

**REGULAR MEETING**

The Franklin Township Committee held a regular meeting on Monday, December 9, 2002 at the Franklin Township Municipal Building, Broadway, N.J. at the hour of 7:06 P.M. Mayor Valerie Riggs opened the meeting in accordance with the "Open Public Meetings Act" Chapter 231, P.L. 1975 having been duly advertised and a copy posted in the Office of the Township Clerk.

**Present:** Mayor Valerie Riggs, John Zaiter, Esq., Committeemen; Earl Sigler, Pence Ziegler, Larry Adams, Howard Bryan, Department of Public Works, Jeff Julian, Youth Association, Nevitt Duvencck, Finelli Consulting, Jim Onembo, Zoning.

**Absent:** Wayne Ferguson

Following the flag salute the minutes of November 4<sup>th</sup>, 2002 were accepted as posted on motion by Earl Sigler and seconded by Pence Ziegler. Unanimous Vote. The Executive Session Meeting Minutes were also accepted on motion by Earl Sigler and seconded by Pence Ziegler. Unanimous Vote.

The first order of business was the final reading and adoption of **Ordinance 2002-13.**

**ORDINANCE 2002-13**

**AN ORDINANCE APPROPRIATING THE SUM OF \$28,500.00  
CURRENTLY LOCATED WITHIN THE CAPITAL  
IMPROVEMENT FUND OF THE TOWNSHIP OF  
FRANKLIN FOR PURCHASE OF CHIPPER MACHINE**

On motion by Committeeman Earl Sigler and seconded by Committeeman Pence Ziegler the aforementioned ordinance was adopted.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>
Earl Sigler	X		
Wayne Ferguson			X
Pence Ziegler	X		
Larry Adams	X		
Mayor Valerie Riggs	X	(4) Yes	(1) Absent Motion carried

Final reading and adoption of **Ordinance 2002-14.**

**ORDINANCE 2002-14**

**AN ORDINANCE TO AMEND CHAPTER 90 OF THE  
REVISED GENERAL ORDINANCES OF THE TOWNSHIP  
OF FRANKLIN, BEING THE LAND USE AND DEVELOPMENT  
ORDINANCE OF THE TOWNSHIP OF FRANKLIN,  
WARREN COUNTY, NEW JERSEY**

On motion by Larry Adams and seconded by Pence Ziegler the Aforementioned **Ordinance 2002-14** was adopted as read

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Larry Adams	X		
Earl Sigler	X		
Wayne Ferguson			X
Pence Ziegler	X		
Mayor Riggs	X	(4) Yes	(1) Absent Motion carried

The following **Resolution 2002-73** was presented for adoption by Mayor Riggs.

**FRANKLIN TOWNSHIP, WARREN COUNTY**

**WHEREAS**, Franklin Township received substantive certification from the New Jersey Council on Affordable Housing (COAH) on      for a period of six years, and this substantive certification will expire on      ; and

**WHEREAS**, COAH has adopted a rule permitting a municipality to extend its second round substantive certification for up to one year after the effective date of the adoption of COAH’s third round methodology and rules if a municipality requests an extension, commits to continuing to implement the certified second round plan and also commits to addressing its third round obligation with a newly adopted housing element and fair share plan; and

**WHEREAS**, Franklin Township must commit to either filing a newly adopted housing element and fair share plan addressing the third round obligation with COAH or petition for a third round substantive certification prior to the adoption of COAH’ s third round methodology and rules; and

**BE IT FURTHER RESOLVED** that Franklin Township hereby commits to continue to implement its certified second round plan; and

**BE IT FURTHER RESOLVED** that Franklin Township hereby commits to address its third round fair share obligation with a newly adopted housing element and fair share plan within one year after the effective date of COAH’s third round methodology and rules; and

**BE IT FURTHER RESOLVED** that Franklin Township shall either file the newly adopted housing element and fair share plan addressing the third round obligation with COAH or petition for a third round substantive certification prior to the expiration of this extended second round substantive certification.

**BE IT FURTHER RESOLVED**, by the Township Committee that this Resolution shall take place immediately.

On Motion by Earl Sigler and seconded by Pence Ziegler the aforementioned **Resolution 2002-73** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Larry Adams	X		
Earl Sigler	X		
Wayne Ferguson			X
Pence Ziegler	X		
Mayor Valerie Riggs	X	(4) Yes (1) Absent	Motion Carried

The following **Resolution 2002-74** was presented for adoption by Mayor Valerie Riggs.

**RESOLUTION 2002-74**

**WHEREAS**, an application has been approved for a prorated exemption from taxation for James Sciascia, Block 2 lot 8, who is a permanently and totally disabled veteran and,

**WHEREAS**, 2002 1<sup>st</sup> half property taxes in the amount of \$2,359.76 have been paid by Mr. Sciascia,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$2,359.76 to James Sciascia, 2563 Route 57, Stewartsville, New Jersey 08886

On motion by Pence Ziegler and seconded by Larry Adams the aforementioned **Resolution 2002-74** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Larry Adams	X		
Wayne Ferguson			X
Pence Ziegler	X		
Earl Sigler	X		
Mayor Valerie Riggs	X		

(4 ) Yes (1) Absent Motion Carried

The following **Resolution 2002-75** was presented for adoption by Mayor Valerie Riggs.

**RESOLUTION 2002-75**

**WHEREAS**, a tax payment was made in error by Transamerica real Estate Tax Service on Block 34, Lot 1.08 for the fourth quarter of 2002, and

**WHEREAS**, Transamerica has furnished the Tax Office with proof of this erroneous payment and has requested a refund check be issued,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$221.14 to Transamerica real estate tax Service, 1201 elm Street Suite 400, Dallas, Texas 75270.

On motion by Larry Adams and seconded by Pence Ziegler the aforementioned **Resolution 2002-75** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Larry Adams	X		
Wayne Ferguson			X
Pence Ziegler	X		
Earl Sigler	X		
Mayor Valerie Riggs	X		

(4) Yes (1) Absent Motion carried

The following **Resolution 2002-76** was presented for adoption by Mayor Valerie Riggs.

**RESOLUTION 2002 - 76**

**WHEREAS**, there are shortages of appropriations in several accounts of the 2002 Budget, and

**WHEREAS**, the State of New Jersey permits transfers at this time,

**BE IT HEREBY RESOLVED**, by the governing body of the Township of Franklin, County of Warren, that the following transfers be enacted.

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$16,000.00	Legal	A/E S/W
3,000.00	Planning Board O/E	Engineering
2,000.00	Planning Board O/E	Building & Grounds
5,000.00	Planning Board O/E	Streets O/E
3,000.00	Streets S/W	FICA

On motion by Earl Sigler and seconded by Pence Ziegler the aforementioned **Resolution 2002-76** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Pence Ziegler	X		
Earl Sigler	X		
Larry Adams	X		
Wayne Ferguson			X
Mayor Riggs	X	(4 ) Yes (1) Absent	Motion carried

Resolution 2002-77 was placed on the agenda for presentation per Mayor Riggs further discussion is needed hold until January Agenda and cancel out the Resolution number 77.

Carol Jacobs was present in reference to the Ayres property, the tree was struck by lightning and what is the status on clearing the property. Survey determined that the tree is on Jacob's property due to where the roots are from the tree. Mayor Riggs noted to go with the survey since certified by an engineer where the tax map is not. Per Attorney Zaiter township can go in to secure the property on motion by Larry Adams and seconded by Earl Sigler. Zaiter notifying family of Ayres. Nevitt will check on the flood plain. Jacob's asked whose responsibility to clear sidewalks in front of property. Attorney Zaiter noted that we do not own the property as of yet so we don't have to clear sidewalks, Carol will have her husband contact Denise reference to shoveling and how much he would like to get for doing this until property is owned by township.

Asbury Asst. Fire Chief and member John Murray presented to the committee that the new fire truck is having major problems with the drive/rear steer on slippery surfaces and loose traction. Murray spoke with salesman to replace the steering axle with a tandem. Mayor Riggs expressed concern not to drive the fire truck out to Michigan for repair due to tacking on the mileage and this problem needs to be addressed immediately, gather information who the salesman is, manufacturer and maintenance records and get to Attorney Zaiter to draft a letter on how/who responsible for cost of this malfunction.

**Engineers Report:**

1. Rocky Brook I.(Mike Lynch) Monument Certification, As-Built Drawings, Deeds of Dedication, any outstanding Punch list Items
2. Asbury Broadway Road, CR 643 -Sending the Final NJDOT for payment
3. No NJDOT Municipal Trust Fund Award for 2003
4. Millbrook Road ROW
5. Archive Systems (no change)
6. Municipal Parking Lot Price Quote (refer to separate correspondence, September 26, 2002)
7. Progressing on Tax Map Revisions and Tax Map Certification Revisions
8. Driveway Ordinance revisions for next month

9. Warren County Bridge replacement review, Mountain View Road

**Attorney Update:**

Rocky Brook I: Bond can be used to finish up the job, might have to contact Bond Company to see what they want to do. Site Plan need to review this at Municipal Building.

Merrill Creek CAN System: Richard Lewkin surprised that Mayor not behind this system. Zaiter informed committee that the letter received is just needing a signature from Roger Bulava noting that he was given this not the ratification of the system. Denise will let Roger know that he can sign the letter.

Jim Onembo: Ok to proceed on Bartek summons? Can only sight property owner, per Attorney Zaiter send certified letter giving adequate time to clean up and send to both Bartek's to cover all basis.

Howard Bryan: Department of Public Works Superintendent, advised the mayor and committee that Tom Pineno who works at General Motors, in union, benefits stop if he doesn't show for sitting at union office or can do community service in the township in which he resides. Has his own medical insurance. Audrey spoke to a gentleman in Belvidere who handles community service said Tom would not be covered if he was in a Department of Public Works truck. Denise will contact Brown & Brown to see if we can clear this matter up. Mayor Riggs noted that the Department of Public Works did a great job in snow storm last week, she received phone calls from people living in developments wondering when they will be gotten to. Howard to prepare a letter to go out possibly with the directory how streets are prioritized in a snow storm.

Keith Matlock, Downright Floors did a presentation of various flooring material for the warehouse advising committee on what they should look to purchase when ready to resurface. Hardwood and Engineered Wood does not recommend, won't withstand abuse. Pergo, floats. Should go with a VCT Tile, Metro Tile or Vinyl Tile, comes in all colors, flooring seen in schools and malls. Didn't come up with a price at this time but when township goes out to bid will provide. Keith also noted that the warehouse should be kept at 55 degrees and to choose colors/pattern prior to going out to bid since a design vs. a flat color will change a price. Care for the floor should coat with wax prior to first use.

Committeeman Adams noted a question with an invoice for Alert Pagers, 8 pagers. Mayor Riggs noted that this is nothing above and beyond the budget it is a line item, Dawn advised Fire Department that money was still left. Also noted that the Department of Public Works did a great job with snow storm, did receive a complaint of a broken mailbox on Bryan Road, discussed with Howard replaced pole same day, Mayor Riggs noted this was handled well.

Committeeman Ziegler noted that next year meetings will be held once a month.

Committeeman Sigler noted that the burn brush pile should receive in discretion from property owners anything bigger than say 6 feet should be turned away. Valerie noted that Howard should put this notation on the web page.

**PUBLIC SECTION:**

Jeff Julian stated that the Youth Association had two goals for past year; Financial Stewardship and Increased Community Involvement, they have been successful on both. Also noted that past snow storm Howard was working in a tractor without a radio, the Department of Public Works and the people just hired for snow removal all pulled together to make it work. Good Team Effort!

On motion by Earl Sigler and seconded by Pence Ziegler to pay bills. Unanimous  
Vote.

Adjournment was made on motion by Pence Ziegler and seconded by Larry Adams at  
8:22 pm.

Respectfully submitted,

Denise L. Cicerelle  
Deputy Clerk