

**REGULAR MEETING**

The Franklin Township Committee held their regular monthly meeting at 7:00 pm on Monday, October 5, 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, Mike Finelli, Engineer arrived at 7:03pm and Brian Tipton, Esq., Jim Onembo, Zoning Officer, Raymond Read, OEM.

Following the flag salute the Regular Meeting Minutes of September 14, 2009 were accepted on motion by Jeffrey DeAngelis and seconded by Michael Ferri, all in favor. Executive Session Meeting Minutes of September 14, 2009 were accepted on motion by Michael Ferri, and seconded by Michael Toretta, all in favor.

**Roll Call Vote of Committee Members as follows:**

<b>Roll Call Vote</b>	<b>Present</b>	<b>Not Present</b>
Mark Blaszk	X	
Jeffrey DeAngelis	X	
Michael Ferri	X	
Michael Toretta	X	
Mayor Bonnie Butler	X	(5) Present (0) Absent

The first topic of business was a Presentation from Pam Farago, Executive Director of Domestic Abuse & Sexual Assault Crisis Center. In October 2008 the Prevention of Sexual Assault Coalition, a group of concerned Warren County business, individual, agency, law enforcement, education, and health professional began to meet to develop a program to meet our Warren County needs. As a result of their efforts the group adopted "Green Dot" to help reduce violence in our community. Green Dot, a single choice in one moment in time that makes the world safer. Green Dot is built on the premise that in order to measurably reduce the perpetration of power-based personal violence. Make it personal, someone you care about that is special to you. Imagine that they are being assaulted in someway. There is someone else there that could stop the violence and they walk away. Within a few minutes you have to decide to do something or nothing at all. Green Dot training to be held at Warren Hospital on Saturday, November 14<sup>th</sup> or 21<sup>st</sup> from 9am-2pm. To register call or email Malaika Berry (908) 453-4121 x300 or mberry@besafewc.org.

**PUBLIC HEARING AND CONSIDERATION OF:**

The following **Ordinance 2009-10** was presented for Final Reading/Adoption

**ORDINANCE 2009-10**

**AN ORDINANCE APPROPRIATING THE SUM OF \$50,000.00  
CURRENTLY LOCATED WITHIN THE CAPITAL  
IMPROVEMENT FUND OF THE TOWNSHIP OF  
FRANKLIN FOR PAVING GOOD SPRINGS AND WILLOW GROVE ROADS IN  
THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, NEW JERSEY**

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

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

**PUBLIC COMMENTS: None**

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

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

On motion by Committeeman Michael Ferri and seconded by Committeeman Michael Toretta the aforementioned ordinance be adopted at final reading.

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

A representative from the New Jersey State Police was in attendance. Hearing no questions or comments from the public or committee.

**PUBLIC HEARING AND CONSIDERATION OF:**

The following **Ordinance 2009-11** was presented for Final Reading/Adoption

**TOWNSHIP OF FRANKLIN  
ORDINANCE NO. 2009-11**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN,  
STATE OF NEW JERSEY, OF THE CODE OF THE TOWNSHIP OF  
FRANKLIN TO REGULATE TEMPORARY MUNICIPAL STREET CLOSURE.**

**MOTION: To open Public Hearing by Michael Ferri, seconded by Michael Toretta.**

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

**PUBLIC COMMENTS: None**

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

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

On motion by Committeeman Michael Ferri and seconded by Committeeman Michael Toretta the aforementioned ordinance be adopted at final reading.

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

The following **Ordinance 2009-12** was presented for First Reading/Adoption

**TOWNSHIP OF FRANKLIN  
ORDINANCE NO. 2009-12**

**AN ORDINANCE REPEALING ORDINANCE NO. 81-9 – RESIDENCY  
REQUIREMENTS**

**WHEREAS**, the Township of Franklin had previously passed an Ordinance pursuant to N.J.S.A. 40A:9-1 et seq. which required all officers and employees of the Township to be bona fide residents of the Township;

**WHEREAS**, the Township of Franklin has determined that such Ordinance is no longer beneficial for the Township because such restriction limits the pool of applicants for such positions to the detriment of the Township;

**WHEREAS**, the Township of Franklin has determined that it would be in the best interest of the Township to repeal Ordinance No. 81-9.

**NOW, THEREFORE, BE IT ORDAINED** by the Committee of the Township of Franklin, in the County of Warren, New Jersey that Ordinance No. 81-9 is hereby repealed.

On motion by Committeeman Michael Ferri and seconded by Committeeman Mark Blaszk a the aforesaid ordinance be adopted at first reading. Final reading and adoption on November 2, 2009 at 7:00 p.m. at the Franklin Township Municipal Building.

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

Dated: October 5, 2009

**DISCUSSION**

Charitable Solicitation Ordinance was discussed by committee and attorney as to the necessity of this ordinance to accompany the state application for the rescue squad and fire companies to do roadside coin drops on State Highway Rt. 57. As to municipal roads an application is still required but not an ordinance. Attorney Tipton to draw up the ordinance to be placed on next months agenda for introduction.

**DISCUSSION**

A letter was received from The ARC of Warren County seeking municipal support to assist in the cost to help continue the Recreational Opportunities for Individuals with Disabilities grant for 2010. Mayor Butler informed that they are seeking a \$250 contribution for 2009 and/or 2010. In our area there are 10 people who receive the recreation and/or summer camp services. The County of Warren declined to fund the required match to obtain the grant for 2010 but has agreed to be the official applicant.

On motion by Mark Blaszk a and seconded by Jeffrey DeAngelis to contribute \$250 in 2009, these funds will come out of Recreation.

<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) Absent (0) Abstained	Motion Carried

## REPORTS:

### Engineer's Report –

Engineer Finelli touch based on a few items Millbrook Road Project; waiting on the CORE results and the SRTS and TE Grants; started applications. Willow Grove Road, there are some issues with the contractor and their office is still working with them to resolve. Committeeman Ferri is very dissatisfied with the paving and the driveway aprons. In front of the Gara residence there is a 6" drop. Paving looks like the stopped/started and road resembles speed bumps. Drainage isn't proper either. Ferri stated that he won't authorize the committee to sign a voucher. Engineer Duveneck was advised that the paving could be done in one day and the completed job sure looks like that state Ferri. A field meeting will be set up by Engineer Finelli and Committeeman Ferri to be apart of this.

Committeeman Ferri informed that he met with the homeowner on Upper Willow Grove Road and addressed what's to be done and he was in agreement.

Mayor Butler informed that a letter was received from the Highlands Council as to changes on the ERI and Mod 4. Also a voucher was received from the Highlands Council for execution. Engineer Finelli advised that the money follows quite quickly after that, less than 2 weeks.

### 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 will continue to attempt to schedule a meeting with Mr. Chiu, but will most likely need some degree of Township intervention based upon our unsuccessful attempts to schedule this meeting to date.
- The Township recently executed an extension to the original grant agreement for an additional period of three (3) years to expire on August 31, 2012.

## 2. TOWNSHIP WASTEWATER MANAGEMENT PLAN

- Our office received a copy of a letter, dated September 24, 2008, from the NJDEP, Division of Watershed Management, to Mayor Butler regarding this matter. In summary, based upon the County's decision not to assume the wastewater management planning responsibilities, the Township is now the lead entity for the wastewater management planning responsibilities for the Township. Per the recently adopted and amended Water Quality Management Planning Rules (NJAC 7:15), the municipality is responsible to submit a WMP within one (1) year from the date of the adoption of the rules which would be July 7, 2009. As previously discussed by me at recent Township Committee meetings, if a "new" Township-specific WMP would not be submitted, the Township would be subject to the withdrawal of any wastewater service area designations.
- As per the NJDEP's September 24, 2008 letter to the municipality, the NJDEP is requesting a letter from the Township which would indicate the Township's intended course of direction and WMP responsibilities. This matter has been discussed at the last few Township Committee Meetings. I attended a Highlands Council Information Session meeting on January 22, 2009 regarding Plan Conformance. At that meeting, there was an indication from Eileen Swan, Highlands Council that a potential extension may be granted by the NJDEP to the July, 2009 submission deadline for Municipalities (within Warren County) that lie within the Highlands and have supplied a "Notice of Intent to Conform." We have since received confirmation that there will be extensions granted to Highlands municipalities within Warren County. The Township has now formally requested an extension from the NJDEP, via a correspondence from our office dated June 1, 2009.
- The NJDEP has amended their requirements for Warren County municipalities relative to the submission of a "complete" WMP. We have spoken with numerous NJDEP personnel regarding the NJDEP's requirements for WMP submissions in Warren County/Highlands municipalities. The NJDEP will be accepting an "interim" WMP which is a much abbreviated and more concise WMP submission. Additionally, the NJDEP has made available a \$10,000 grant for each municipality who decides to proceed and submit an "interim" plan. Our office, with assistance from both Denise Cicerelle and Dawn Stanchina, has developed the grant application. At the August 10, 2009 Committee meeting, the Township Committee approved a Resolution which was a requirement of the submission of the grant application. Our office has forwarded the completed grant application to the NJDEP via correspondence dated August 19, 2009.
- Our office will keep the Committee updated as we proceed forward in developing the "interim" WMP. Prior to any submission of an "interim" WMP to the NJDEP, the Township Committee will need to approve same.

### 3. MILLBROOK ROAD (2008 NJDOT DISCRETIONARY GRANT)

- 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.
- Some additional pavement related work (asphalt berms and end treatments) has just been completed by the contractor which constituted the final punchlist items in order to bring this project to completion. Be advised, according to our calculations and analysis to date, we believe that the final adjusted total cost for this project (which can also be inclusive of the pavement testing and construction inspection costs incurred) is expected to be very near the total grant amount of \$300,000.
- Our office prepared and submitted an NJDOT Progress Payment Voucher on September 10, 2009. This voucher will allow the Township to get a progress payment from the State prior to the submission of all final close-out documents.
- The project has now been completed and the asphalt cores have been taken for testing of air voids and composition as required by the NJDOT. As of the date of this report, the results of the pavement testing have not been completed. Typically our office does not recommend payment for the asphalt paving until we have confirmation of acceptable results of the asphalt testing.

### 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.
- 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. Additionally, our office attended a mandatory "Kick-Off" Meeting with the NJDOT on September 15, 2009. The Township should be advised that there is additional administrative work required through this funding program than the typical NJDOT Trust Fund project (i.e., Report Items #3 and #5).

### 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 contracts have been signed by the contractor and we have forwarded them to the municipality for execution. Construction on the project has started and the contractor has made good progress as of the date of this report. The contractor has indicated that they hope to be completed with the majority of the construction work as by October 2, 2009. We will update the Township Committee regarding the status of this project at the October 5, 2009 Township Committee Meeting.
- The NJDOT initial voucher, in the amount of \$90,000 has been submitted to the NJDOT which represents the initial reimbursement amount due the Township of Franklin.

#### **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. Our office forwarded a copy of completed Green Acres Survey to the State for review. Subsequently, we received some minor comments from Green Acres. One comment related to the installation of additional monuments at certain property corners. Our office has revised the survey and forwarded same to Green Acres on September 24, 2009 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 Blaszk, presented the plan via a PowerPoint presentation to the public at a public information session which was attended by approximately 50± citizens. The plan was generally well received and, we believe at this juncture, the funding mechanism(s) and sources are being evaluated and pursued.
- The wetlands have been delineated by our wetlands consultant and we have developed the plan which will accompany the Letter of Interpretation (LOI) application to the NJDEP. 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. HIGHLANDS PLAN CONFORMANCE**

**(No change since last month's report)**

- 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 recently received the Module 2 CD and resultant Build-Out Report from the Highlands Council. We are continuing thru the process of the review and edits associated and required with Module 2 and will be resubmitting same to the Highlands Council in the near future.
- It is our understanding that Chuck McGroarty, P.P., is working on and will be responsible for Modules 3 and 5, as they are associated with the required amendments and changes to the Township Master Plan along with the Housing Element and Fair Share Plan (i.e. COAH Plan).
- 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.

## **9. 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.
- The Township was awarded a \$76,000 grant for the project. As a NJDOT requirement for this grant, our office recently attended a Transportation Enhancement (TE) training session.

- This is a “fast-track” grant as it is funded through the American Recovery and Reinvestment Act (ARRA) which requires the project to be “Authorized” by January 4, 2010. The Committee gave our office approval to begin development of the plans at the September 14, 2009 Committee Meeting.
- Our office has started the field work to develop the base maps for the project.

#### **10. 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.

**Attorney Report on file** – No additional comments

#### **Committee Reports; Updates/Discussions –**

Michael Ferri – Has Bid Specifications from Washington Township when they went out to Bid for one of their DPW trucks. Road Foreman hasn’t received State information as of yet. Attorney Tipton commented that no requirements to accept Bids. Municipal Clerk will see if she can receive Washington Township’s Bid Specifications electronically, make changes and get to Attorney Tipton for review.

Michael Toretta – Nothing further to report.

Jeffrey DeAngelis – Waiting on renewal figures for township insurance renewal.

Mark Blaszk – Community Center meeting this past week, reviewed agreement form, emergency procedures, no sugar drinks allowed on floor only water. The center is in use from the first Sunday before Thanksgiving through March 2010. 6-9pm on the weekdays and Saturdays 9-12. Franklin Youth Association has majority of the time and the rest has been leased to out of area groups.

Mayor Bonnie Butler – A meeting with the planner as to the Highlands process of the Modules. The Survey Certificate from Green Acres was mailed out. A request from a member of the rescue squad as to the township paying the cost to vaccinate the squad with the H1N1 vaccine. Mayor has some reservations as to this. Member Karen Chiu present, advised that the shot is not yet available and unknown as to the cost per person per shot.

**Recycle Coordinator-** Not Present.

**OEM** – Nothing to comment

**Open Space** – No one present

**Zoning/Jim Onembo** – Construction seems to have subsided. Mr. Onembo informed that he contacted those places with Charitable Clothing Bins that a permit is required, as of yet no one has applied for the permit. Mayor has the list of unkempt properties received from Mr. Onembo. Also, Mr. Onembo has court tomorrow for a property in Asbury as to clean up. The Property looks to be fairly in compliance after Mr. Onembo drove by the property.

### **Open Public Session**

Attorney Tipton addressed the public, due to the volume in the audience this evening. How many people here this evening to make a public comment, showing a raise of hands? How many people are here in concern/comment to the Heritage Property, showing a number of hands? Attorney Tipton informed that due to the number requesting to be heard that non-Heritage Property comments will be heard first and keep all Heritage Property Comments after. All comments are to be limited to 5 minutes and no longer. There is no application filed presently with our Land Use Board, we will hear all interest but please limit redundancy.

Joan Ward – Requested an update as to the Third Street Drainage situation. Mr. Finelli informed her that they need to set up a meeting with Mr. Chiu and the grant has been extended until 2012. Ms. Ward was annoyed that the meeting still hasn't been set up as of yet and wants to be kept informed of the progress. Mayor Butler informed Ms. Ward that this property is in the Highlands and we are restricted to what we can do. If we exhaust our plans then we will result to another back up, there is no specific time line as to when this project needs to be completed.

Cathy Pineno – Requested any updates as to 40 Halfway House Road. Property is still not secured. Mayor Butler informed that the house will soon be boarded up. Attorney Tipton will get a letter out to the Veterans Affairs, owners of the home, and will have updates for next meeting.

John and Lorraine Whitmore – Bryan Road Property. Questions as to where the sidewalks will be going in. Mrs. Whitmore was informed earlier this month that the sidewalks will extend all the way up to the Warne Way intersection and through her front yard. Engineer Finelli advised that the sidewalks will stop at the end of the township property and that is as far as it should be going. Mrs. Whitmore also heard that the barns will be turned in to showers. Committeeman Blaszkowski said that no, that is not true and this property is only in the planning stages, the barns are now being leased for hay/straw. Phase I is over by the creek per Blaszkowski and there are no plans yet over by the Whitmore residence, maybe a walking path. Mrs. Whitmore also questioned Mr. Committee and Mr. Onembo as to garages being built in the township. When they applied for a permit they were denied a permit due to a height restriction. Mr. Onembo informed that a Commercial property has no height restriction but Residential Properties are restricted to 18' in height. Can apply to the Land Use Board for a variance to lift the height restriction for residential. Also, there is no guardrail over near Ron Sigler's Farm on Mountain View Road, huge drop off. Mayor Butler will look into this matter. Paving on Good Springs Road last week there were no cones and no signs warning of road work, not even a flag man. There was a particular area where there were millings and bumps that had a significant drop to it, that should have been a warning to traffic.

Joe Banghart – Township Road Department, great job on mowing Good Springs Road. One section where rocks are on the bank, maybe DPW can remove these rocks to mow this particular area. Mayor Butler to visit this site.

At this time, the township committee heard Open Public Comments as to the Heritage Property.

Tracy Heisler – of 370 Bloomsbury Road – How do we change the zoning! She has 8 children, 1 of which receives the ARC Recreational Opportunities for Individuals with Disabilities. This is a dangerous place to have a truck hub, with school busses traveling this road, this will add 700 trucks a day. Ms. Heisler has 73 others on her email list that has the same concern. Requesting direction on what to do to preserve our way of living.

Sudha Kantor – of 26 Halls Mill Road – Considers this a conflict with our rural environment. This lot contains valuable natural resources and the township committee and the mayor are responsible to preserve this. Ordinance 2005-15 was adopted to amend a previous ordinance, our Open Space Taxes were created to support and enforce our land to be preserved for open space, funded through the collection of local property taxes in the amount of \$.065 per hundred dollar of assessed value. Resolution 2008-53 adopted Scenic Byway designation of Interstate 78 through the entirety of Franklin Township. We need to preserve the beauty. This will have an impact on the Musconetcong and Delaware Rivers if this trucking hub is passed. This is not a Land Use Board problem but a township committee problem. We will need additional police presence in this area. There is no enforcement for engine braking on Anderson Rd to Rt. 78 at this time. This truck hub has no support or sustainable benefits to the Township of Franklin.

Bob Miller – 383 Bloomsbury Road – The zone was changed for one plot, this is spot zoning! This needs to be looked into and believes that it needs to be changed!

Doug Muessig – Jake Braking Ordinance recently adopted, when are the signs going up?

Attorney Tipton commented that the Heritage Property is a potential application and is not on the Land Use Board Agenda this month. Engineer Finelli commented that it will be a number of months probably to be submitted.

Robert Limardo – 364 Bloomsbury Road – Speeding truckers in this area. Mr. Limardo commented that he has a police jacket which when it is seen, people do slow down. Mayor Butler informed that state police are trying to do what they can on this road with the speeders.

John Whitmore – Has a similar situation on Bryan Road in the Copperfield's Development. Vehicles speeding in and out of the development; he was actually passed by a car. Mayor Butler commented that having local police will definitely raise our taxes. Mr. Whitmore expressed that someone is going to get killed!

Carmen Limardo – 364 Bloomsbury Road – Mrs. Limardo is a retired school bus driver and has seen a lot of accidents. Bloomsbury Road is a curvy road and when a school bus is stopped letting children off, a car can't see what is up ahead. This is a dangerous road and she is concerned for the children on school busses.

**EXECUTIVE SESSION**

**BE IT RESOLVED**, on this 5th day of October, 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 FUNDING/NEGOTIATIONS WITH FRANKLIN TOWNSHIP SCHOOL SNOW PLOW CONTRACT/SINGLE-THATCHER 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 5th, day of October, 2009 by the Franklin Township Committee, that the matters stated will be discussed in executive session, said session to commence at 8:16 p.m.

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

On Motion by Jeffrey DeAngelis and seconded by Michael Ferri to return to the regular session at 8:53 p.m. Unanimous Vote

**MOTION FOR PAYMENT OF BILLS:**

On motion by Mark Blaszk and seconded by Michael Ferri, to pay the appropriate bills.

<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	(5 ) Yes (0) Absent	(0) Abstained

On motion by Mark Blaszk and seconded by Michael Ferri, hearing no objection, meeting stands adjourned at 8:54 pm. Unanimous Vote.

Respectfully submitted,

Denise L. Cicerelle, RMC/CMR  
Municipal Clerk