

SPECIAL MEETING

Budget Workshop

The Franklin Township Committee held a Special Budget Workshop Meeting on Monday, November 17, 2008 at the hour of 6:00 p.m. Mayor Bonnie Butler opened the meeting in accordance with the "Open Public Meeting Act" Chapter 231, P.L. 1975 at 6:13 pm having been duly advertised and a copy posted in the office of the Township Clerk.

Present were: Mayor Bonnie Butler, Mark Blaszk, Michael Ferri, Michael Toretta, Jeffrey DeAngelis (joined the meeting at 6:20pm) Dawn Stanchina, CFO(joined meeting at 6:40pm), Denise L. Cicerelle, Municipal Clerk.

The following **Resolution 2008-65** was presented for First Reading/Adoption

Mayor Butler informed that as per the Township's Planners recommendation, not to change the wording of this Resolution as this could place the township in a Builders Remedy Lawsuit. This may not be accepted by COAH. Committeeman Blaszk to contact COAH directly with questions as to how they came up with Franklin Township's figure and as to the additional wording we would like seen in the Resolution and will bring this back to the December 1st meeting for further consideration.

RESOLUTION 2008-65

TOWNSHIP OF FRANKLIN, WARREN COUNTY, NEW JERSEY NOTICE OF INTENT TO PETITION THE HIGHLANDS COUNCIL FOR PLAN CONFORMANCE

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other key natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region and requiring that within nine to 15 months after September 8, 2008, each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area; and

WHEREAS, the Highlands Act specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, the Highlands Council's Plan Conformance Guidelines require that for jurisdictions with any lands in the Preservation Area, a Notice of Intent to conform to the Regional Master Plan must be submitted to the Highlands Council as soon as practicable, but not later than February 1, 2009 and that for any lands in the Planning Area, a Notice of Intent may be submitted at any time; and

WHEREAS, The Township of Franklin, Warren County, NJ lies within the Highlands Region as defined by the Highlands Act; and

WHEREAS, the Township Committee of the Township of Franklin, Warren County, NJ believes that it is in the best interest of the Township of Franklin to conform to the Regional Master Plan.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Franklin, Warren County, NJ hereby provides the Highlands Council with this

Notice of Intent to petition the Highlands Council for Plan Conformance for all lands lying within the Preservation Area.

BE IT FURTHER RESOLVED, This Notice of Intent additionally specifies that the Township of Franklin, Warren County, NJ intends to include all lands lying within the Planning Area in the petition. In accordance with the Highlands Council's Plan Conformance Guidelines, this Notice of Intent is not binding with respect to lands within the Planning Area.

BE IT FURTHER RESOLVED, this Notice of Intent provides notice to the Highlands Council that the Township of Franklin, Warren County, NJ has set December 8, 2009 as the target date for submission of a Petition for Plan Conformance.

On motion by _____ and seconded by _____ the aforementioned **Resolution 2008-65** be adopted as read.

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

Dated: November 17, 2008

The following **Resolution 2008-68** was presented for First Reading/Adoption

RESOLUTION 2008-68

MUNICIPAL RESOLUTION SEEKING AN EXTENSION OF THE DEADLINE TO PETITION FOR SUBSTANTIVE CERTIFICATION PURSUANT TO EXECUTIVE ORDER 114 AND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE HIGHLANDS COUNCIL AND THE COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

WHEREAS, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

WHEREAS, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU provides for an extension of the December 31, 2008 deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009; and

WHEREAS, on November 17, 2008 the governing body of the Township of Franklin, Warren County, NJ adopted a resolution notifying the Highlands that Franklin Township has set December 8, 2009 as the target date for submission of a Petition for Plan Conformance.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Franklin, Warren County, NJ hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 8, 2009; and

BE IT FURTHER RESOLVED that the governing body of the Township of Franklin, Warren County, NJ hereby directs its Municipal Clerk to immediately transmit a signed and sealed copy of this resolution to COAH; and

BE IT FURTHER RESOLVED that the governing body of the Township of Franklin, Warren County, NJ hereby directs to immediately transmit a signed and sealed copy of the November 17, 2008 duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines to COAH; and

BE IT FURTHER RESOLVED that the governing body of the Township of Franklin, Warren County, NJ intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 8, 2009.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

On motion by Mark Blaszk and seconded by Bonnie Butler the aforementioned **Resolution 2008-68** be adopted as read.

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

Dated: November 17, 2008

The following **Resolution 2008-67** was presented for First Reading/Adoption

**FRANKLIN TOWNSHIP
RESOLUTION 2008-67**

DEDICATION BY RIDER RESOLUTION REQUESTING PERMISSION FOR THE USE OF DONATION FUNDS FOR COMMUNITY ROOM CURTAIN PARTITION PROJECT WITHIN FRANKLIN TOWNSHIP

WHEREAS, permission is required from the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and,

WHEREAS, NJS 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures or monies by dedication by rider; and

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

1. The Township Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of NJS 40A: 4-39 as amended as NJS 40A: 50-29, for the exclusive purpose of depositing and expending funds paid by individuals and businesses to offset costs of paving township streets and roads to include Mountain View Road in FRANKLIN Township that is in compliance with State regulations and laws.
2. The Municipal Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

On motion by Michael Ferri and seconded by Jeffrey DeAngelis the
aforenoted **Resolution 2008-67** be adopted as read.

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

Dated: November 17, 2008

The following **Resolution 2008-69** was presented for First Reading/Adoption

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

**RESOLUTION 2008-69
BUDGET TRANSFER**

WHEREAS, N.J.S.A. 40A:4-58 and 59 authorizes transfers from certain budget appropriations where it is expected that it will be insufficient, and

WHEREAS, it is reasonable expected that certain appropriations will not be sufficient for contemplated expenditures;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of Franklin Township, County of Warren, State of New Jersey, is hereby instructed to adjust the financial records in accordance with the provision of this Resolution:

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Legal Service OE	\$2,000.00	
Unemployment Compensation		\$2,000.00
<hr/>		
TOTALS	\$2,000.00	\$2,000.00

On motion by Mark Blaszkka and seconded by Jeffrey DeAngelis the aforementioned **Resolution 2008-69** be adopted as read.

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

Dated: November 17, 2008

At this time a brief discussion as to the roof leaking at the Municipal Building ensued. As per CFO Stanchina this project would have to be bonded.

CFO provided Budget Trial Balance Sheets to coordinate with the Budget Worksheets from the Accountant. Committee went through each line item as well as figures. Mayor Butler received "wish list" from certain departments as well as individual employees and the Franklin and Asbury Fire Companies. To touch on a few:

Wastewater Management Plan will cost \$30-\$50,000, due to Warren County no longer doing this and it is now the individual municipality's responsibility.

Historical Commission needs a line item \$500.

CFO requesting to be possible placed on a Inter Local Service Agreement to include her with Health Benefits. She is currently discussing this with the other two townships she works for. Asking to start this effective January 1st and will provide Committee DeAngelis with the State Health Benefits Plan Policy from Harmony/Oxford to compare this with Franklin's policy.

CFO will look into if an Oil/Chip Trust fund would be possible.

Joe Flynn and George Buniak was in attendance in the audience and gave an update as to the Curtain partition to be donated by the Youth Association in the Community Room. Looks like the final cost should be around \$12,000. Mr. Flynn will work with manufacturer's with the weight of curtain to obtain a snow load capacity. Also Mr. Flynn commented as to Direct Vent Heat for the Community Room replacing what is in there now, would be more efficient.

At this time the committee made a motion by Michael Toretta and seconded by Jeffrey DeAngelis to go into Executive Session for contract negotiations.

EXECUTIVE SESSION

BE IT RESOLVED, on this 17th day of November, 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

Potential Zoning Litigation/Professional Contracts

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 17th day of November, 2008 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 9:23 p.m.

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

On motion by Michael Toretta and seconded by Michael Ferri to return to the regular session 9:49 p.m. Unanimous Vote

On motion by Michael Ferri and seconded by Michael Toretta to authorize our Attorney, John Zaiter, to file a motion as to the improper Subdivision on the Single Property.

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

On motion by Michael Toretta and seconded by Jeffrey DeAngelis to authorize bills to be paid.

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

On motion by Michael Ferri and seconded by Michael Toretta, hearing no objection, meeting stands adjourned at 9:54 pm. Unanimous Vote.

Respectfully submitted,

Denise L. Cicerelle, RMC/CMR
Municipal Clerk