

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 7:00 pm on Monday, August 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 were: Mayor Bonnie Butler, Michael Toretta, Sarah Payne, Jacob Pence, Joe Flynn, Denise L. Cicerelle, Municipal Clerk, Raymond Read, OEM/Fire Chief, Jim Onembo, Zoning/Code Enforcement, Roger Bulava, Recycling, Michael Finelli, Engineer, Ron Read, Road Foreman, Robert Benbrook, Attorney.

Following the flag salute a roll call of committee members present.

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

The Regular Meeting Minutes of July 2, 2012 were accepted on motion by Sarah Payne, and seconded by Jacob Pence, Unanimous Vote. Executive Meeting Minutes of July 2, 2012 were accepted on motion by Jacob Pence, and seconded by Sarah Payne, Unanimous Vote.

REPORT/UPDATE:

NJSP

No representative from the New Jersey State Police was present at this meeting.

ENGINEER REPORT:

Mr. Finelli briefed the committee as to pending projects. There will be a pre-construction meeting at the municipal building on Wednesday for Halfway House Road. As far as the Roadway Resurfacing project throughout the township, kudos to the Joe Biel/Rich Frankenfield, per Tilcon, with the prep they did with the roads, was a savings to the township. Mayor advised that they thought ahead and used the municipal parking lot as a truck staging area to help alleviate any traffic impediments. A thank you card was also received as to Joe/Rich for a job well done and the roads in New Village were long overdue.

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.

Committeeperson Payne questioned Mr. Finelli as to reimbursement for the Highlands Plan Conformance Grant. In answering this is something that our CFO will need to handle accordingly.

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 have recently been successful in developing a design scheme that we believe will satisfy the stormwater management design requirements.

- Our office has recently spoken with the NJDEP representative coordinating and administering this project, Mr. James Watt. We provided Mr. Watt with an update and he was both pleased to receive a phone call from our office and also pleased with our update on the status of the project. Mr. Watt encouraged our office, on behalf of Franklin Township, to submit an extension request letter to the NJDEP in order to make certain that any necessary extension is granted well in advance of the project deadline of August, 2012. Mr. Watt confirmed that any extension request will absolutely be granted by the NJDEP based upon the progress made on the project to date.
- Please be advised that our office submitted an extension request to the NJDEP via correspondence dated July 13, 2012. A copy of the letter and all of the supporting attachments were sent to Denise Cicerelle for the Township's records. As of the date of this report, I have not received any response from the NJDEP regarding our letter. I will be following up and will hopefully have an update for the Committee at the August 6, 2012 meeting.
- 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

- 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 recently completed the initial phases of work on the Township's WMP. Mayor Butler had met with Gene Weber and myself at our office on July 16, 2012 to review the WMP. Subsequent to that meeting, our office submitted the WMP to the NJDEP with all required supporting documents via correspondence dated July 16, 2012.
- At this juncture, our work is completed until receipt of any review comments from the NJDEP based upon our submission. We will keep the Committee apprised as this project and Plan move forward through the review/approval process with the NJDEP.

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. At the April 2, 2012 Township Committee meeting, the Township Committee awarded a change order to A&A Curbing in the amount of 15,300 to perform the outstanding work in question.
- A&A commenced work at the project site the week of May 21, 2012. The balance of remaining work, which consisted primarily of the upgrades and sidewalk installation in the area of the Asbury Deli along with some other selected driveway aprons and sidewalks, was completed on May 30, 2012. Representatives of the NJDOT visited the site during the construction phase (please make note that this is a very unusual occurrence) and complemented the Township on their decision to move forward to finish the project.
- We recently forwarded a copy of a letter from the NJDOT, dated June 12, 2012, to the Township Committee. As per that letter, the NJDOT has accepted the project with no corrective actions necessary. Based upon the history of this project and the prior "conflict" with the NJDOT, I was very pleased to receive this letter.

- At this juncture, we are now in a position to move forward with the balance of the administrative close-out components of this grant to have the Township secure its final reimbursement for this project. We have commenced with the various administrative tasks required to be developed and submitted to the NJDOT to secure final project reimbursement. We will need to coordinate same with Mayor Butler, Denise Cicerelle and Dawn Stanchina, CFO. We hope to be submitting all required documents in the relatively near future.

HALFWAY HOUSE ROADWAY STABILIZATION PROJECT

- As you are all aware, we were successful in securing a 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 completed the construction plans and specifications and put the project “out to bid” in mid-April, 2012. The bid opening was held on May 3, 2012 at the Municipal Building where two (2) bids were received for the project. Both bids were in excess of the engineer’s estimate and the DOT grant amount. Our office previously provided the Township Committee with a memo, dated May 4, 2012, which recommended that the project be re-bid and not awarded to either of the two (2) original bidders based upon their bids both being well in excess of the engineer’s estimate. The Township Committee took that action and both bids were rejected and our office was authorized to re-bid the project.
- Our office slightly revised the construction plans and bid specifications and then put the project “out to bid” in May, 2012. A total of ten (10) bid packages (plans and specifications) were picked up by prospective bidders. A bid opening was held on May 31, 2012. Attorney Benbrook developed a separate correspondence on this matter outlining the options available to the Township regarding a potential contract award.
- This matter was discussed at some length at the June 4, 2012 Committee meeting. Based upon the recommendation made by Attorney Benbrook, the Township Committee adopted Resolution 2012-68 which allowed for a direct negotiation and subsequent contract award to Tillerman Landscaping. The Tillerman Landscaping bid for this project was \$136,473 which included an “if and where directed” item for the drilling of Soldier Piles in the amount of \$27,000. I am cautiously optimistic that we may not need to use any of that particular line item in the contract.
- Please be advised that based upon the fact that Halfway House Road will be closed during the construction of the retaining wall, the NJDOT is requiring a road closure plan with a detour route be submitted for their review and information. This plan was developed and forwarded to all involved parties (NJDOT, Warren County, Washington Township) and has received approval for the proposed detour route.
- A Notice of Award was sent to Tillerman Landscaping on June 14, 2012. Our office has been coordinating with Tillerman regarding the execution of the project contract, approval of the performance bond and all other required supporting contract related documents (insurance certificate, etc). We will continue to move forward as expeditiously as possible in order to get the project started and completed in the relatively near future.
- We are presently in the process of trying to schedule a pre-construction meeting for this project for the week of August 6, 2012. When the project begins and as it moves forward through construction, we will clearly be keeping the Township Committee apprised of both the progress and budget for the project.

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, our office, at the April 2, 2012 meeting, provided the Township Committee with copies of a plan entitled "Possible Property Reconfiguration Plan," prepared by our office, dated October, 2010, for the Sigler property. I forwarded this plan to the 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. Attorney Benbrook then provided the Township Committee with an update regarding the likelihood and economic feasibility of the conversion of both the Beidelman Road property and the Sigler property to Solar Farms as per the current lease agreement with Alethea.
- George Kotzias from Alethea Cleantech appeared at the July 2, 2012 Committee meeting and addressed the Township Committee regarding the status of both the Sigler and Beidelman sites. As per this discussion, it appears that Alethea will not be proceeding forward on the Sigler site, but will be proceeding forward on the Beidelman site. Beyond the execution of any required extensions to the existing agreement/contract between the Township of Franklin and Alethea Cleantech on the Beidelman site, I believe that the next formal step in the process would be for Alethea to authorize their engineers to develop Site Plan drawings and submit same to the Township Land Use Board for approval. Obviously, this has not occurred to date and I am unaware of any specific timeframe for these Site Plans to be developed and submitted to the Township.

FEMA LOCAL AID INFRASTRUCTURE FUNDING

(No change since last month's report)

- 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.
- Our office was contacted on June 1, 2012 by FEMA representative, Elizabeth Vasquez, regarding reimbursement for the October snowstorm. A meeting was held on June 6, 2012 at the Municipal Building where Township representatives met with FEMA representatives in an effort to move this particular reimbursement process forward. Bill Gleba from our office was in attendance at this meeting. I am sure that Mayor Butler and/or Sonny Read will be in a position to update the Township Committee regarding same.

2012 TOWNSHIP ROADWAY RESURFACING PROGRAM

- This year's program was discussed at length at the July 2, 2012 Committee meeting between Ron Read and the Township Committee. The scope of work, including the prioritization of roadways along with the overall budget for the project were discussed. A decision was made to cap the expense for this year's program at \$310,000 (including both Township bond funding and 2012 DPW budget appropriation). Our office drafted a letter which then was sent to Tilcon under the Mayor's signature indicating same.

- The resurfacing work commenced on July 19, 2012 and was completed on July 26, 2012. A total of 11 different roadways were resurfaced along with additional pavement being placed at the Fire House and the DPW entrance drive. Bill Wismer from our office worked with both the DPW and Tilcon during this project. A total of 4,718.39 tons of bituminous top course (CO-OP price of \$64.38/ton) was used which equates to a total cost of \$303,769.95.
- The Township DPW should be commended for their hard work and efforts on this project relative to the roadway prioritization, original project estimating, roadway preparation work and most importantly, their coordination with Tilcon during the actual resurfacing operation. I hope and trust that the Township is satisfied and pleased with the result of this year's resurfacing program.

The following **Resolution 2012-67** was presented for First Reading/Adoption (Tabled again until next month for further discussion and to gather additional information on this plan)

**ADOPTING RESOLUTION
Resolution 2012-67
Franklin Township, Warren County, NJ**

The undersigned Principal of Franklin Township (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on April 2, 2012, and that such resolutions have not been modified or rescinded as of the date hereof:

RESOLVED, that the form of Cafeteria Plan including a Dependent Care Flexible Spending Account and Health Flexible Spending Account effective May 1, 2012, presented to this meeting is hereby approved and adopted and that the duly authorized agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

RESOLVED, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

RESOLVED, that the duly authorized agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

The undersigned further certifies that attached hereto as Exhibits A and B, respectively, are true copies of Franklin Township Cafeteria Plan and the Summary Plan Description approved and adopted in the foregoing resolutions.

Principal

Date: _____

The within **Resolution 2012-67** was moved by _____ and seconded by _____ and upon roll call vote was passed.

| Roll Call Vote: | Yes | No | Absent/Abstained |
|------------------------|------------|-----------|-------------------------|
| Jacob Pence | | | |
| Sarah Payne | | | |
| Joe Flynn | | | |
| Michael Toretta | | | |
| Mayor Bonnie Butler | | | |

() Yes () No () Absent Motion carried

CERTIFICATION

I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on July 2, 2012.

Denise L. Cicerelle
Municipal Clerk

The following **Resolution 2012-74** was presented for First Reading/Adoption

RESOLUTION 2012-74

WHEREAS, the General Code of the Township of Franklin, Chapter 48, Article 1 and Article 2 Regulating the growth of Brush, Noxious Weeds and Grass, Etc. Authorizes the Department of Public Works to remove debris, brush and noxious growth after Providing the notice required by the ordinance; and

WHEREAS, the required notice was sent to the below properties by certified mail return receipt requested and regular mail; and

WHEREAS, ten days has elapsed since the notices were received; and

WHEREAS, the property owners failed to remove the debris, brush and noxious growth within ten days of their receipt of the notice; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ caused the debris, brush, and noxious growth to be removed; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ has certified to the Mayor and Committee the cost of the removal of the debris, brush and noxious growth.

THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKLIN, AS FOLLOWS:

1. The certification of the costs of removal of the debris, brush and noxious growth has been examined and found to be correct.
2. The tax collector is hereby directed that the following costs shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate as taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

| <u>Property Address</u> | <u>Block</u> | <u>Lot</u> | <u>Property Owner</u> | <u>Cost</u> |
|-------------------------|--------------|------------|--------------------------|-------------|
| 29 Benjamin Drive | 16 | 20.33 | Michael & Diane D'Aries | \$130 |
| 45 Thatcher Avenue | 35 | 5 | Genaro B. Rodrigues | \$ 70 |
| 74 Good Springs Road | 27 | 4.08 | Michael & Constance Horn | \$ 70 |

(Dates of Service for above properties 6/5/12 and 6/18/12)

On motion by Sarah Payne and seconded by Jacob Pence the aforementioned **Resolution 2012-74** 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 | (5) Yes (0) No (0) Absent | Motion Carried |

Dated: August 6, 2012

Certification

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

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2012-75** was presented for First Reading/Adoption

RESOLUTION # 2012-75

**A RESOLUTION AUTHORIZING THE
SUBMISSION OF A MUNICIPAL ALLIANCE
GRANT APPLICATION TO THE COUNTY OF
WARREN**

**THE GRANT APPLICATION SUBMISSION WILL BE
COMBINED BETWEEN THE MUNICIPAL ALLIANCE OF
FRANKLIN TOWNSHIP AND WASHINGTON BOROUGH
OF WARREN COUNTY**

WHEREAS, the Warren County Department of Human Services provides Municipal Alliance grants for drug prevention and education purposes; and

WHEREAS, the Township of Franklin and the Borough of Washington desires to further the public interest by obtaining funding from the County of Warren for the Franklin Township/Washington Borough's Municipal Alliance for calendar year 2012;

NOW THEREFORE, the Mayor and Council of the Franklin Township in the County of Warren and State of New Jersey resolves that Dorothy E. Repsher or the successor to the office of Municipal Alliance Coordinator is hereby authorized to:

- (a) Make application for such a loan and/or such grant,
- (b) provide additional application information and furnish such documents as may be required and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the County shall determine if the application is complete and in conformance with the scope and intent of the Governor's Council on Alcoholism and Drug Abuse Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the County's funds in accordance with such rules, regulations and applicable statutes, and is willing to comply with the Statement of Assurance and adhere to all fiscal requirements;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Mayor and Council of the Township of Franklin in the County of Warren and State of New Jersey;

1. That the Municipal Alliance Committee Coordinator, Mayor, Deputy Mayor, and one other council member of the above named body or board Is hereby authorized to make application for and, in the event of grant Award to execute and agreement and an amendment thereto with the County of Warren for 2012 Municipal Alliance Grant Funding;
2. That the applicant will provide a cash matching share in the amount of \$1,197.00 in its 2012 Municipal Budget;
3. That the applicant agrees to comply with all applicable federal, state, and Local laws, rules, and regulations in its execution of the grant; and
4. That this resolution shall take effect immediately.

On motion by Joe Flynn and seconded by Sarah Payne the aforementioned **Resolution 2012-75** 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 | (5) Yes | (0) No (0) Absent Motion Carried |

Dated: August 6, 2012

Certification

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

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2012-76** was presented for First Reading/Adoption

RESOLUTION 2012-76

WHEREAS, the General Code of the Township of Franklin, Chapter 48, Article 1 and Article 2 Regulating the growth of Brush, Noxious Weeds and Grass, Etc. Authorizes the Department of Public Works to remove debris, brush and noxious growth after Providing the notice required by the ordinance; and

WHEREAS, the required notice was sent to the below properties by certified mail return receipt requested and regular mail; and

WHEREAS, ten days has elapsed since the notices were received; and

WHEREAS, the property owners failed to remove the debris, brush and noxious growth within ten days of their receipt of the notice; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ caused the debris, brush, and noxious growth to be removed; and

WHEREAS, the outside contractor, for Franklin Township, Warren County, NJ has certified to the Mayor and Committee the cost of the removal of the debris, brush and noxious growth.

THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKLIN, AS FOLLOWS:

1. The certification of the costs of removal of the debris, brush and noxious growth has been examined and found to be correct.
2. The tax collector is hereby directed that the following costs shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate as taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

| <u>Property Address</u> | <u>Block</u> | <u>Lot</u> | <u>Property Owner</u> | <u>Cost</u> |
|-------------------------|--------------|------------|--------------------------|-------------|
| 29 Benjamin Drive | 16 | 20.33 | Michael & Diane D'Aries | \$130 |
| 45 Thatcher Avenue | 35 | 5 | Genaro B. Rodrigues | \$ 70 |
| 74 Good Springs Road | 27 | 4.08 | Michael & Constance Horn | \$ 70 |

(Dates of Service for above properties 7/2/12 and 7/23/12)

On motion by Jacob Pence and seconded by Mike Toretta the aforementioned **Resolution 2012-76** 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 | (5) Yes | (0) No (0) Absent Motion Carried |

Dated: August 6, 2012

Certification

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

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2012-77** was presented for First Reading/Adoption

RESOLUTION NO. 2012-77

WHEREAS, On July 2, 2012, Franklin Township placed a Municipal Lien on Block 11 Lot 12 and,

WHEREAS, the property owner has paid off this lien, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to cancel the lien on Block 11 Lot 12.

On motion by Mike Toretta and seconded by Sarah Payne the aforementioned **Resolution 2012-77** 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 | | |
| | | (5) Yes (0) No (0) Absent | Motion Carried |

Dated: August 6, 2012

Certification

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

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

DISCUSSIONS/APPROVALS

Replacement Windows for Municipal Offices

Committeeman Flynn handed out to committee for review a Notice to Contractors to receive proposals. Further discussion to ensue next month and an amendment noted to the notice to receive quotes for vented and non-vented windows.

Games of Chance

Big Brothers Big Sisters of Hunterdon Somerset & Warren Cty (Raffle Application RA 2012-8 Tricky Tray /September 28, 2012 and Raffle Application RA 2012-9 On Premises 50/50/September 28, 2012)

On motion by Sarah Payne and seconded by Jacob Pence to approve raffles RA 2012-8 and RA 2012-9.

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

PTA Franklin Twsp. (Raffle Application RA 2012-10 Off Premises 50/50/September 21, 2012)

On motion by Bonnie Butler and seconded by Joe Flynn to approve raffles RA 2012-10.

| Roll Call Vote | Yes | No | Absent/Abstained | | |
|-----------------------|------------|-----------|-------------------------|---------------|----------------|
| Jacob Pence | X | | | | |
| Mike Toretta | X | | | | |
| Joe Flynn | X | | | | |
| Sarah Payne | | | | X | |
| Bonnie Butler, Mayor | X | (4) Yes | (0) No | (1) Abstained | Motion Carried |

Franklin Twsp. Youth Association (Raffle Application RA 2012-11 On Premises 50/50/various dates)

On motion by Joe Flynn and seconded by Mike Toretta to approve raffles RA 2012-11.

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

Legalized Games of Chance

Musconetcong Watershed Association (Social Affair Permit, Wine Tasting /October 6, 2012)

On motion by Sarah Payne and seconded by Joe Flynn to approve the Social Affair Permit.

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

Computer Quotes (Tax Assessor)

Two quotes received as follows:

Vital Communications \$1400; computer with keyboard/mouse/speakers, emulation software, windows 7 professional, card reader includes a 1 year warranty on site all parts and labor. Optional equipment additional.

Arae Network Solutions \$1000 + shipping; computer; service cost to swap hardware, configure new pc for business use, extract data from old pc and work with Vital Communications to set system up, estimate 4 hours, plus an additional \$500 to purchase emulation board, not included in above price.

On motion by Mike Toretta and seconded by Joe Flynn to accept the quote from Vital Communications \$1400 with additional optional equipment as needed by Tax Assessor.

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

Verizon Outstanding Bills

Mayor Butler informed Attorney Bob Benbrook to advise Attorney Kevin Benbrook to proceed strongly with the collection agency to clear up outstanding bills for cancellation of Verizon phone lines.

Alethea Cleantech Advisors, LLC (Amendment to Lease Option Agreement)

On motion by Sarah Payne and seconded by Joe Flynn approving the Lease Option Agreement as written and Mayor Butler to execute accordingly.

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

Letter in Support (Small Cities Housing Rehab Application)

On motion by Mike Toretta and seconded by Sarah Payne approve the letter written and for Mayor Butler to execute accordingly.

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

REPORTS/UPDATES

Attorney Report – Report on File

Jim Onembo – Code Enforcement/Zoning

“Off-Tract” signs ongoing problem throughout the township. Asbury Willows is going back to the bank and did not renew their liquor license.

Roger Bulava – Recycling

Girl Scouts will be painting the plow in front of the road garage, need to purchase wire brushes and paint.

DPW REPORT –

No one present at meeting.

OPEN SPACE REPORT:

No one present at meeting.

Franklin Township Youth Association:

No one present at meeting.

Rescue Squad – Chief Karen Chiu

No report given.

OEM/Fire Department – Chief Sonny Read – Report on File for Fire and OEM

Chief Read noted that they have 5 students attending fire school at this time.

TOWNSHIP COMMITTEE REPORTS:

Joe Flynn

Committeeman Flynn advised that a meeting with Jay Perantoni of SSP and Committeeperson Sarah Payne will have 3 schemes to review and to make sure they work code wise by the end of the week and further discussion to ensue at Septembers meeting.

Jacob Pence

Nothing to comment

Sarah Payne

Committeeperson Payne informed that she is working on the renewal paperwork with the insurance company.

Michael Toretta

Committeeperson Toretta complimenting Joe Biel/Footer Frankenfield on the recent road resurfacing project throughout the township, not only did they save the township money with their prep work a job well done.

Bonnie Butler, Mayor

Mayor Butler informed Committeeman Toretta as to a tight time frame with the county consignment of a broom and to remind our road foreman of this. Mr. Toretta advised waiting for a quote. Received a letter from the County Engineer as to a road re-surfacing project through Franklin and as well as county roads, to expect delays. Also the Warren County Mosquito Commission advised of positive West Nile Virus on Whites Road, try not to leave water out where mosquitoes can lay eggs. Our township planner is working with COAH as to the seizure of unused affordable housing funds. Our Historical Commission is looking for blessings with two grants; claiming New Village and Broadway as historical areas and working in conjunction with the MWA to refurbish the mill in Asbury. Mayor Butler will follow up with Brenda Higgins. Denise and Peggy will be meeting with Frasier as to the photocopier and Committeeperson Pence will sit in on this meeting.

OPEN PUBLIC SESSION

Carl Sigler

Wanted to make committee aware of a tree down on their property across from the squad building. Mayor advised Mr. Sigler that we are already working on this.

Beth Barry

Mrs. Barry advised committee as to vandalism at the MWA with their shrubs at the corner of Maple and Old Main Street in Asbury. Also, the county will be moving the stop sign at the corner due to a site impediment where the sign is located in conjunction where the MWA building is located.

EXECUTIVE SESSION

BE IT RESOLVED, on this 6th day of August, 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

PENDING LITIGATION/CONTRACT NEGOTIATIONS/PERSONNEL

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 August, 2012 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 9:00 p.m.

On Motion by Joe Flynn and seconded by Mike Toretta to exit to executive session at 8:00 pm. Unanimous Vote.

On motion by Sarah Payne and seconded Mike Toretta to return to the regular session at 8:42 p.m. Unanimous Vote.

Amy Perkins inquired as to the sign to be posted on the Plenge Site and if it went through the Historical Commission. Committeeman Flynn will look into this further and bring back a cost estimate as to how much the sign will cost to the committee to review. Also Amy's son also present at this meeting will be speaking with Committeeman Flynn as to his requirements of his Eagle Scout Award.

On motion by Mike Toretta and seconded by Jacob Pence, to pay appropriate bills on bill lists accordingly.

| Roll Call: | Yes | No | Absent | Abstained |
|----------------------|------------|-----------|---------------|------------------|
| Michael Toretta | X | | | |
| Joe Flynn | X | | | |
| Jacob Pence | X | | | |
| Sarah Payne | | | | X |
| Mayor, Bonnie Butler | X | (4) Yes | (1) Abstained | Motion carried |

On motion by Mike Toretta and seconded by Sarah Payne, hearing no objection, meeting stands adjourned at 8:52 pm.

| Roll Call: | Yes | No | Absent | Abstained |
|----------------------|------------|-----------|---------------|------------------|
| 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
Municipal Clerk