

REGULAR MEETING

The Franklin Township Committee held a meeting with their Auditor, Anthony Ardito at 6:00 pm and their regular monthly meeting at 7:00 pm on Monday, February 6, 2012. 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 for Budget Meeting were: Mayor Bonnie Butler, Sarah Payne, Jacob Pence, Denise L. Cicerelle, Municipal Clerk, Anthony Ardito, Auditor, Dawn Stanchina, CFO, Ron Read, DPW Foreman, Raymond Read, OEM/Fire Chief.

Following the flag salute Auditor Ardito addressed the committee as to the budget numbers for the 2012 year. The auditor reviewed budget numbers with committee noting that there will be no tax increase for 2012.

Budget intro will be March 5th, Auditor will email a new spreadsheet for review to committee and adoption of Budget will be April 2nd.

A brief recess noted at 6:54 pm on motion by Bonnie Butler and seconded by Sarah Payne, unanimous vote.

At this time, Mayor Butler re-opened the meeting at 7:08 pm for regular session:

ROLL CALL OF COMMITTEE MEMBERS PRESENT: Bonnie Butler, Sarah Payne, Jacob Pence,, (3) Yes (2) Absent Mike Toretta, Joe Flynn. Additional township representatives present; Kevin Smith, Municipal Engineer, Bob Benbrook, Municipal Attorney, Jim Onembo, Zoning/Code Enforcement Official, Roger Bulava, Recycling.

The Regular Meeting Minutes of January 3, 2012 were accepted on motion by Sarah Payne, and seconded by Jacob Pence, all in favor. Executive Meeting Minutes of January 3, 2012 were accepted on motion by Sarah Payne, and seconded by Jacob Pence, all in favor.

REPORT/UPDATE:

NJSP

A representative from the New Jersey State Police was present reporting the following statistics for last month. 5 (911) Calls, 12 Accidents, 13 Community Policing, 14 Critical Infrastructures, 1 Fire, 12 Medical Assists, 6 Motor Vehicle Accidents, 164 Traffic Stops, 91 Property Checks, 2 Burglaries, 1 Harassment, 1 Noise Complaint, 1 Neighborhood Dispute, 2 Thefts. There were no public concerns or questions from the audience.

ENGINEER REPORT:

Kevin Smith, in attendance at the meeting, on behalf of Mike Finelli, updated the committee with ongoing projects. OEM Read commented that the completion of the applications for the Halloween Snow Storm should be expedited to FEMA. Committeeperson Payne inquired as to the status on the Asbury Sidewalk Project.

At this time Mayor Butler opened the floor to the public for any Public Comment. Resident Joel Reger questioned as to the expenses the township committee has paid to Finelli Consulting on the ball fields. Mayor advised to fill out an OPRA request and it will be submitted to the CFO for reply.

Mr. Smith was released at this time from the meeting by Mayor Butler as to no other matters pertaining to the Engineer's Office at 7:25 pm.

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. Our office 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 necessary to develop the proposed detention basin. In the past, we have had only marginal success in discussing the project with the Chiu's.
- 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. As per the most recent correspondence from the NJDEP regarding the Flood Control Grant Agreement, the maximum grant amount for the project is \$200,000.
- Nevitt Duveneck and I previously met with Mayor Blaszkas to review a number of current Municipal projects including this project. It is our understanding that Mayor Blaszkas will be following up on this matter in an effort to meet with Mr. Chiu to discuss acquiring the necessary parcel of property to allow this project to move forward.
- Mayor Blaszkas met with Mr. Chiu and had a fruitful discussion regarding the project. It appears Mr. Chiu is not interested in selling the canal bed however he would be receptive to granting a drainage easement on the canal.
- On April 23, 2010, Mayor Blaszkas and Nevitt Duveneck met at the canal at the Thatcher Avenue crossing and performed a site inspection of the existing conditions and reviewed the limits of the proposed improvements. The Mayor will now continue his negotiations with Mr. Chiu to secure a drainage easement which will allow for the construction and maintenance, if necessary, while putting us in a position to move forward with the design work for the project.
- Our office has performed the necessary deed research for the affected parcels in conjunction with the preparation of a drainage easement along the canal associated with the proposed stormwater management improvements. Our intention is to field-stake the proposed limits of the easement in an effort to provide Mr. Chiu with a visual perspective of the area in question which should allow for his execution of the drainage easement.
- Mayor Blaszkas has received authorization from Mr. Chiu regarding the field work required by our office to perform the stake-out of the easement area. A meeting held on October 28, 2010 to review the limits of the proposed easement with Mayor Blaszkas, Nevitt and Mr. Chiu. The meeting was very successful and it appears that Mr. Chiu is in general agreement with the project and will be cooperative with the Township regarding the securing and acquisition of this easement area.
- It is our understanding that the Committee has requested that a drainage easement agreement be executed by Mr. Chiu before authorizing our office to begin the survey and design work for the project. Once an agreement has been signed, we would look to the Committee for authorization to commence with the design work associated with the project.

- Our office has prepared two (2) drainage easement maps for both the Chiu and Demasi properties. The Demasi easement would allow for the construction of an outlet storm sewer pipe which would convey the stormwater flows routed through the proposed outlet structure which will be constructed within the canal prism.
- Attorney Benbrook has prepared the necessary preliminary drainage easement language to be executed with each property owner. Attorney Benbrook's office, via correspondence dated March 2, 2011, has forwarded the deed of easement and supporting plans to both Mr. Demasi and Mr. Chiu for their hopeful execution.
- It is our understanding that Mark Blaszkka and Jeff DeAngelis are presently in the process of coordinating the easement agreements with Mr. Chiu. Kevin Benbrook has also been coordinating directly with Mr. Demasi. Once these easements are secured, the project will be in a position to go to design and then construction.
- Via separate and direct correspondence from Attorney Benbrook, the Township Committee has been updated on the status of the negotiations with both Mr. Chiu and Mr. Demasi relative to their hopeful agreement to provide the Township with the necessary drainage easements required for this project.
- As reported by Attorney Benbrook at the October 3, 2011 Committee meeting, Mr. Chiu executed the easement agreement with the Township. As of the date of this report, I am unaware of the status of the Demasi easement and agreement. However, based upon the Township securing the Chiu easement, our office was authorized to proceed with the survey field work and design phases of the project in the effort to get the project in a position to be designed and "out to bid" in the Spring of 2012. Our office has completed all of the field survey work on the project and has developed the base maps for the eventual development of construction plans. We have commenced with the design phase and the stormwater management evaluation for the canal. Additionally, we are in the process of coordinating a meeting with some Morris Canal Commission representatives to make certain that our proposed design and canal related impacts will be acceptable by them. We hope to have this meeting within the next couple of weeks.
- We will continue to update the Township as the design phase of the project proceeds and also advise the Township regarding any construction and/or environmental (NJDEP) permits which may be required in conjunction with this project.

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.
- 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 previously developed and submitted (August, 2009) the grant application.
- Our office received a copy of an Agreement from the NJDEP on October 28, 2009 which has been executed by the Township in conjunction with the \$10,000 grant referenced above. The grant agreement

was signed and executed by the Mayor and Denise Cicerelle. The agreement will enable the Township to secure the \$10,000 grant from the NJDEP for the work associated with the development of this interim WMP.

- Our office previously submitted Township WMP mapping and some other supporting information to the NJDEP in an effort to allow the grant monies to be released by the State. We secured Mayor Blaszkowski's signature on the grant agreement form and submitted same to the NJDEP for purposes of securing the grant monies in order for the Township to be reimbursed for the expenses incurred to date. It is my understanding that the Township has received approximately \$6,500 of the grant funds available towards this project. I have recently been speaking with Theresa Botini, NJDEP Grant representative, and Dawn Stanchina, regarding additional reimbursements that are due the Township for this project. We previously forwarded additional documentation to Ms. Botini for the Township to secure any additional monies which are available through this grant and have been coordinating with Dawn Stanchina, CFO, regarding same.
- On Wednesday, April 6, 2011, our office attended a public meeting on the Department's "Proposed Draft Sewer Service Area Map in Warren County," held at the Pohatcong Township Municipal Building. The draft County Sewer Service Area Plan was on display for review and discussion with the NJDEP representatives in attendance. The Township's existing WMP and its various sewer/wastewater designations were shown and identified on the County Sewer Service Area Map. I will be bringing a copy of the Franklin Township portion of the County Sewer Service Area Map to the May 2, 2011 Township Committee meeting.
- Neil Ferrari, the NJDEP representative for Warren County, was in attendance and I had the opportunity to speak with him specifically regarding Franklin Township. In summary, it was made very clear that the Township WMP review and approval will be from the New Jersey Highlands Council (vs. NJDEP) in conjunction with the Township's Plan Conformance process. This matter and the status of the Township's WMP will need to be further discussed.
- At the May 2, 2011 Committee meeting, a copy of the County Sewer Service Area Map was distributed and discussed. A decision was made for a subcommittee to be formed to meet and review the plan. On June 23, 2011, I met with Bonnie Butler, Mike Toretta and Gene Weber from our office in an effort to provide Ms. Butler and Mr. Toretta with an update relative to the requirements of the submission of a new WMP and the NJDEP Grant Program which presently exists for this process.
- Our office has moved forward with the development of the application documentation necessary to secure the grant monies (maximum amount of \$75,000) available through this program. Until we receive confirmation from the NJDEP regarding the approval of our application, our office will not be proceeding with any work on the WMP. Please be advised that all work being conducted to date, including the preparation of the grant application, is reimbursable through the grant program.
- The grant application was submitted to the NJDEP on July 20, 2011 with the Township being supplied with a copy of same. The amount of the grant requested through this program was \$66,000. As of the date of this report, our office has not been notified regarding any award(s) issued by the NJDEP through this program. As previously instructed by the Committee, our office will NOT be proceeding with any work on the Township WMP until the grant monies are awarded to the Township.
- As reported to the Township at the October 3, 2011 Committee meeting, the NJDEP had supplied the Township, with a copy to our office, of a grant agreement, but for a reduced amount of \$15,000. The Township was reluctant to proceed with any execution of the grant agreement at the October 3, 2011 meeting. Our office was to coordinate further with Ms. Gosselink and relay the results of our discussion to the Committee subsequent to same.
- Our office forwarded an e-mail to the Township Committee on November 2, 2011 which included an e-mail to Gene Weber of our office from Ms. Gosselink who was requesting a decision on the grant funding from the Township. The e-mail which was sent to you generally explained the following:

“Apparently, they are looking to “wrap up” the grant funding component of this program and an application with an amended/reduced scope of work (for \$15K) must be received by their office by November 18th. I really am not trying to force this matter upon the Twp., but Meghan has specifically asked for a status report on Franklin. Kevin Smith will be at the meeting on Monday night, 11/7/11, and this matter will need to be discussed and resolved one way or the other.”
- As a result of Ms. Gosselink's e-mail, referenced above, this matter was discussed at the November 7th, 2011 Committee Meeting. The Township Committee voted to authorize the submission of an amended grant application to the NJDEP in the amount of \$15,000.00. Our office previously forwarded a Resolution (#2011-96) to the Township Committee which was approved at the December 5th, 2011 Committee Meeting. The Resolution authorized the Mayor to sign the Grant Agreement on behalf of the Township.

The Grant Agreement was then forwarded to the NJDEP. As of the date of this report, we have not received any confirmation on approval of the grant by the NJDEP.

- The Township Committee should be advised that the New Jersey Legislature recently enacted new legislation (Bill #S-3156) which both reinstates previously withdrawn sewer service areas as well as extending the period of protection for wastewater management plans and service areas. This bill also establishes a 180-day timeframe for all wastewater planning agencies (i.e. Franklin Township) to submit plan updates to the NJDEP.

SAFE ROUTES TO SCHOOLS GRANT APPLICATION (SRTS)

(No change since last month's report)

- Please refer to our engineer's report, December 2, 2011, for previously provided information regarding this project.

TOWNSHIP RECREATIONAL FIELDS COMPLEX

- The original concept plan had 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 accompanied the previously filed Letter of Interpretation (LOI) application to the NJDEP. Our office is in receipt of an approved NJDEP LOI for the project dated December 1, 2009.
- Greg VandeRydt of our office originally met with Mayor Blaszk and Committeeman Flynn to discuss revisions to Phase I of the proposed recreational complex. Some field layout and location changes resulting in an amended Phase I plan was then developed by our office.
- Our office previously performed the necessary field survey work to allow us to develop the topography of a 10-acre portion slated for the development of the initial recreational facilities (Phase I) off of Asbury-Broadway Road. In the Spring of 2010, our office field staked the area in question to limit the planting of crops within the area slated for development.
- On August 25, 2010, Greg VandeRydt of our office met with Mark Blaszk, Joe Flynn, Alan Kochanski and George Buniak to discuss modifications to the Phase I layout. The layout was modified to eliminate the upper parking area and to rotate one of the proposed baseball fields. Also, the paved walking path was extended to Bryan Road from the proposed fields. A revised layout and cost estimate were recently provided to Mayor Blaszk and Committeeman Flynn who distributed same at the September 13, 2010 Committee meeting.
- At the November 1, 2010 Township Committee Meeting, the Township Committee authorized our office to proceed with the development of Construction Plans and Project Specifications for Phase I of the new Township Recreational Fields Complex to be constructed on the "Smith" property. On November 19, 2010, Greg VandeRydt met with Mayor Blaszk to finalize the layout of the project.
- At the February 7, 2011 Committee meeting, this project was discussed and an updated cost estimate was provided. The estimate that was provided was based upon more refined and detailed design plans and resulted in a higher estimated project cost than originally developed. Subsequent to the February 7, 2011 meeting, I met with both Mayor DeAngelis and Committeeman Flynn on February 22, 2011 to review the overall project status and to present some alternatives which would result in a somewhat downsized project, but would keep the project within the approximate Township budget of \$250,000.
- This matter was further discussed at the March 7, 2011 Township Committee meeting where alternative design schemes and project scopes were reviewed and discussed. One (1) specific item was requested of our office to research further and that related to the potential for the elimination of the stormwater management basin. Our office has communicated with the Warren County Engineer's Office and we believe that the County may agree to an alternate method of strowmater management, thereby potentially eliminating or, at a minimum, significantly reducing the proposed size (and subsequent costs) associated with a "typical" stormwater management/detention basin. Beyond the County Engineer's Office's review and approval, this matter will also need to be approved by the Warren County Soil Conservation District. However, it does appear that the Township may be able to secure some fairly significant savings by virtue of this modified method of stormwater management.

- As a result of the discussion from the April 4, 2011 Committee meeting, a meeting was held on April 13, 2011 between Joe Flynn, Bonnie Butler, Greg VandeRydt and myself where the project was reviewed in great detail. The results of that meeting yielded a shift in the location of the two (2) baseball fields, an relocation of the walking path and the decision to put the project “out to bid” based upon a phased (Base Bid and Alternate Bids I and II) approach. Our office has recently completed the preliminary redesign of the project to reflect the discussion and results of our April 13, 2011 meeting as outlined above. We have sent copies of the revised plan to Mr. Flynn and Ms. Butler for their review and comment. The Committee was provided with the “new” layout plan at the May 2, 2011 meeting.
- A detailed discussion regarding the recreational fields occurred at the May 2, 2011 Committee meeting. It was both confirmed and agreed upon that the project would be redesigned to incorporate a “base bid” along with three (3) alternate bids. Our office provided the Township Committee with a new progress set at the June 6, 2011 Committee meeting where the plans were further reviewed and discussed.
- Subsequent to the Township Committee’s approval of the progress plan set, our office finalized the design and have since submitted the plans to both the Warren County Planning Board and Warren County Soil Conservation District (WCSCD) in order to secure their respective required approvals. Our office has received initial review letters from both the Warren County Planning Board (through the Engineering Department) and the WCSCD. We have addressed all comments from both agencies and have previously resubmitted revised plans to both agencies. We have now received approval letters from both the Warren County Planning Board and WCSCD allowing the project to go “out to bid” and to construction should the Township Committee wish to proceed forward with the project.
- Our office previously distributed sets of Construction Plans and Bid Specifications to the Township Committee for their review and approval. It is my understanding that once the Committee approves of the final plans and specifications that the project will be in a position to go “out to bid.” At this juncture and as previously stated in this report, the project is now in a position to go “out to bid.” The Township Committee must make a decision as to the disposition of this project relative to whether or not we go “out to bid” in order to determine the actual construction costs or not. Obviously, we will wait for your authorization prior to moving forward.
- At the December 5, 2011 Committee meeting, there were two (2) members of the public who advised the Township of some sinkhole activity in the general area of the proposed parking lot and beyond. As directed, I held a site inspection with Sam Santini (who now and historically has farmed the property) to examine and review the reported sinkholes. Subsequent to that, our survey field crew went out to the site and located the sinkholes. I still contend that the project is constructable with a minor relocation of the proposed parking area and some additional design features included relative to potential future sinkhole remediation (should they be encountered). Again, I will wait for further direction from the Township Committee regarding the sinkhole “issue” and the overall status and disposition of the project.

HIGHLANDS PLAN CONFORMANCE

(No change since last month’s report)

- Please refer to our engineer’s report, December 2, 2011, for previously provided information regarding this project.

2010 TRANSPORTATION ENHANCEMENT APPLICATION

(No change since last month’s report)

- Please refer to our engineer’s report, December 2, 2011, for previously provided information regarding this project.

HALFWAY HOUSE ROAD FAILURE

- Deputy Mayor Butler made our office aware of a roadway failure on a section of Halfway House Road. The Halfway House Road failure is similar in scope to the damage to Millbrook Road where the adjacent steep slopes are “slipping” towards the nearby brook and causing subsistence of one lane of the roadway. However the length of the damaged area on Halfway House Road is approximately 20% of the length of the Millbrook Road failure. If the area is not stabilized, the integrity of Halfway House Road will be compromised and this situation could potentially worsen to the point that one lane of the roadway could be lost. As you will recall, the Township was successful in securing NJDOT Discretionary Funds Grant to repair the damage to Millbrook Road. Our office has contacted the Region I NJDOT representative regarding the possibility of applying for a Discretionary Funds Grant to complete this work. We will continue to coordinate with our representative regarding submission of a viable application for this work. At the October 4, 2010 meeting, the Township Committee authorized our office to develop and submit a discretionary funds grant application.

- Our office prepared the grant application and the Township passed a supporting resolution at the January 11, 2011 Committee meeting. Our office sent the application to the NJDOT on February 4, 2011.
- I am very pleased to report that Franklin Township received a grant from the NJDOT for this project in the amount of \$115,000 through the Transportation Trust Fund for the Halfway House Road bank stabilization project.
- This project was discussed at the October 3, 2011 Township Committee meeting where the Township Committee authorized our office to proceed with the field survey and project design phases of the project. Our office recently completed the field survey work for the project and is presently in the process of developing the base maps for the future project construction plans.
- As I believe the Township Committee is aware, the major item of construction associated with this project is a soldier pile retaining wall (similar to what we built a few years ago along Millbrook Road). In order to design the wall, soil borings are required. We have previously forwarded a proposal from a reputable, quality geotechnical firm (Dynamic Earth) that we have used to do similar work in the past. Dynamic Earth's proposal was for \$6,000. At the November 7th, 2011 Committee meeting the Township Committee requested that our office solicit a second proposal for the geotechnical services. A second proposal from ANS Geo, Inc. in the amount of \$5,400 was previously provided to the Township and the Township Committee awarded the geotechnical work on this project to ANS Geo, Inc. at the December 5, 2011 meeting. It is my understanding that the geotechnical exploration work (i.e. borings and soils evaluation) has been performed and we are currently waiting for the report and recommendations from ANS Geo, Inc. Subsequent to the receipt of their report which we expect very soon, we will continue with the design in an effort to get the project "out to bid" in the Spring/early Summer of 2012.

WILLOW GROVE ROAD DRAINAGE EASEMENT

(No change since last month's report)

- Please refer to our engineer's report, December 2, 2011, for previously provided information regarding this project.

TOWNSHIP-OWNED PROPERTIES: PHOTOVOLTAIC (SOLAR) RFP

- This matter was discussed at the April 4, 2011 Committee meeting where a decision was made to prepare two (2) separate RFPs for the Sigler/Brandywine property and the Archive/Beidelman Road properties, respectively. Our office has completed the development of an RFP which was previously forwarded to Attorney Benbrook for his review and comment.
- These projects were discussed at length at the May 2, 2011 Committee meeting where the Township Committee authorized our office to advertise both of the RFPs. The due date for the submission of the RFPs was May 31, 2011 at 10:00 AM.
- The Township received one (1) response to each RFP, both from Alethea Cleantech Advisors, LLC (Alethea). Copies of the two (2) proposals were forwarded to both Denise Cicerelle, Clerk and Kevin Benbrook, Esq. for their review and information. Our office provided the Township Committee with our review of the proposals via letter dated June 6, 2011. At the June 6, 2011 Township Committee meeting, the Township took action to award a contract on each respective property to Alethea.
- Subsequent to the award of the contracts, via Resolution #s 2011-74 and 2011-75, our office developed a Notice of Award correspondence, dated June 9, 2011, which was forwarded to Alethea. The various required supporting contract documents were received by our office and the Township for the execution of a lease option agreement with Alethea on both the Sigler and Beidelman Road properties. Attorney Benbrook has been provided with copies of all of the documents received from Alethea. Provided that Attorney Benbrook finds all of the documents to be in proper form, the Township would then be in a position to execute the lease option agreements.
- This matter was discussed further at both the July 11, 2011 and August 1, 2011 Committee meetings. At the August 1, 2011 meeting, Attorney Benbrook reported that the leases for both properties have now been fully executed by both Alethea and the Township and the due diligence monies have been received from Alethea. The due diligence period expired on October 3, 2011. As previously relayed to the Committee by Attorney Benbrook, the Township has now officially secured the due diligence monies on both parcels which is now non-refundable to Alethea. It is also my understanding that Alethea is currently moving forward to secure approval from PJM prior to any Site Plan application being submitted to the Township Land Use Board. As per a recent conversation with George Kotzias from Alethea, the Site Plan applications will not be submitted to the Land Use Board until sometime Spring to mid-year 2012.

- The Township and our office recently received an update from Mr. Kotzias (Alethea) relative to the approval from PJM and JCP&L for the interconnection to the power grid and their projected costs. At this time, he has only received information on the Beidelman Road property and is expecting some additional information on the Sigler property in the near future. As per a recent conversation I had with Mr. Kotzias, I recommended that he attend a future Township Committee meeting (possibly the March 5, 2012 meeting) to give the Township Committee an update regarding the status of both sites. We will continue to keep the Township Committee abreast of Alethea's progress with the potential future solar development of the two (2) municipal properties in question.

2012 NJDOT LOCAL AID TRUST FUND GRANT APPLICATIONS

- As previously directed by the Township Committee, our office has prepared two (2) updated grant applications. Two (2) Resolutions, one (1) for Good Springs Road (#2011-87) and one (1) for Wolverton Road (#2011-88), were approved by the Township Committee at the September 12, 2011 meeting. The deadline for the submission of these applications was September 23, 2011. Our office submitted both of the grant applications prior to the deadline with the applications submitted electronically through the SAGE system.
- At this juncture, I am unaware of the timeline associated with any announcement from the NJDOT regarding the award recipients through this year's program.

FEMA LOCAL AID INFRASTRUCTURE FUNDING

- I have been made aware that the State of New Jersey is offering a program to make funding available to assist local governments in the repair of storm damaged roadways and bridges. This application process has been recently announced. Based upon the number and frequency of torrential storm events over the past few weeks and the resultant damage to a number of Township roadways, I believe this could be a valuable program for the Township to utilize.
- This matter and potential candidates were discussed at the September 12, 2011 Committee meeting where the Township Committee authorized our office to attend the September 14, 2011 FEMA/OEM briefing. Bill Gleba from our office attended the briefing and an enrollment form was submitted by Mr. Gleba on behalf of Franklin Township. It is my understanding from speaking with Bill that FEMA will appoint a PAC (Public Assistance Coordinator) who will directly follow-up with the Township regarding their review of potential candidates and the overall reimbursement process.
- Bill Gleba from our office, along with both Ron Read, representing the Township DPW, and Sonny Read, Township OEM Coordinator, have been meeting to review candidates and develop cost estimates and have also met with the FEMA representatives representing Franklin Township on October 11, 2011. I am certain that both Sonny and Ronny Read and our office will continue to move this process forward and keep the Township Committee apprised of hopeful and expected reimbursement by FEMA through this program. At this juncture, the Township should be aware that the funding provided is a 75% grant with a 25% Township match, but this 25% Township match does include both man hours and equipment hours which will become a credit towards the Township's 25% match.
- Bill Gleba continues to coordinate with Ron Read relative to the prioritization of the various roadway repairs and/or reconstruction work eligible through the FEMA program. At some point in the near future, the Township will need to make a decision on how aggressively they would like to pursue the FEMA funding (for eligible roadways and infrastructure) based upon the 25% match requirement as part of this program. Our office and Ron Read continue to coordinate with our FEMA representative regarding eligible roadways/projects, FEMA's determination of eligibility, Township credits towards our 25% match and the overall reimbursement program.

INTRODUCTION/ADOPTION OF

PROCLAMATION

WHEREAS, the citizens of Franklin Township stand firmly committed to the promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, Franklin Township has provided significant leadership in the area of

community involvement in the education of our youth, grounded in the principal that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 2, 2012, which would have been the 108th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UA W, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Committee calls on the citizens of the Township of Franklin assure that every child is in a safe place reading together with a caring adult on March 2, 2012;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA'S Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

The aforementioned **Proclamation** be adopted by unanimous vote.

I, Denise L. Cicerelle, Municipal Clerk, for the Township of Franklin, Warren County, NJ, hereby certify that this is a true copy of a Proclamation adopted by the Franklin Township Committee, February 6th, 2012.

Denise L. Cicerelle, Municipal Clerk

Dated: February 6, 2012

The following **Resolution 2011-41** was presented for First Reading/Adoption

Resolution 2012-41

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

**RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR
PROFESSIONAL SERVICES-SPECIAL TAX COUNSEL**

WHEREAS, the Township of Franklin has a need to acquire a Special Tax Counsel as a fair and open contract pursuant to provisions of *N.J.S.A. 19:44A-20.5*; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will not exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and,

WHEREAS, Richard M. Conley, LLC has submitted a proposal, indicating they will provide the special tax counsel for an hourly rate of \$175.00 for partners, \$150.00 for associates and \$75.00 for paralegal time; and,

WHEREAS, the required certificate for the availability of funds has been filed by the Chief Financial Officer providing that legally appropriated balances are available to cover the amount of the contract as

required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned auditing and non-auditing services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin, authorizes the Mayor and Clerk of the Township of Franklin to enter into a contract with Richard M. Conley, LLC, as described herein as special tax counsel on and in behalf of the Township of Franklin for the year 2012; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication.

On motion by Sarah Payne and seconded by Jacob Pence the aforementioned **Resolution 2012-41** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained	
Jacob Pence	X			
Sarah Payne	X			
Joe Flynn			X	
Michael Toretta			X	
Bonnie Butler, Mayor	X			(3) Yes (0) No (2) Absent Motion Carried

CERTIFICATION

I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, Warren County, New Jersey is a true and correct copy of a Resolution approved by the Township Committee of the Township of Franklin at a regular meeting held on February 6, 2012.

Denise L. Cicerelle, Clerk
Franklin Township
Warren County, State of New Jersey

The following **Resolution 2011-42** was presented for First Reading/Adoption

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

RESOLUTION #2012-42

WHEREAS, the provisions of C.63, P.L.1991 (The Supplemental Municipal Property Tax Relief Act) under Section 13 required municipalities whose school tax year is on a fiscal basis to defer twenty-five (25) per cent of the maximum allowable amount and anticipate it into their budget over a four (4) year period beginning in budget year 1991, and ending in budget year 1994 as additional Municipal surplus to offset the REGIONAL property tax levy for REGIONAL purposes; and,

WHEREAS, the provisions of C.63, P.L.1991 were amended in calendar year 1993 that changed the mandatory provision of the use of this deferred school tax to a permissive provision; and,

WHEREAS, the revised provisions for electing to utilize the deferred school tax require the governing body to make such election by introduction of the municipal budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin that election be made to defer school taxes as of December 31, 2011, and be reflected in the Annual Financial Statement for the year 2011 as follows:

	FY 11-12	
	<u>REGIONAL SCHOOL</u>	<u>MAXIMUM AMOUNT</u>
	<u>LEVY</u>	<u>OF DEFER TAX</u>
REGIONAL SCHOOL TAX	\$3,746,238.49	\$1,873,119.25
TOTAL MAXIMUM DEFER TAX 12/31/11		1,873,119.25
LESS – DEFERRED SCHOOL TAX 12/31/10		828,589.98
INCREASE IN MAXIMUM DEFER TAX ALLOWABLE FOR CALENDAR YEAR 2011		\$1,044,529.27
ACTUAL ADDITIONAL AMOUNT DEFERRED AT 12/31/11		\$130,000.00

On motion by Jacob Pence and seconded by Sarah Payne the aforementioned **Resolution 2012-42** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Jacob Pence	X		
Bonnie Butler, Mayor	X		

(3) Yes (0) No (2) Absent Motion Carried

CERTIFICATION

I, Denise L. Cicerelle, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Franklin Township Committee at a meeting held on the 6th day of February, 2012.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 6th day of February, 2012.

Denise L. Cicerelle, Municipal Clerk

Dated: February 6th, 2012

The following **Resolution 2011-43** was presented for First Reading/Adoption

RESOLUTION 2012-43

Establishing a New Petty Cash Fund

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and,

WHEREAS, it is the desire of the Township, of Franklin, County of Warren to establish such a fund for the Municipal Clerk in the amount of \$50.00; and

WHEREAS, the custodian for this fund is, Denise L. Cicerelle, who is bonded for the

amount of \$1,000,000 (blanket employee theft coverage); such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE BE IT RESOLVED, that the mayor and township committee hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

On motion by Bonnie Butler and seconded by Sarah Payne the aforementioned **Resolution 2012-43** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Bonnie Butler, Mayor	X	(3) Yes (0) No (2) Absent	Motion Carried

CERTIFICATION

I, Denise L. Cicerelle, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Franklin Township Committee at a meeting held on the 6th day of February, 2012.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 6th day of February, 2012.

Denise L. Cicerelle, Municipal Clerk

Dated: February 6th, 2012

The following **Resolution 2011-44** was presented for First Reading/Adoption

Resolution 2012-44

WHEREAS, The Assistant Treasurer, has brought to the attention of the township committee, said old escrows that the original applicant is unable to be located;

WHEREAS, in order for escrow monies to be released the applicant needs to be located as well as current contact information, and

WHEREAS, since the applicants have not been located,

BE IT RESOLVED, that by the Mayor and Committee authorize the Assistant Treasurer to release the following escrows as follow to the state accordingly:

- E&H Developers (RB II) opened in 1998 escrow balance of \$486.08
- K&B Associates (Klein/Boraski) opened in 1969 escrow balance of \$200.00
- Edison Lakes II Bond-EGK opened in 1993 escrow balance of \$20,605.22

NOW THEREFORE BE IT RESOLVED, escrow monies will be escheated to the state for disbursement of above escrow monies.

On motion by Sarah Payne and seconded by Jacob Pence the aforementioned **Resolution 2012-** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Joe Flynn			X
Sarah Payne	X		
Michael Toretta			X
Mayor Bonnie Butler	X	(3) Yes (0) No (2) Absent	Motion Carried

Dated: February 6, 2012

CERTIFICATION

Certification: I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, February 6, 2012.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2011-45** was presented for First Reading/Adoption

RESOLUTION 2012-45

**A RESOLUTION FIXING THE SALARIES OF CERTAIN OFFICERS
AND EMPLOYEES OF THE TOWNSHIP OF FRANKLIN**

BE IT ORDAINED, by the Mayor and Committee of the Township of Franklin, County of Warren and State of New Jersey, as follows, until a subsequent salary resolution is adopted

Section I. The salary for 2012 for the following employee of the Township of Franklin shall be as follows;

Title	Salary
DPW Road Repairer/Operator	\$48,691.00

Section II Any resolution or part of resolution inconsistent herewith is hereby repealed.

On motion by Jacob Pence and seconded by Sarah Payne the aforementioned **Resolution 2012-45** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Mayor Bonnie Butler	X	(3) Yes (0) No	(2) Absent Motion Carried

CERTIFICATION

I, Denise L. Cicerelle, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Franklin Township Committee at a meeting held on the 6th day of February, 2012.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 6th day of February, 2012.

Denise L. Cicerelle, Municipal Clerk

Dated: February 6, 2012

The following **Resolution 2011-46** was presented for First Reading/Adoption

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

**RESOLUTION – 46
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>
Engineering Services OE		\$5,813.95
Financial OE		\$56.71
Land Use Board OE		\$306.55
Aid to Volunteer Fire		\$947.27
Gasoline		\$614.42
Tax Assessment OE	\$1,924.95	
Solid Waste S&W	\$3,648.95	
Solid Waste O&E	\$2,165.00	
<hr/>		
TOTALS	\$7,738.90	\$7,738.90

On motion by Sarah Payne and seconded by Bonnie Butler the aforementioned **Resolution 2012-46** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Mayor Bonnie Butler	X	(3) Yes (0) No (2) Absent	Motion Carried

CERTIFICATION

I, Denise L. Cicerelle, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Franklin Township Committee at a meeting held on the 6th day of February, 2012.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 6th day of February, 2012.

Denise L. Cicerelle, Municipal Clerk

Dated: February 6, 2012

FIRST READING/INTRODUCTION OF:

The following **Ordinance 2012-3** was presented for First Reading/Introduction

**TOWNSHIP OF FRANKLIN
ORDINANCE NO. 2012-3**

AN ORDINANCE AUTHORIZING THE APPLICATIONS FOR CHARITABLE SOLICITATION PERMITS FOR FRANKLIN FIRE COMPANY AND FRANKLIN TOWNSHIP RESCUE SQUAD'S "COIN DROP" EVENTS FOR THE YEAR 2011 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, NEW JERSEY

WHEREAS, the members of the Franklin Fire Department wish to hold their "Coin Drop" events on April 7, June 9, and October 13, 2012 at the intersection of Route 57 and Asbury-Broadway Road in the Township of Franklin; and

WHEREAS, the members of the Franklin Township Rescue Squad wish to hold their "Coin Drop" events on May 12, July 14 and September 15, 2012 at the intersections of Route 57 and Asbury-Broadway Road, Anderson Road and Asbury- Broadway Road, and Bloomsbury Road and Asbury- Broadway Road in the Township of Franklin; and

WHEREAS, N.J.S.A. 39:4-60 requires charitable organizations to obtain municipal approval before soliciting contributions within the State and County roadways of the Township; and

WHEREAS, the Franklin Fire Department and Franklin Rescue Squad are also required to obtain Charitable Solicitation permits from the New Jersey Department of Transportation (hereinafter, "NJDOT"); and

WHEREAS, the NJDOT application must be accompanied by a certified copy of a municipal ordinance approving the solicitation and authorizing the State Police to execute the application on behalf of the municipality in that the State Police are the responsible police service for the intersection in question; and

WHEREAS, the Township has considered the Fire Company and Rescue Squad's requests and has found same to be acceptable; and

WHEREAS, the Township wishes to approve the Fire Company and Rescue Squad's requests in accordance with the procedures established in N.J.S.A. 39:4-60.

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

Section - ____

The Township hereby approves Franklin Fire Department's request to hold "Coin Drop" events on April 7, June 9 and October 13, 2012 at the intersection of Route 57 and Asbury-Broadway Road. The times approved for said solicitation are 8:00 a.m. to 4:00 p.m.

The Township hereby approves Franklin Rescue Squad's request to hold "Coin Drop" events on May 12, July 14 and September 15, 2012 at the intersections of Route 57 and Asbury-Broadway Road, Anderson Road and Asbury- Broadway Road, and Bloomsbury Road and Asbury- Broadway Road. The times approved for said solicitation are 8:00 a.m. to 4:00 p.m.

Section - ____

The approval authorized herein is subject to and expressly conditioned upon the following:

a. The Fire Department and Rescue Squad's compliance with all rules, regulations and guidelines promulgated by the NJDOT for charitable solicitations, including, but not limited to, the posting of any and all necessary warning signs; and

b. The approval of the Warren County Board of Chosen Freeholders and the NJDOT.

Section - ____

A representative of the State Police is hereby authorized to execute the application for a Charitable Solicitation Permit for Franklin Fire Department and Franklin Rescue Squad's "Coin Drop" events provided the above-stated conditions are met.

Section - ____

All ordinances of the Township, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

Section - ____

This ordinance shall take effect upon passage and publication as required by law.

On motion by Committeeperson Sarah Payne and seconded by Committeeperson Jacob Pence the aforementioned **Ordinance 2012-3** be adopted at first reading. Final reading and adoption to take place on **March 5th, 2012 at 7:00 p.m.**

Roll Call Vote	Yes	No	Absent/Abstain	
Jacob Pence	X			
Joe Flynn			X	
Sarah Payne	X			
Michael Toretta			X	
Bonnie Butler, Mayor	X	(3) Yes	(0) No	(2) Absent Motion carried

On motion by Committeeperson _____ and seconded by Committeeperson _____ the aforementioned ordinance be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain	
Jacob Pence				
Joe Flynn				
Sarah Payne				
Michael Toretta				
Bonnie Butler, Mayor	() Yes	() No	() Absent	Motion carried

CERTIFICATION

I, Denise L. Cicerelle, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on February 6, 2012. Second reading, public hearing will be held on March 5th, 2012 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Cicerelle, RMC/CMR

PUBLIC HEARING AND CONSIDERATION OF:

The following **Ordinance 2012-1** was presented for Final Reading/Adoption

Ordinance 2012-1

**SALARY ORDINANCE TOWNSHIP OF FRANKLIN
WARREN COUNTY, NJ**

MOTION: To open Public Hearing for Ordinance 2012-1 by Sarah Payne, seconded by Bonnie Butler.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Bonnie Butler, Mayor	X		
(3) Yes (0) No (2) Absent Motion Carried			

PUBLIC COMMENTS: none

MOTION: To close Public Hearing by Bonnie Butler, seconded by Sarah Payne.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Bonnie Butler, Mayor	X		
(3) Yes (0) No (2) Absent Motion Carried			

The within **Ordinance 2012-1** was moved by Sarah Payne and seconded by Jacob Pence and upon roll call vote was adopted.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Mike Toretta			X
Joe Flynn			X
Sarah Payne	X		
Bonnie Butler, Mayor	X		
(3) Yes (0) No (2) Absent Motion Carried			

Dated: February 6, 2012

The following **Ordinance 2012-2** was presented for Final Reading/Adoption

MOTION: To open Public Hearing for Ordinance 2012-2 by Bonnie Butler, seconded by Jacob Pence.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Bonnie Butler, Mayor	X		
(3) Yes (0) No (2) Absent Motion Carried			

PUBLIC COMMENTS: none

MOTION: To close Public Hearing by Sarah Payne, seconded by Bonnie Butler.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn			X
Michael Toretta			X
Bonnie Butler, Mayor	X		

(3) Yes (0) No (2) Absent Motion Carried

The within **Ordinance 2012-2** was moved by Bonnie Butler and seconded by Jacob Pence and upon roll call vote was adopted.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Mike Toretta			X
Joe Flynn			X
Sarah Payne	X		
Bonnie Butler, Mayor	X		

(3) Yes (0) No (2) Absent Motion Carried

Dated: February 6, 2012

DISCUSSIONS:

Ordinance 2008-8 (Brush, Noxious Weeds and Grass)

Terri and Ron Ron and Terri DeTore of Wyckoff Ct., present at the meeting, addressed the township committee as to their concerns with a lot adjacent to their property. This is an open space lot, part of the homeowners' association where the grass is overgrown at approximately 30" at certain times of the growing season. A proposed ordinance by Attorney Kevin Benbrook will eliminate the 8" standard of the current ordinance on the code books at this time. Jim Onembo, Code Enforcement Official, for the township, recently visited this spot of concern. The homeowners association mows this open space lot 55 ft. off of the DeTore's property however the DeTore's would like to have the entire lot mowed. The DeTore's feel they deserve the same respect as other residents and ask the township to enforce the current ordinance as to Brush, Noxious Weeds and Grass. Attorney Benbrook commented that his attorney report will address later in the meeting as to establishing what the homeowners association what they should have been doing for many years and address such matters with those that reside in it. Attorney Benbrook empathizes with the DeTore's but concurs with Mr. Onembo, that this is a homeowners' association matter and the DeTore's should exercise this matter with the homeowners' association. Attorney commented that if it were an active health matter then the township would get involved, such as a fire hazard, dead trees overhanging other properties, etc., not just grass in its natural state. Mr. Onembo is looking for guidance from the committee as to how they would like for him to address this concern. Mayor Butler noted after visiting with them that it has been the policy of the township committee, not to get involved with a homeowners' association matter and stated that the township refrain from getting involved with a Homeowners Association matter, as this is also the consensus of the committee members present. Mayor Butler also informed that the committee is currently updating the ordinance, in reference to another matter, to specifically preclude the township committee from getting involved with a HOA matter.

Solar Inspection Fees

Mayor Butler commented that this was brought to her attention by the construction department, that most surrounding municipalities have this as a part of their code. Mr. Rossi provided this to the mayor for review by our committee and have Attorney Benbrook look into this further.

REPORTS/UPDATES

Jim Onembo – Code Enforcement/Zoning

Mr. Onembo updated committee as to some construction projects in the township as well as if they see any illegal signs to advise him and he will look into this further. Mr. Onembo is requesting guidance from committee as to a property on Good Springs Road, Horn property, as this appears to be a virtual garbage dump. Property to be posted and a certified letter advising this to be cleaned up per code. Committeeperson Pence questioned if the Broadway Motel matter discussed a few meetings back, as to a place for depository by the Bureau of Corrections as well as child sex offenders? Marlene Oberly, present at this meeting, commented that when they owned the motel they weren't allowed to have a monthly rate, just a weekly rate. Attorney Benbrook will address this with Attorney Kevin Benbrook to see if he has looked into this matter and address the committee accordingly.

Roger Bulava – Recycling

Mr. Bulava has been approached by Don Ron Recycling, with no cost to the township, to recycle electronics, basically anything with an electric cord. Mr. Bulava will look into this further, could possibly utilize their services at the next Spring Clean Up. A brief discussion ensued as to scout troops being interested with roadside clean up per Committeeperson Payne. In the past the Fire Department, Rescue Squad and Youth Association (non-profit organizations) benefited to the grant, now need to assess who should be involved and set limitations.

OPEN SPACE REPORT:

No one present

OEM REPORT:

Mr. Read handed out a report earlier for committee to review. Mayor Butler thanked Mr. Read and his staff on the efforts with FEMA reports, etc. Mr. Read noted a meeting of Emergency Management with the squad and Fire Department, if anyone is interested in attending, February 22nd at 7:00 pm.

DPW REPORT:

Mr. Read submitted his report earlier for committee review. Addressed the need for surveillance cameras at the garage, quotes handed out to committee for review and consideration. Committee would like additional information as to the type of equipment as well as additional information as to what is being installed, before entertaining.

ATTORNEY REPORT: Report on File

Mr. Benbrook recapped some case being worked on for the township. Advising that court improvements in Knowlton Township is virtually completed. Mayor Butler will meet with personnel from Knowlton Township on Friday.

TOWNSHIP COMMITTEE REPORTS:

Joe Flynn

Absent

Michael Toretta

Absent

Jacob Pence

Nothing to report

Sarah Payne

Mrs. Payne advised that there is a collection box in our front foyer for Box Tops for Education and Campbell's Soup Labels to raise funds for the Franklin Township School. The school raised over \$2,000 last year on this. Also, March 31st there will be a Tricky Tray at the Franklin Township School

Bonnie Butler, Mayor

Mayor Butler advised that there is still a vacant seat on the River Management Council if anyone is interested. Also, a letter of support was mailed out as to the Post Office Facility in Kilmer NJ, possibly closing. This would slow down our mail delivery if the mail was routed to Kearny, NJ. The Musconetcong Watershed Association is offering an education training seminar for the township committee to receive 3 Stormwater Management Points from the DEP at a cost of \$250.

OPEN PUBLIC SESSION

Karen Chiu provided the committee with a 1/4ly rescue squad report for last year. Ms. Chiu will providing these reports monthly.

Mark Blaszkas addressed the committee as to a need for an emergency access road from Warne Road. Also noted that there are cracks in the road which need to be sealed.

EXECUTIVE SESSION

BE IT RESOLVED, on this 6th day of February, 2012, 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

CONTRACT NEGOTIATIONS

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 6th, day of February, 2012 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 8:46 p.m.

On Motion by Jacob Pence and seconded by Sarah Payne to exit to executive session at 8:46 pm. Unanimous Vote.

On motion by Bonnie Butler and seconded by Sarah Payne to return to the regular session at 9:04 p.m. Unanimous Vote.

On motion by Bonnie Butler and seconded by Sarah Payne, to authorize Attorney Kevin Benbrook to proceed to file a declaratory action in a billing dispute with another municipal entity.

Roll Call:	Yes	No	Absent	Abstained
Michael Toretta			X	
Joe Flynn			X	
Jacob Pence	X			
Sarah Payne	X			
Mayor, Bonnie Butler	X			(3) Yes (0) No (2) Absent Motion carried

Consensus of committee present to cancel the previously advertised Workshop Meeting on Monday, February 13, 2012.

On motion by Sarah Payne and seconded by Bonnie Butler, to pay appropriate bills excluding the bill from S&S Roofing until the debris in the back of the building is cut up as previously discussed.

Roll Call:	Yes	No	Absent	Abstained
Jacob Pence	X			
Joe Flynn			X	
Michael Toretta			X	
Sarah Payne	X			
Mayor, Bonnie Butler	X	(3) Yes	(0) No	(2) Absent

Motion carried

A brief discussion as to the Deer Park bill, noticing other items on the bill besides water being purchased, township only to purchase water. Cintas medical boxes mounted in the municipal building and the road garage clerk has already discussed with the Cintas Representative to only provide basic required supplies that are OSHA required. Uniform services vs. clothing allowance for the DPW what is more economical for the township.

On motion by Sarah Payne and seconded by Jacob Pence, hearing no objection, meeting stands adjourned at 9:13 pm.

Roll Call:	Yes	No	Absent	Abstained
Michael Toretta			X	
Joe Flynn			X	
Jacob Pence	X			
Sarah Payne	X			
Mayor, Bonnie Butler	X	(3) Yes	(0) No	(2) Absent

Motion carried

Respectfully submitted,

Denise L. Cicerelle, RMC/CMR
Municipal Clerk