65 was presented for First Reading/Adoption

**RESOLUTION #2009-65
FRANKLIN TOWNSHIP**

**RESOLUTION 2009-65 AUTHORIZING
MAYOR BUTLER AND THE FRANKLIN TOWNSHIP COMMITTEE
TO UPDATE THE 2010 MUNICIPAL ALLIANCE PROGRAM**

WHEREAS, the Township of Franklin wishes to update the 2010 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 aforesaid 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 2009-65** as moved by Mark Blaszk a and seconded by Michael Toretta and upon Roll Call Vote was passed.

Roll Call Vote	Yes	No	Absent/Abstain
Mark Blaszk a	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X		

(5) Yes (0) No (0) Absent
Motion carried

Dated: August 10, 2009

I HEREBY CERTIFY that the foregoing is a true and complete copy of a Resolution adopted by the Mayor and Township Committee of the Township of Franklin, at a duly convened meeting held on August 10, 2009.

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

The following Resolution #2009-66 was presented for First Reading/Adoption

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

RESOLUTION NO. 2009-66

**A Resolution Authorizing A Shared Service Agreement for Sharing
Public Works Equipment between The Township of Franklin and The
County of Warren, State of New Jersey**

WHEREAS, the County of Warren adopted Resolution 431-09 on July 22, 2009 authorizing master public works shared services agreement for sharing public works equipment between Warren County municipalities and the County of Warren; and

WHEREAS, the Township of Franklin desires to utilize such services in accordance with the terms of an agreement; and

WHEREAS, the Uniform Shared Services & Consolidation Act (N.J.S.A. 40A:65-1 et seq.) authorizes the County of Warren and Franklin Township to enter into such an agreement.

NOW, THEREFORE BE IT RESOLVED, that the Franklin Township Committee of the County of Warren does hereby authorize the Mayor and Municipal Clerk to execute agreements to provide the services to the Township of Franklin as described in said agreements.

On motion by Mark Blaszk and seconded by Jeffrey DeAngelis the
aforenoted **Resolution 2009-66** be adopted as read.

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

The following Resolution #2009-67 was presented for First Reading/Adoption

**GRANT AGREEMENT BETWEEN
THE TOWNSHIP OF FRANKLIN, WARREN COUNTY, NEW JERSEY
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RESOLUTION FOR WASTEWATER MANAGEMENT PLANNING GRANT

RESOLUTION 2009-67

WHEREAS, The New Jersey Department of Environmental Protection (NJDEP) regulations require all New Jersey counties to develop Wastewater Management Plans as part of the Water Quality Management Planning rules; and

WHEREAS, The Warren County Board of Chosen Freeholders has opted not to develop a county-wide Wastewater Management Plan; and

WHEREAS, NJDEP regulations allow for the municipalities, within a county electing not to develop a Wastewater Management Plan, to assume responsibility in developing a Wastewater Management Plan; and

WHEREAS, The Township Committee of the Township of Franklin, Warren County, has assumed responsibility of developing a Wastewater Management Plan; and

WHEREAS, The Township of Franklin has secured an extension to the original deadline of July 7, 2009; and

WHEREAS, The Township of Franklin requests to obtain a grant from the State of New Jersey in the amount of approximately \$10,000.00 or the maximum allowable amount; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Franklin, County of Warren, does hereby resolve the following: The Mayor of Franklin Township is authorized to make an application for such a grant and is authorized to execute any and all documents necessary for the execution of the grant. Furthermore, the Township agrees to comply with all applicable federal, state, municipal laws and rules and regulations in its performance pursuant to the agreement.

Dated: August 10, 2009

On motion by Jeffrey DeAngelis and seconded by Michael Ferri the aforementioned **Resolution 2009-67** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X		

(5) Yes (0) Absent Motion Carried

The following Resolution #2009-68 was presented for First Reading/Adoption

**RESOLUTION
NO. 2009-68**

WHEREAS, George Chalamín, Owner and Developer, of Block 45, Lot 3, submitted a \$500 Driveway Escrow and \$161.25 billings to date, from our Engineers Office, Finelli Consulting Engineers, Inc. has been made against this escrow leaving \$338.75 remaining in escrow funds;

WHEREAS, Mr. Chalamín has decided to abandon development of the lot in question, property fronting Good Springs Road, and has requested return of remaining escrow monies,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Chief Financial Officer to refund the amount of \$ \$338.75 to George Chalamin.

On motion by Michael Ferri and seconded by Michael Toretta the aforementioned **Resolution 2009-68** be adopted as read.

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

Dated: August 10, 2009

PUBLIC HEARING AND CONSIDERATION OF:

The following **Ordinance 2009-4** was presented for Final Reading/Adoption

**TOWNSHIP OF FRANKLIN
ORDINANCE NO. 2009-4**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN,
STATE OF NEW JERSEY, OF THE CODE OF THE TOWNSHIP OF
FRANKLIN TO REGULATE DONATION CLOTHING BINS.**

MOTION: To open Public Hearing by Mark Blaszk, seconded by Michael Ferri.

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

PUBLIC COMMENTS: None

MOTION: To close Public Hearing by Mark Blaszk, seconded by Michael Ferri.

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

The within Ordinance was moved by Bonnie Butler and seconded by Michael Ferri, Ordinance 2009-4 be adopted as read at second 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: July 6, 2009

PUBLIC HEARING AND CONSIDERATION OF:

The following **Ordinance 2009-7** was presented for Final Reading/Adoption

ORDINANCE NO. 2009-7

AN ORDINANCE AMENDING CHAPTER 129 OF THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, TO PROHIBIT THE PRACTICE OF ENGINE BRAKING BY MOTOR VEHICLES OPERATING ON TOWNSHIP ROADS AND ALONG ALL WARREN COUNTY AND NEW JERSEY STATE ROADS WITHIN THE TOWNSHIP, AND AUTHORIZING THE PLACEMENT OF SIGNS TO PROHIBIT ENGINE BRAKING ALONG SUCH ROADS

MOTION: To open Public Hearing by Mark Blaszk, seconded by Jeffrey DeAngelis.

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

PUBLIC COMMENTS: None

COMMITTEEE COMMENTS: Committeeman Ferri commented as to where the money is coming from to purchase signs to place around the township when this ordinance is adopted? We don't have enough money to repair roads and we are worrying about finding money to purchase signs. Committeeman Blaszk commented that we can purchase signs by doing this one step at a time. Place signs on roads where needed now and budget for the other signs to be placed on various other roads in the township later. Mayor Butler commented that engine braking has been a problem for quite sometime especially in Asbury.

MOTION: To close Public Hearing by Mark Blaszk, seconded by Michael Ferri.

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

On motion by Mark Blaszk and seconded by Jeffrey DeAngelis, the
aforenoted **Ordinance 2009-7** be adopted as read.

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

Motion Carried

The following **Ordinance 2009-8** was presented for First Reading/Adoption

ORDINANCE 2009-8

**AN ORDINANCE APPROPRIATING THE SUM OF \$21,864.00
CURRENTLY LOCATED WITHIN THE CAPITAL
IMPROVEMENT FUND OF THE TOWNSHIP OF
FRANKLIN FOR NEW FURNACE AND RELACEMENT OF INSULATION AT
THE TOWNSHIP OF FRANKLIN ROAD GARAGE BUILDING**

WHEREAS, there are currently funds, raised by the Current and
previous, budgets within the Capital Improvement Fund of Franklin Township,
and

WHEREAS, it is deemed appropriate to make use of \$21,864.00 of the
allowable
Capital improvements for the replacement of a furnace and replacement of
insulation in the road garage building – Township of Franklin property.

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

Section 1. The sum of \$21,864.00 presently located in the Capital
Improvement Fund is hereby appropriated for a new
Furnace and replacement of insulation at the Township
Road Garage.

Section 2. In connection with the amount authorized in Section 1
hereof, the Township Committee makes the following
determinations.

A) The purpose described in. Section 1 hereof is not a
Current Expense and is an improvement which the
Township may lawfully take as a general capital
improvement

B) The period of usefulness of the purpose described in Section 1 hereof is not in the
limitation of the Local Bond Law and the reasonable life
thereof is at least five (5) years.

Section 3. All ordinances or parts of ordinances which are
inconsistent with the terms of this ordinance be and the
same are hereby repealed to the extent of their
inconsistency.

Section 4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

On motion by Committeeman Michael Ferri and seconded by Committeeman Mark Blaszk a the aforementioned ordinance be adopted at first reading. Final reading and adoption on **September 14th, 2009 at 7:00 p.m.**

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

Dated: August 10, 2009

The following **Ordinance 2009-9** was presented for First Reading/Adoption

ORDINANCE 2009-9

AN ORDINANCE APPROPRIATING THE SUM OF \$18,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF FRANKLIN FOR NEW ENTRANCE DOOR AND MONITORING SYSTEM FOR TOWNSHIP MUNICIPAL BUILDING

WHEREAS, there are currently funds, raised by the Current and previous, budgets within the Capital Improvement Fund of Franklin Township, and

WHEREAS, it is deemed appropriate to make use of \$18,000.00 of the allowable Capital improvements for the replacement of entrance doors to the Municipal Building and new access software and key system.

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

Section 1. The sum of \$18,000.00 presently located in the Capital Improvement Fund is hereby appropriated for a new Entrance Doors and monitoring software at the Township Municipal Building.

Section 2. In connection with the amount authorized in Section 1 hereof, the Township Committee makes the following determinations.

B) The purpose described in. Section 1 hereof is not a Current Expense and is an improvement which the Township may lawfully take as a general capital improvement

B) The period of usefulness of the purpose described in Section 1 hereof is not in the limitation of the Local Bond Law and the reasonable life

thereof is at least five (5) years.

Section 3. All ordinances or parts of ordinances which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Dated: August 10, 2009

On motion by Committeeman Mark Blaszkka and seconded by Committeeman Jeffrey DeAngelis the aforementioned ordinance be adopted at first reading. Final reading and adoption on **September 14th, 2009 at 7:00 p.m.**

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

Per Mayor Butler they will not be addressing an ordinance for Appropriating the sum of \$30,000.00 currently located within the Capital Improvement Fund of the Township of Franklin for paving Mountain View West and Buttermilk Bridge roads in the Township of Franklin, County of Warren, New Jersey.

APPROVAL

Social Affair Permit (Musconetcong Watershed Association, Wine Tasting, September 27, 2009)

Presented for approval on motion by Jeffrey DeAngelis and seconded by Mark Blaszkka to approve said permit.

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

APPROVAL

Raffle Application #RA 2009-6 (Franklin Township Youth Association/On-Site Cash 50/50/Variou Dates) Attorney Tipton gave background to committee as to the new law for fingerprinting requirements for all Amusement Games. This statute has been in existence since 2005. Language states that applicant must be of good moral character and free of convictions and crime. The state is not enforcing that Bingo and Raffle Applications are fingerprinted at this time but it is on the horizon per the Attorney General Offices with which attorney has been in contact.

Presented for approval on motion by Michael Toretta and seconded by Michael Ferri, to approve said Raffle License pursuant to certify signing on application of good moral character and convicted of no crimes and background check from New Jersey State Police is received.

Roll Call Vote	Yes	No	Absent/Abstained
Mark Blaszk	X		
Jeffrey DeAngelis	X		
Michael Ferri	X		
Michael Toretta	X		
Mayor Bonnie Butler	X		

(5) Yes (0) Absent (0) Abstained
Motion Carried

DISCUSSION:

Abandoned Homes (Grass/Weeds Maintenance) Three properties are still not cleaned up after notification by the township. We can either have our DPW do the mowing, but we need to put a value on the job, workers time, break down of equipment and time away from other jobs in the township should be considered. For an outside contractor you will need to obtain a certificate of insurance and money out of pocket up front after the contractor has completed the job. A lien would be placed on the property and money would go back to the township once it is satisfied. George Buniak commented that where he used to work in Rahway they used to have another company come in to clean up properties as such, he could also recommend a few people in the area that might be interested in doing this for us. We need to obtain quotes.

A resident in the audience commented as to 40 Halfway House Road being a house for squatters. She believes the owner is the VA or has been foreclosed on. The roof is ready to cave in, kids in the house partying resident concerned as to who is responsible to maintain this? Our Building Official has already been up their and looked at the property. Our Township Attorney will review our Unfit Building Ordinance to see if we can deem it unfit and the Building Official can board up as well as review the UCC Provisions. We would need to go through a hearing process, 7 days notice to repair and our Code Enforcement has to decide if the building is unfit.

Another question as to Open Camp Fire Regulations if a permit is needed. The mayor will refer this to our OEM for further comment.

Stormwater Permit/Franklin Township’s Requirements/10Point System – Reviewed ways to obtain points, such as; mailing 3 points, website display page 1 point, giveaways 2 points. Will review further for other ideas.

REPORTS:

Engineer’s Report –

As to Millbrook Road, went over with Committeeman Ferri a collapse in the Stabilization Wall. There is enough money in the project after all is complete to cover inspection costs and for additional paving. Looking for Voucher #2 \$132,357.82 and Change Order #1 \$70,159.00 to be approved.

On motion by Bonnie Butler and seconded by Michael Ferri to approve Voucher #2 and Change Order #1 accordingly.

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

Engineer Duveneck also reviewed with committee as to evaluating our road systems. A way to give priority to those roads that need it first. This would be a comprehensive report as to the width, length, repair, when/what work is needed to be done, money needed to do the repair of the road, would be glad to give us a proposal for consideration. Committeeman DeAngelis commented he feels that this isn’t needed since we repair roads and count on grants to do this. At this time this is the consensus of the committee that this is not needed.

1. THIRD STREET DRAINAGE PROBLEMS

- As authorized by the Committee, our office sent a Highlands Applicability Determination (HAD) application to the Highlands Council to receive formal authorization to construct the project. Unfortunately, the Township’s HAD application was denied by the Highlands Council as it did not meet the requirements to be classified as one of the Qualified Exemptions.
- Our office previously prepared and submitted a “Pre-Application” package for review by the NJDEP. Nevitt Duveneck attended a meeting on October 4, 2007 with various NJDEP representatives including John Moyle, Division of Dam Safety and Lou Cattuna, Land Use Regulation. Nevitt Duveneck will continue to coordinate with both John Moyle and Lou Cattuna. We were notified by Lou Cattuna that in order for the project to proceed forward, an application to SHPO must be made in order to receive a “Project Authorization.”
- Our office submitted the required SHPO application (refer to separate correspondence dated December 13, 2007). 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 to develop the proposed detention basin. In the past, we have had only marginal success in discussing the project with the Chiu's. Our office is currently in the process of attempting to schedule a meeting with Mr. Chiu.
- Our office just received a copy of a letter to Mayor Butler from John H. Moyle, P.E., Manager, NJDEP Bureau of Dam Safety and Flood Control, dated July 30, 2009, which proposes to extend the existing grant agreement for a period of three (3) years to August 31, 2012. It would be our recommendation for Mayor Butler to sign the Grant Amendment Modification Form which must be received by the NJDEP by August 30, 2009.

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. I have spoken with Rick Brown, NJDEP, 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, per authorization by the Committee at the June 1, 2009 meeting, is proceeding with the development and submission of this grant application. At the August 10, 2009 Committee meeting, the Township Committee will need to approve a Resolution (a example was previously forwarded to the Township) and is a requirement of the submission of the grant application.

- At both the May 4 and June 1, 2009 Committee meetings, this matter was discussed in detail. Based upon all of the factors referenced above, including the submission of an “interim” plan and the availability of a \$10,000. grant, the Township Committee decided to move forward with this process and the assumption of WMP responsibility. Our office provided the Township Committee with a draft letter at the June 1, 2009 Committee meeting which was approved and authorized to be sent to the NJDEP.

3. MILLBROOK ROAD (2008 NJDOT DISCRETIONARY GRANT)

- 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 initial Millbrook Road Realignment Project.
- At the November 5, 2007 Township Committee Meeting, the Township Committee authorized our office to prepare an NJDOT Discretionary Grant Application based upon confirmation from the NJDOT that the application was both fundable and appropriate through this grant program. Our office completed and submitted a Discretionary Aid Grant Application to the NJDOT in December, 2007.
- The Township previously received notification that we were successful in obtaining a \$300,000 grant to stabilize and remediate the damage to the roadway.
- Subsequent to the receipt of bids for the project, the Township awarded a contract to the low bidder, Pave-King, Inc., in the amount of \$193,450.00. The contract and all required supporting documents have been received and the project contract has been fully executed.
- Construction is now nearly completed except for some minor work associated with the final project tasks and, of course, the paving of the roadway. The contractor has submitted for a progress payment for the project. Under separate cover, our office prepared and forwarded Voucher #2 and Change Order #1 dated August 7, 2009, for action at the August 10, 2009 Committee meeting.

4. SAFE ROUTES TO SCHOOLS GRANT APPLICATION (SRTS)

- 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 recently received confirmation that the Township was 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. Our office received the Committee’s authorization begin the field survey, base map preparation for the design phase of the project.
- At this time, our office has completed the survey work and will begin developing the base maps in preparation for the design of the project.

5. 2009 NJDOT TRUST FUND APPLICATION: WILLOW GROVE ROAD, SECTION II

- The Township received notification of a grant allocation for Willow Grove Road Section II in the amount of \$120,000. Nevitt Duveneck has attended several field

meetings with Mike Ferri and the DPW to review the work to be completed at the site and have marked-out the areas required for milling.

- 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 plans and specification were completed, the project was advertised and we attended a bid opening on July 22, 2009. Our office has made a Recommendation of Award via separate correspondence dated August 10, 2009. Based upon the grant amount and the bid amounts received, the award of this contract will need to be discussed further at the August 10, 2009 Township Committee meeting.

6. SMITH PROPERTY SUBDIVISION

- We have previously been advised that the Final Plat for this subdivision was recorded and filed with Warren County on April 30, 2009.
- The deed for the open space parcel requires Green Acres restriction language. Previously, our office prepared the deeds for each of the lots created by the subdivision and forwarded same to the Township Attorney to be filed with the County.
- Our office recently received notification that the Green Acres will not accept the new deed for the Green Acres parcel as they must have a survey to Green Acres standards referencing and depicting the newly created lots resulting from the subdivision of the property.
- Our office received Committee authorization to prepare the new survey to Green Acres standards from the subdivision plat. We are nearly complete with the amended Green Acres survey and will soon be submitting same to Green Acres for their review.

7. TOWNSHIP RECREATIONAL FIELDS COMPLEX (No change since last month’s report)

- The concept plan has been finalized with the overall layout securing approval from the Township Recreation Subcommittee. On January 12, 2009, Greg VandeRydt from our office, along with Malia Corde and Mark Blaszkza, presented the plan via a powerpoint presentation to the public at a public information session which was attended by approximately 50± citizens. The plan was generally well received and, we believe at this juncture, the funding mechanism(s) and sources are being evaluated and pursued.
- The wetlands have been delineated by our wetlands consultant and we have developed the plan which will accompany the Letter of Interpretation (LOI) application to the NJDEP. Since the Final Plat for the subdivision of the property (ref. report item #6) has been filed, an LOI application is now in a position to be submitted to the NJDEP. Our office will continue to communicate with our wetlands consultant, Jeff Tareila, regarding both the status and disposition of the LOI application with the NJDEP.

8. OIL AND CHIP PROGRAM

- The Washington Township Department of Public Works expressed an interest in a shared services agreement with other municipalities to perform their yearly Oil and Chip program. In prior years, Franklin Township “teamed-up” with Washington Township to bid the Oil and then worked together to haul the stone with the application of the stone being performed by the Warren County Road Department. Each municipality purchased the amount of stone needed for their

projects within their respective municipality. Harmony Township has also expressed an interest in meeting to discuss the logistics of an agreement to perform this work collectively. At the February 2, 2009 Committee meeting, the Township Committee authorized our office to coordinate with Ron Read, Township DPW, regarding a shared services arrangement with neighboring municipalities for a potential 2009 Oil and Chip program.

- It is our understanding that the Township is considering applying an Oil and Chip resurfacing to Buttermilk Bridge Road, Mountain View Road West and Wolverton Road.
- Our office was present for a bid opening at Washington Township. As a result, we have submitted an August 7, 2009 award recommendation under separate cover.

9. HIGHLANDS PLAN CONFORMANCE

- As previously referenced in Engineer's Report item #2, Nevitt Duveneck, Joe Nalio and I attended an informational session at the Highlands Council office in Chester, NJ on January 22, 2009. The purpose of this meeting/informational session was to advise various professionals (engineers, planners and attorneys) about the Plan Conformance process, the timeline and the Grant program associated with same. Our office will be working with Chuck McGroarty, P.P. towards the development of the various planning modules which constitute the Highlands Plan Conformance process. The intent of this program is to have all involved municipalities be in a position to make a better "informed" decision relative to whether or not they choose to "opt in" to the Highlands Regional Master Plan (HRMP) for the areas within the Planning Area of the HRMP.
- It is my understanding that Planner McGroarty has made application(s) to the Highlands for the grants associated with the Plan Conformance process. Module 1 is a \$15,000 grant. Module 2 is a \$10,000 grant. 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.
- Our office completed Plan Conformance Module 1 which was previously forwarded to the NJ Highlands Council. On March 30, 2009, representatives of our office were present at a NJ Highlands Informational Session for Module 2: Build-out analysis.
- On April 28, 2009, the Highlands provided our office with a review of the submitted Module 1 information. Primarily, the comments related to individual lot size and configuration as depicted on the Highlands geo-database. Our office made the necessary revisions to Module 1 which was previously resubmitted to the Highlands Council.
- Our office just received the Module 2 CD and resultant Build-Out Report from the Highlands Council. We have just begun the process of going through the review and edits associated and required with Module 2.
- Module 4 is the Environmental Resources Inventory (ERI) component of the Highlands Plan Conformance process. Our office has completed Module 4 and we have submitted same to the Highlands Council.

10. 2010 TRANSPORTATION ENHANCEMENT APPLICATION

- The Mayor and Township Committee previously authorized our office to prepare a grant application thru this program for the replacement and improvements to a portion of the sidewalk system in Asbury. Our office, on behalf of the Township, completed the application and submitted same electronically, as required, in advance of the May 13, 2009 deadline.
- Due to the fact that the sidewalks will be constructed within a County ROW, we were required to secure the County's endorsement for the project. The County's endorsement was received and forwarded to the NJDOT, as required, on June 25, 2009.
- We will keep the Committee apprised of any new information regarding this grant application.

**11. 2010 MUNICIPAL TRUST FUND APPLICATIONS
(No change since last month's report)**

- This year's applications were due prior to June 12, 2009 in electronic form via the SAGE system. We had previously coordinated with Committeeman Ferri and the DPW on the candidate for submission under this year's program. The Township Committee authorized our office to proceed with the development of this year's NJDOT grant applications at the May 4, 2009 meeting. Our office has completed this year's application which was submitted for Good Springs Road between Mountain View Road and Asbury-Broadway Road. The application was submitted to the NJDOT via the SAGE system, as required, in advance of the June 12, 2009 deadline.
- Our office has also forwarded the required municipal resolution, adopted by the Township Committee at the June 1, 2009 meeting, to the NJDOT which completes the submission of a complete application. Notifications of award thru this program are typically made in October or November. Our office will keep the Committee apprised of the status of the NJDOT's processing of this application.

12. DRIVEWAY ESCROW REIMBURSEMENT

- The developer of a Block 45, Lot 3, George Chalamín, applied for a driveway permit for a property fronting on Good Springs Road. The developer has decided to abandon development of the lot in question and has requested return of funds that remain in his escrow account. Our office has previously recommended that the Township Committee take action to return the balance of his escrow (refer to separate correspondence dated July 2, 2009).
- It is our understanding that a Resolution related to reimbursement of the above-referenced driveway escrow is on the agenda for the August 10, 2009 meeting.

Attorney Report on file –

A sample Ordinance was reviewed to Regulate Temporary Municipal Street Closure, as provided by Attorney Tipton. Attorney modified ordinance as to non-residents, made clerk as point person. Fees were discussed and committee would like to see a \$1000 fee with a penalty of \$2500. Will introduce this ordinance at next month's meeting.

Abandon Escrows – A discrepancy as to who should receive funds from an outdated Escrow; such as who were the active partners and who should receive the remaining funds. Per Township Attorney we should send this money back to the state to have them determine who should receive this money back.

Recycle Coordinator- Mr. Bulava commented as to the Spring Clean Up, approximately 258 permits were issued and collected approximately 189 tickets the day of clean up. Total cost was \$6,116.70 more than 2008.

OEM – Not present

Open Space – No one present

Franklin Township Youth Association - Coordinating Fall Sports at this time. There will be an Open House in September to talk about the sports. Annual Gold Outing is the first Saturday in October, October 6th at Mine Brook. A tree limb fell on the soccer goal, no damage, Ron Read has been notified and will bring a chain saw over to remove.

Zoning/Jim Onembo – Absent

Committee Reports; Updates/Discussions –

Bonnie Butler – There has been reporting from the Ward residence of continual Third Street drainage problems. Per Mr. Finelli, this area has a long history of drainage problems. The Warren County Morris Canal Committee has been contacted to review scope of work and discuss concerns. The Morris Canal Committee supports the project to utilize the canal as a detention structure. The next phase would involve receiving property owner's permission to purchase the canal property or seek an easement on the property in order for construction work to develop the proposed basin.

Mrs. Ward was present (Third Street resident) and expressed his dissatisfaction. She stated she has lived with the water problem for thirteen years, and believes it is time that something is done to correct it. She is tired of not receiving satisfaction. After continual discussion and argumentation, Mayor Butler closed the session to further comments.

Michael Ferri – Nothing further to report

Michael Toretta – Nothing further to report.

Jeffrey DeAngelis – Mr. DeAngelis reported that in the process of renewing insurance for 2010. The sweeper is being taken off the equipment list on policy.

Mark Blaszkowski – Handed out a proposal from SSP, an architecture firm, for \$4,000, to evaluate the outer structure of the municipal building. Committee to review and discuss at the next budget meeting.

Mayor Butler – Reported that the field in back of the squad building there is an old backboard, does this get used, obscene graffiti on it. Per Joe Flynn, the Youth Association doesn't use this field but Travel Soccer does, maybe this can be re-located. Animal Control Officer would like to run Franklin's Rabies Clinic January 2nd, 2010, maybe we can do this early December, need to check with Betty on this. There is an Eagle Scout that will be cleaning up and painting the Community Room. Also, Highlands will reimburse municipalities for Municipal Employee Time. A thank you to Chief Sonny Read and Vinny Fortunato, volunteering to weed the Veteran's Monument outside of the municipal building. Also nice job today to the Fire Company, saving a house from a fire today in New Village.

Open Public Session

Karen Chiu – Kudos to the Fire Company today at the house fire with the heat. Also Dunkin Donuts parking lot, signs are a site obstruction for those in a small car. Mayor will advise Mr. Onembo of this.

Joan Ward – Are there any other updates as the Third Street water situation. Engineer Duveneck replied, no more than she already knows about. Concerned as to a breach in the canal and will this person be fined who do this? Engineer Duveneck has already spoke with the NJDEP, \$200,000 allocated, unknown how long the DEP turn over will take. Per Sam Santini there is no more water running down, fixing the canal isn't going to fix the problem with the water on Third Street. Engineer Duveneck will meet with Sam Santini for further review.

Joe Flynn – Roger Bulava and the DPW were extremely organized with the Spring Clean Up. You get in and out, great job should consider to do this year to year. Are the key fobs and door renovations being coordinated so once the doors are installed the key fobs will be installed at the same time. Per Committeeman DeAngelis, timeline and monies are spent dependent upon the front door. Also, we need to schedule with the vendor to replace the doors to piggy back off of new doors being installed with basketball season in mind. Per Committeeman DeAngelis he is conscious of the usage of the backroom.

George Buniak- The line coming into the Rocky Brook Development is fading, DPW used the line painter last time, can this be done again? A lot of people use this development as a walking track. Ron will look into this.

Ron Read – On behalf of the Fire Company, thank you to the Rescue Squad for the cold towels, drinks, deserve a lot of credit at house fire today.

EXECUTIVE SESSION

BE IT RESOLVED, on this 10th day of August, 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/OPEN SPACE COMMITTEE NEGOTIATIONS/SHARED SERVICES FRANKLIN TWP BOE/LOCAL HEALTH DEPARTMENT ISSUES/SINGLEY LITIGATION

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 10th, day of August, 2009 by the Franklin Township Committee, that the matters stated will be discussed in executive session, said session to commence at 8:56 p.m.

On Motion by Mark Blaszkza and seconded by Michael Ferri to exit into executive session. Unanimous Vote

On Motion by Mark Blaszkza and seconded by Michael Toretta to return to the regular session at 9:30 p.m. Unanimous Vote

MOTION: By Bonnie Butler and seconded by Mark Blaszkza to authorize Attorney Rich Schneider to issue a Consent Order in the Singley Matter.

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) Absent	(1) Abstained

MOTION FOR PAYMENT OF BILLS:

On motion by Mark Blaszkza and seconded by Bonnie Butler, to pay the appropriate bills.

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

On motion by Michael Toretta and seconded by Bonnie Butler, hearing no objection, meeting stands adjourned at 9:33 pm. Unanimous Vote.

Respectfully submitted,

Denise L. Cicerelle, RMC/CMR
Municipal Clerk