

**REGULAR MEETING**

The Franklin Township Committee held its regular monthly meeting at 7:00 pm on Monday, April 2, 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 were:** Mayor Bonnie Butler, Michael Toretta, Sarah Payne (joined meeting at 7:19 pm), Jacob Pence, Joe Flynn, Denise L. Cicerelle, Municipal Clerk, Ron Read, DPW Foreman, Raymond Read, OEM/Fire Chief, Michael Finelli, (joined meeting at 7:07 pm)Engineer, Kevin Benbrook, Attorney, Jim Onembo, Zoning, Ron Read, DPW Foreman, Raymond Read, OEM/Fire Chief.

Following the flag salute

**ROLL CALL OF COMMITTEE MEMBERS PRESENT:** Bonnie Butler, Michael Toretta, Joe Flynn, Sarah Payne, Jacob Pence (5) Yes (0) Absent

The Regular Meeting Minutes of March 5, 2012 were accepted on motion by Joe Flynn, and seconded by Mike Toretta, (4) Yes (1) Absent, Sarah Payne. Executive Meeting Minutes of March 5, 2012 were accepted on motion by Joe Flynn, and seconded by Mike Toretta, (4) Yes (1) Absent, Sarah Payne. The Workshop Meeting Minutes of March 12, 2012 were accepted on motion by Jacob Pence, and seconded by Joe Flynn, (4) Yes (1) Absent, Sarah Payne. Executive Meeting Minutes of March 12, 2012 were accepted on motion by Jacob Pence, and seconded by Mike Toretta, (4) Yes (1) Absent, Sarah Payne.

**Final Reading/Adoption of the 2012 Municipal Budget.**

Mayor DeAngelis opened the hearing for the **2012 Municipal Budget**, for the Township of Franklin, County of Warren, State of New Jersey. Anthony Ardito was present for any questions. On motion by Joe Flynn and seconded by Jacob Pence to open the public hearing. Tax Rate will be 17.66 with a total overall budget \$100,000, through cost cutting to keep the rate the same as last year.

Hearing no questions or comments from the public a motion by Joe Flynn and seconded by Mike Toretta to close the Public Hearing of the 2012 Municipal Budget.

On motion by Joe Flynn and seconded by Jacob Pence to **adopt the 2012 Municipal Budget.**

<b>Roll Call Vote:</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Joe Flynn	X		
Sarah Payne			X
Jacob Pence	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(4) Yes (0) No (1) Absent	Motion carried

A Committee Discussion ensued as to the reduction of the Open Space Tax, per Auditor Ardito every penny brings you down approximately \$42,000. Attorney Benbrook commented that the Open Space Account could be used for the Sigler Property and bonding. Our tax rate and the Open Space Tax are 2 separate entities.

The following **Resolution 2012-54** was presented for First Reading/Adoption

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

**RESOLUTION #2012-54**

**WHEREAS**, the provisions of the Township of Franklin’s open space ordinance allows the township committee to set the open space tax rate annually within a specified range; and,

**WHEREAS**, the township committee desires to set municipal open space tax rate at **\$0.04** per \$100 of assessed valuation for the 2012 calendar year.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Franklin that election be made to set the municipal open space tax rate at **\$0.04** per \$100 of assessed valuation for the 2012 calendar year.

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a regular meeting held on April 2, 2012.

On motion by Mike Toretta and seconded by Joe Flynn the aforementioned **Resolution 2012-54** be adopted as read.

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

(4) Yes (0) No (1) Absent Motion Carried

**CERTIFICATION**

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held in the Municipal Building, on April 2, 2012.

Witness my hand and the SEAL of the Township of Franklin.

SEAL: \_\_\_\_\_  
Denise L. Cicerelle, Municipal Clerk

Dated: April 2, 2012

**REPORT/UPDATE:**

**NJSP**

A representative from the New Jersey State Police was present reporting the following statistics for last month. 14 Medical Assists, 8 Motor Vehicle Accidents, 200 Traffic Stops, 82 Property Checks, 1 Criminal Mischief, 1 Neighborhood Dispute, 1 Theft, 1 Domestic Dispute, 1 Theft, 1 Property Damage, 1 Burglary. Mayor advised of a concern as to speeding approximately 1/2 mile out from Route 31 (Anderson Road).

**Franklin Township Board of Education**

Jeannene Butler, Board President, Matt Eagleburger, Chief School Administrator, Heather Spitzer, Board Secretary/Business Administrator attended the meeting informing of the law change that if the school budget stays within the 2% CAP, voting on the budget is not required, eliminating the April School Board Election and moving it to the November General Elections to vote on members for the school board. An overview of the school budget was presented to the members of the Committee and the public.

**ENGINEER REPORT:**

Mike Finelli, updated the committee with ongoing projects. As to the 2010 Transportation Enhancement Application looking for direction as to move forward with this project after finally hearing from A&A Curbing.

On motion by Joe Flynn and seconded by Sarah Payne to approve the change order in the amount of \$15,300 for A&A Curbing to complete said work in front of the Asbury Deli.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Jacob Pence	X		
Sarah Payne	X		
Joe Flynn	X		
Michael Toretta	X		
Mayor Bonnie Butler	X	(5) Yes (0) No (0) Absent	Motion Carried

The Solar Projects for the Township were discussed as to Beidleman Road and Sigler Properties. At first the Sigler property didn't look feasible, but it appears, at this time, that the project may move forward, all is cleared without restrictions. The variance application to the township Land Use Board should be submitted in the early summer and construction should start by next year around this time.

Mayor Butler addressed the stormwater management point system in which the municipality should have 10 points every year. A poster contest would give us 2 points and if we hand out book marks at the school would also give us 2 points. This would give us the 4 points needed to reach 10 points. Ms. Payne hopes to include a Girls Scout project to help achieve this goal

**THIRD STREET DRAINAGE PROBLEMS**

- 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 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 continue to work on the design of the regional stormwater management basin in an effort to develop the construction plans for the project. The design of this project has proved somewhat challenging in conjunction with the stormwater management evaluation for the canal. 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 have not been able to get this meeting scheduled to date, but will continue to move this forward and keep the Township Committee apprised of same.
- 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**

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

- 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.
- Our office recently received a letter from the NJDEP approving and confirming award of an additional \$15,000. grant for the work required in conjunction with the development of a Township WMP. Our office, via letter dated February 9, 2012, forwarded the grant agreement to the Township for the Mayor to execute as required. We are now in a position to commence work on the Township's WMP. We will keep the Committee apprised as we move forward with the development of the WMP.

## TOWNSHIP RECREATIONAL FIELDS COMPLEX

- 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, the project is now in a position to go “out to bid,” as we have now secured all necessary third-party approvals. 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 constructible 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.
- This project was discussed in some detail at the March 5, 2012 Committee meeting. Subsequent to that discussion, a vote was taken by the Township Committee which yielded a decision that the Township was not going to be proceeding any further with this project. Therefore, based upon that decision, we will be removing this item from future engineer’s report.

## 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

- Please refer to our engineer’s report, December 2, 2011, for previously provided information regarding this project.
- Our office has finally received a quote from A&A Curbing Inc. (the original contractor on the project) for the additional work required in the areas adjacent to the Asbury Deli. Their proposal was in the amount of \$15,300. Their work would also include some other miscellaneous sidewalk and handicap ramp replacement/upgrade work. We have solicited another quote and hope to receive that in advance of the April 2, 2012 meeting. Should we award a contract for the necessary work per NJDOT, the Township would finally be in a position to move forward to close out this project. I am sure we will discuss this in more detail at the April 2, 2012 Committee meeting.

## HALFWAY HOUSE ROADWAY STABILIZATION PROJECT

- As you are all aware, we were successful in securing an NJDOT Discretionary Grant for this project in the amount of \$115,000.
- 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. The geotechnical exploration work (i.e. borings and soils evaluation) has been performed and our office has received the report and recommendations from ANS Geo, Inc. Based upon receipt of their report, we are now finally in a position to continue with the design work in an effort to get the project “out to bid” in the Spring/early Summer of 2012. Our office has been in contact with the Township DPW and is well aware of the need to get this project “out to bid” and to construction as soon as possible.
- Our office is presently in the process of working on finalizing the construction plans for this project. We hope to have the design/construction plans completed in the relatively near future and will then proceed immediately to advertise the project for bidding purposes. As we move forward, I will continue to keep the Township Committee apprised.

## 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

- The Township and our office previously 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. As a result, it is my understanding that the Beidelman Road project is still feasible, but the Sigler property project may not be economically viable. I would recommend that Mr. Kotzias attend a future Township Committee meeting to give the Township Committee an update regarding the status of both sites and Alethea's position on proceeding forward. 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.
- As per Mayor Butler's request and attached to this report, please find a plan previously prepared by our office, dated October, 2010, for the Sigler property and, as the plan is entitled, a "Possible Property Reconfiguration Plan." I believe that Mayor Butler requested I forward this plan to the entire Committee in an effort to spur on some discussion relative to some potential options for the property should the Solar Farm concept not proceed forward.

## 2012 NJDOT LOCAL AID TRUST FUND GRANT APPLICATIONS

- Our office previously prepared two (2) grant applications through this program. 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.
- Award notices from the NJDOT were just made public as of March 24, 2012. Unfortunately, it does not appear that Franklin Township was the recipient of any of the grant awards issued through this program for this particular fiscal year.

## FEMA LOCAL AID INFRASTRUCTURE FUNDING

- 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.
- The Township Committee should be advised that our office has submitted the required RPA form to FEMA associated with the October snowstorm. At this juncture, no action has been taken regarding this particular storm event and any potential reimbursement which the Township may be eligible for. We will continue to coordinate with both FEMA and the designated Township representatives in conjunction with all of the RPA's submitted and to secure any eligible reimbursement monies due Franklin Township.
- As per an e-mail which was sent to the Township Committee and other involved municipal representatives by me on March 30, 2012, I received notification of a pending FEMA disbursement in the amount of \$12,811.67 associated with the Stewartsville Road repair work. This amount reflects 75% of the total amount of monies expended for the project which was \$17,082.22.

## **Open Public Session – As to Engineer's Report Only**

At this time Mayor Butler opened up the floor for any comments only for the Engineer.

Joel Reger – Questioned as to the Asbury Sidewalk project will the curbing be in front of the access lanes along side of the Deli. Mr. Finelli advised that it would not interfere.

The following **Proclamation** was presented for First Reading/Adoption

**PROCLAMATION**

**WHEREAS**, it has come to the attention of the Franklin Township Committee that Jack Amey will have dedicated 50 years of volunteer service this year with the Franklin Township Fire Department, joining in 1962; and

**WHEREAS**, Jack Amey graduated from the Warren County Fire Academy in 1967 and was also the Assistant Chief of the New Village Fire Department in 1971 and 1972, and he also played a role in assisting in the addition to the New Village Fire Station and is still currently very active in the fire department;

**WHEREAS**, Jack Amey served in the Korean War from 1951-1952; and also served as a volunteer on the Franklin Township Planning Board for 5 years;

**WHEREAS**, Jack Amey has lived in Franklin Township, Warren County, NJ over 50 years;

**THEREFORE BE IT RESOLVED**, the Franklin Township Committee and the Franklin Township Fire Department wishes to honor Jack Amey for his past and present accomplishments and contributions to our community as he continues to play a vital role as a volunteer with the Franklin Township Fire Department, and particularly in our township, making positive contributions to our municipality through his efforts as a volunteer and a resident; and

**WHEREAS**, Franklin Township, Warren County, NJ wishes to honor Jack Amey for his contribution and dedication to our community as a volunteer;

**NOW, THEREFORE IT BE RESOLVED**, it is most appropriate that we recognize the accomplishments of:

**Jack Amey**

**THEREFORE, BE IT PROCLAIMED**, that the Township Committee of Franklin Township, Warren County, in the State of New Jersey, does hereby recognize Jack Amey for his untiring efforts to the Franklin Township Fire Department and to the community of Franklin Township. Your achievement reflects itself in the pride of our community and we appreciate your outstanding performance of excellence in service.

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, April 2nd, 2012.**

**Denise L. Cicerelle, Municipal Clerk**

Dated: April 2, 2012

**FIRST READING/INTRODUCTION OF:**

The following **Ordinance 2012-4** was presented for First Reading/Introduction

**TOWNSHIP OF FRANKLIN  
WARREN COUNTY, NEW JERSEY  
ORDINANCE NO. 2012-4**

**AN ORDINANCE REPEALING EXISTING CHAPTER 48 OF  
THE CODE OF THE TOWNSHIP OF FRANKLIN AND  
ENACTING A NEW CHAPTER 48 ENTITLED "BRUSH,  
GRASS AND WEEDS"**

**BE IT ORDAINED** by the Mayor and Committee of the Township of Franklin, Warren County, New Jersey that Chapter 48 of the Code of the Township of Franklin entitled, "Brush, Grass and Weeds" be repealed in its entirety and replaced with a new Chapter 48 as follows:

**SECTION I**

**CHAPTER 48  
BRUSH, GRASS AND WEEDS**

**§ 48-1. Removal near roadways.**

Where it shall be necessary and expedient for the preservation of the public safety, as determined by the Zoning Officer, any owner or tenant of lands lying within the Township shall be required to cut all brush, hedges or other plant life to a height of not more than 2 ½ feet where such brush, hedges or other plant life is located within 10 feet of any roadway or within 25 feet of the intersection of two roadways, within 10 days after notice to cut the same. The term “roadway” as used herein refers to right-of-way width.

**§ 48-2. Notice to remove or destroy; time limit for compliance.**

Where it shall be necessary and expedient for the public health, safety, general welfare or to eliminate a fire hazard, as determined by the Zoning Officer, any owner or tenant of lands lying within the Township shall remove, destroy, mow or otherwise treat and maintain all vegetative growth, including, but not limited to, brush, weeds, including ragweed, poison ivy, dead and dying trees, stumps, roots, downed branches, noxious growths, and overgrown grass within 10 days after notice to remove or destroy the same.

**§ 48-3. Performance of work by Township.**

In the event that the owner or tenant shall refuse or neglect to cut the brush, hedges or plant life under § 48-1 or to remove or destroy the brush, weeds and other materials under § 48-2 within 10 days after notice, the Township may do the work or cause the work to be done under the direction of the Zoning Officer of the Township.

**§ 48-4. Lien for costs of removal.**

The Zoning Officer shall certify to the Township Council the cost of the work which has been performed under § 48-3 herein, and the Township Council shall examine the certificate and, if it finds the amount to be correct, the Council shall cause the costs as shown thereon to be charged against said lands, the amount so charged shall forthwith become a lien upon the lands and shall be added to and become and form part of the taxes next to be assessed and levied upon the lands, and the same shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes.

**§ 48-5. Exempt property.**

A. This Ordinance shall not apply to any property that is devoted to agriculture and subject to the right to farm provisions of Chapter 73 of the Code of the Township of Franklin, provided that the standard of good agricultural practices set forth in that Chapter are maintained.

B. Provided that the minimum standards with respect to the public health, safety and welfare established in § 48-2 are maintained, this Ordinance shall not apply to any property that is owned or maintained by a property owners’ association established as part of a subdivision or site plan granted pursuant to the Land Use and Development Provisions of Chapter 90 of the Code of the Township of Franklin, which said property shall be maintained in accordance with the standards established by the association in its rules, regulations and by-laws.

SECTION II: Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

SECTION III. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV. Effective Date. This ordinance shall take effect after the second reading, public hearing, adoption and publication, in accordance with the law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance 2012-4 was introduced at a meeting of the Township Council of the Township of Franklin in the County of Warren and State of New Jersey, held on April 2, 2012, and will be further considered for final passage after public hearing thereon at a regular meeting of said Township Council on May 7, 2012.

Dated: April 2, 2012

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Denise L. Cicerelle, Municipal Clerk

On motion by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2012-4** be adopted at first reading. Final reading and adoption to take place on **May 7th, 2012 at 7:00 p.m.**

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>	
Jacob Pence	X			
Joe Flynn		X		
Sarah Payne	X			
Michael Toretta	X			
Bonnie Butler, Mayor	X			(4) Yes (1) No (0) Absent Motion carried

On motion by Committeeperson \_\_\_\_\_ and seconded by Committeeperson \_\_\_\_\_ the aforementioned **Ordinance 2012-4** be adopted at final reading.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>	
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.

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

The following **Ordinance 2012-7** was presented for First Reading/Introduction

This will include expense for Breslin Masonry \$10,700, Security Surveillance Cameras at the DPW \$3500, Secutiry Surveillance Cameras at the municipal building \$3400, 1 Office Chair \$150, Outside Lighting \$4500.

**ORDINANCE 2012-7**

**AN ORDINANCE APPROPRIATING THE SUM OF \$22,250.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF FRANKLIN FOR VARIOUS BUILDING IMPROVEMENTS, SECURITY/SURVEILLANCE EQUIPMENT AND BUILDING FURNITURE FOR TOWNSHIP BUILDINGS**

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

**WHEREAS**, it is deemed appropriate to make use of \$22,250.00 of the allowable Capital improvements for the various building improvements interior and exterior, installation and purchase of security systems, and conference table and chairs for Township business.

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

- Section 1. The sum of \$22,250.00 presently located in the Capital Improvement Fund is hereby appropriated for various building improvements interior and exterior, installation and purchase of security systems, and conference table and chairs at the Township Buildings.
- Section 2. In connection with the amount authorized in Section 1 hereof, the Township Committee makes the following determinations.
- A) The purpose described in. Section 1 hereof is not a Current Expense and is an improvement which the Township may lawfully take as a general capital improvement
- B) The period of usefulness of the purpose described in Section 1 hereof is not in the limitation of the Local Bond Law and the reasonable life thereof is at least five (5) years.
- Section 3. All ordinances or parts of ordinances which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.
- Section 4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

On motion by Committeeman Sarah Payne and seconded by Committeeman Joe Flynn the aforementioned ordinance be adopted at first reading. Final reading and adoption on **May 7<sup>th</sup>, 2012 at 7:00 p.m.**

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>	
Joe Flynn	X			
Sarah Payne	X			
Jacob Pence	X			
Mike Toretta	X			
Mayor Bonnie Butler	X		(5) Yes (0) Absent	Motion carried

**Dated: May 2, 2012**

On motion by Committeeperson \_\_\_\_\_ and seconded by  
Committeeperson \_\_\_\_\_ the aforementioned **Ordinance 2012-7** be adopted at final reading.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstain</b>	
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 April 2, 2012. Second reading, public hearing will be held on May 7, 2012 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

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

**PUBLIC HEARING AND CONSIDERATION OF:**

The following **Ordinance 2012-5** was presented for Final Reading/Adoption

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

**Ordinance No. 2012-5**

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF FRANKLIN  
TO UPDATE SUBMISSION REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT**

**MOTION: To open Public Hearing for Ordinance 2012-5 by Jacob Pence, seconded by Sarah Payne.**

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

**PUBLIC COMMENTS: none**

**MOTION: To close Public Hearing by Sarah Payne, seconded by Joe Flynn.**

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

The within **Ordinance 2012-5** was moved by Jacob Pence and seconded by Sarah Payne and upon roll call vote was adopted.

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

The following **Ordinance 2012-6** was presented for Final Reading/Adoption

**TOWNSHIP OF FRANKLIN  
WARREN COUNTY, NEW JERSEY  
ORDINANCE NO. 2012-6**

**AN ORDINANCE AMENDING EXISTING CHAPTER 55  
ENTITLED, "CONSTRUCTION CODES, UNIFORM" FOR  
THE PURPOSE OF REVISING A FEE SCHEDULE**

**MOTION: To open Public Hearing for Ordinance 2012-6 by Joe Flynn, seconded by Mike Toretta.**

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

**PUBLIC COMMENTS: Attorney Benbrook commented that this ordinance is geared toward fees for the larger and commercial sized solar projects.**

**MOTION: To close Public Hearing by Joe Flynn, seconded by Mike Toretta.**

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

The within **Ordinance 2012-6** was moved by Mike Toretta and seconded by Joe Flynn and upon roll call vote was adopted.

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

## **DISCUSSIONS/APPROVALS**

**PTA Warren County Technical School (Raffles RA 2012-4 / 50/50 / 5-4-2012, RA 2012-5 / Tricky Tray / 5-4-2012, RA 2012-6 / 50/50 / 5-11-2012)**

On motion by Mike Toretta and seconded by Joe Flynn to approve raffles RA 2012-4, RA 2012-5, RA 2012-6. Unanimous Vote.

## **Flexible Spending Account (Section 125 Plans for employees in 2012)**

As per our CFO each New Jersey State Municipality is required to offer this state mandated program, Section 125 Plans, to their employees in 2012. There will be an annual fee of \$600 to offer this account to the employees whether they take advantage of this or not.

On motion by Joe Flynn and seconded by Sarah Payne to approve.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Jacob Pence	X		
Mike Toretta	X		
Joe Flynn	X		
Sarah Payne	X		

**REPORTS/UPDATES**

**Attorney Report – Report on File**

Attorney Benbrook reported that the Franklin Township Court, effective May 1<sup>st</sup>, will be moving from Lopatcong Township to Knowlton Township. Carl Sigler addressed Attorney Benbrook, as to a collection agency contacting him on Sunday as to the permit in which the township now owns the land for. Mr. Benbrook assured Mr. Sigler that this has been taken care of and will address accordingly.

**Jim Onembo – Code Enforcement/Zoning**

Mr. Onembo addressed the committee as to month activities with complaints and overgrown grass and yard clean ups.

**Roger Bulava – Recycling – Absent**

Mayor Butler received a report from Mr. Bulava, Don Jon Recycling, highly recommended by Mansfield Township, who just used them this past weekend for their Electronics Recycling. Mr. Bulava is also recommending same.

**OEM/Fire Department – Chief Sonny Read – Report on File**

Mr. Read reported that a FEMA representative will be visiting next week conducting a record audit as to certifications and maintenance.

**DPW REPORT – Report on File**

Committeeman Flynn acknowledged everyone is pleased with the recreation fields and will discuss further with Mr. Read as to schedule.

**OPEN SPACE REPORT:**

No one present

**Franklin Township Youth Association:**

No one present

**Rescue Squad – Chief Karen Chiu – Report submitted to Mayor**

Chief Chiu reported that out of 3 CPR calls with use of the AED, one save was noted and was very proud of the crew.

**TOWNSHIP COMMITTEE REPORTS:**

**Joe Flynn**

Ongoing discussion and update as to the Historical Commission 100 year celebration. Mr. Flynn is looking to have Franklin Township support this event as well as Greenwich Township. Asking for approximately \$1000 from

Franklin to help with the cost of a generator, tent, port-a-jons. Fire Department and Rescue Squad will also be involved in this event. Possibility Greenwich Township could provide the police with crowd control and traffic control for that day. Mr. Flynn also looking for direction as to numerous request to hold yard sales on municipal building's front lawn, use of parking space. Committee consensus as long as a Certificate of Insurance is provided and clean up after their use, it would be fine. Mr. Flynn will also submit to Attorney Benbrook a revised Fee Schedule for the Community Center. Also, a sketch was handed out to the committee for the June 11<sup>th</sup> Workshop Meeting. Lastly, a quote was received from Breslin Masonry to clean/seal the outside of the building as well as fill in expansion joints, receiving additional quotes for comparison.

### **Jacob Pence**

Nothing to comment

### **Sarah Payne**

Committeeperson Payne informed the committee as to a River Talk, at the MWA River Resource Center, The Plenge Archaeology Site-Artifacts Tell the Story of Life in the Musconetcong Valley, Tuesday, April 10<sup>th</sup> at 7:00 pm. Also, inquired as to when the NJDOT will be cleaning up the signs along Rt. 57, "Welcome To", the clerk will contact Debbie Hirt. Thank you for the use of the municipal building to store baskets for the PTA Fund Raiser and also to Peggy Housman and Denise Cicerelle.

### **Michael Toretta**

Committeeman Toretta updated the committee as to the roads in the township have been swept and curbside brush pick up will be this month. Mr. Toretta questioned as to the \$12,000 FEMA money that came out of the DPW budget last year, could this go back into their budget, this is a question for the CFO. Money was received from Washington Borough and Washington Township as to reimbursement for repairs to the paver last year.

### **Bonnie Butler, Mayor**

Mayor Butler updated committee as to the Oxford School Autism 5k Walk on April 21<sup>st</sup> being held at Meadowbreeze, information to be posted in the lobby. April 16<sup>th</sup>-April 27<sup>th</sup> the bridge over the Musky, 643 will be under construction, a traffic signal will control traffic. Mayor Butler presented a letter of Commendation to Chief Read and the Franklin Township Fire Department to acknowledge their efforts and commitment exemplified for their participation during August 27<sup>th</sup>, 2011, and the next seven days, providing fire protection to the residents of Essex County after suffering effects from Hurricane Irene, disrupting fire hydrant services.

## **OPEN PUBLIC SESSION**

Karen Chiu requested "No Parking" signs at the rescue squad building, noticing people who frequent the soccer field behind the station parking at the squad building. DPW Foreman Read will handle this.

Beth Barry approached the committee as to a hot air balloon, "tethered rides" from Unity Bank to be at the Run for the River, May 6<sup>th</sup> from 8:00 am to 10:00 am. The consensus of the committee it would be okay with them, but should be addressed with the fire department. Chief Read commented that the parking lot behind the Asbury Station is not a good place for the hot air balloon but the soccer field would be. Committeeman Flynn will also clear this date and time with Chris Carter with the soccer field rentals. Mayor Butler also addressed DPW Foreman Read to check for holes in Shurts Road and Maple Avenues before the run.

Jack Amey wanted to thank the committee for the Proclamation presented to him earlier in the evening. Mayor Butler commented on a quote she once heard, Volunteers can't be paid because they are priceless.

## **EXECUTIVE SESSION**

**BE IT RESOLVED**, on this 2nd day of April, 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

**LITIGATION/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 2nd, day of April, 2012 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 8:58 p.m.

On Motion by Mike Toretta and seconded by Jacob Pence to exit to executive session at 8:58 pm.  
Unanimous Vote.

On motion by Mike Toretta and seconded by Sarah Payne to return to the regular session at 9:58 p.m.  
Unanimous Vote.

On motion by Joe Flynn and seconded by Michael Toretta, to pay appropriate bills.

<b>Roll Call:</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>
Jacob Pence	X			
Joe Flynn	X			
Michael Toretta	X			
Sarah Payne				X
Mayor, Bonnie Butler	X	(4) Yes	(0) No	(1) Abstained

Motion carried

On motion by Michael Toretta and seconded by Joe Flynn, hearing no objection, meeting stands adjourned at 10:00 pm.

<b>Roll Call:</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>
Michael Toretta	X			
Joe Flynn	X			
Jacob Pence	X			
Sarah Payne	X			
Mayor, Bonnie Butler	X	(5) Yes	(0) No	(0) Absent

Motion carried

Respectfully submitted,

Denise L. Cicerelle, RMC/CMR  
Municipal Clerk