

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 7:00 pm on Monday, October 1, 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, Municipal Engineer, Ron Read, Road Foreman, Kevin Benbrook, Municipal Attorney (arrived at 7:18pm).

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) Present

The Regular Meeting Minutes of September 10, 2012 were accepted on motion by Sarah Payne, and seconded by Mike Toretta, Unanimous Vote. Executive Meeting Minutes of September 10, 2012 were accepted on motion by Jacob Pence, and seconded by Mike Toretta, Unanimous Vote. The Workshop Meeting Minutes of September 17, 2012 were accepted on motion by Joe Flynn, and seconded by Sarah Payne, Jacob Pence and Mike Toretta abstained from Vote. Workshop Executive Meeting Minutes of September 17, 2012 were accepted on motion by Sarah Payne, and seconded by Joe Flynn, Jacob Pence and Mike Toretta abstained from Vote.

ENGINEER'S REPORT:

Mr. Finelli briefed the committee as to pending projects.

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. Hearing no public comment.

THIRD STREET DRAINAGE PROBLEMS (Flood Control Grant Application)

- 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. 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. On September 10, 2012, our office received confirmation of the NJDEP's approval of our extension request. The project and its funding have been extended to August 31, 2015. A fully executed extension agreement (Amendment/Modification Form) was forwarded by Denise to the NJDEP subsequent to Mayor Butler's signature.
- 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. Our office has filed a request with the NJDEP for a Natural Heritage Database search and has received a response from the NJDEP for same.
- We have recently filed, via correspondence from our office dated September 10, 2012, a second reimbursement request from the NJDEP for this project in the amount of \$24,967.45. This amount represents the majority of the soft costs (survey, engineering, design, etc.) which are reimbursable through this particular grant. We have coordinated this through both Denise C. and Dawn S. and hope to receive this reimbursement in the very near future.
- On September 21, 2012, a meeting was held at our office consisting of two (2) members of the Warren County Planning Department (Dave Dech and Elizabeth Roy) who were also representing the Warren County Morris Canal Commission. Mayor Butler and representatives of our office were also in attendance. Invitations were made to the NJDEP, but the NJDEP representatives declined to attend. The meeting provided an overview and a status update to both Mayor Butler and the Warren County representatives in attendance. Sets of progress prints were provided to all in attendance. In general, the meeting was productive and will allow our office to continue to proceed forward in order to complete the design for the Regional Stormwater Management facility within the Morris Canal.

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.
- Our office recently forwarded all the required paperwork and supporting documentation to Dawn Stanchina, CFO, for her execution and submittal to the NJDEP for additional reimbursement. The voucher amount submitted for reimbursement in conjunction with the recent work completed on this project to date totaled \$3,528.26. The Township should expect this amount of reimbursement in the near future.

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 have been coordinating with Mayor Butler, Denise Cicerelle and Dawn Stanchina towards the completion and execution of all required NJDOT close-out documents. Our office has received the required documents from the Township. We have submitted all final NJDOT close-out documents, via correspondence dated September 12, 2012, in an effort to complete this project and receive the final reimbursement due the Township. The final reimbursement amount due the Township equates to \$66,904.00.

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). All required contract documents have been submitted, approved and fully executed.
- A pre-construction meeting for this project was held on August 8, 2012 at the Township Municipal Building. Mobilization efforts by the contractor commenced during the week of September 17, 2012. Construction activity for the project commenced on September 18, 2012 and the contractor has been steadily working at the project to date. As the project continues to move forward through construction, we will certainly keep the Township Committee apprised of both the progress and budget.
- An initial payment voucher was submitted to the NJDOT for the initial reimbursement due the Township for this project via correspondence from our office dated August 14, 2012. The initial payment voucher totals \$86,250. which equates to 75% of the grant amount of \$115,000. I am unaware if the Township has received this reimbursement amount as of the date of this report.
- The contractor, Tillerman Landscaping, has submitted a request to the Township for initial payment in the amount of \$12,436.20. Our office has recommended that the Township proceed with this initial payment to the contractor.

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.
- It is my understanding that as per a written request from George Kotzias of Alethea, the Township has modified their existing agreement with Alethea for the Beidelman Road project. This consideration was outlined in a correspondence from Kevin Benbrook, Esq. to Mr. Kotzias' attorney, dated September 19, 2012.

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.

2013 NJDOT TRUST FUND GRANT PROGRAM

- As previously directed by the Township Committee, our office is in the process of preparing one (1) updated grant application to be submitted under this program. The deadline for the submission of these applications is October 16, 2012 and the applications must be submitted electronically through the SAGE system. We previously forwarded to Denise Cicerelle one (1) draft Resolution for Good Springs Road which is the Township's only application for this year's program. The Township Committee must take action on the Good Springs Road Resolution at the October 1, 2012 Committee meeting, as it is a requirement for the submission of a complete application.
- 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.

NJSP

September Statistics:

A representative from the New Jersey State Police was present reporting the following:

2 (911) Calls, 9 (Alarms), 27 (Community Policing), 11 (Critical Infrastructures), 1 (Fire), 10 (Medical Assists), 10 (Motor Vehicle Accidents), 93 (Traffic Stops), 65 (Property Checks), 5 (Well Being Checks), 1 (Assault), 2 (Criminal Mischief), 1 (Property Damage), 2 Burglaries, 1 Harassment, 1 Noise Complaint, 1 (Verbal Dispute), 1 (Theft). There were no public concerns or questions from the audience.

INTRODUCTION/ADOPTION OF:

The following Resolution 2012-81 was presented for First Reading/Adoption

RESOLUTION NO. 2012-81

WHEREAS, US Bank-Coll Agt/SASS MUNI VI dtr holds Tax Sale Certificate #0812, and has also paid subsequent property taxes for Block 55 Lot 6 and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 58,874.63 to US Bank-Coll Agt/SASS MUNI VI dtr, US Bank Corporate Trust Services, Tax Lien Servicing Group, 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102.

On motion by Mike Toretta and seconded by Sarah Payne the aforementioned **Resolution 2012-81** 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

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 October 1st, 2012.

Denise L. Cicerelle, RMC/CMR

Dated: October 1st, 2012

The following **Resolution 2012-82** was presented for First Reading/Adoption

RESOLUTION 2012-82

Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the Good Springs Road Resurfacing Project.

Whereas, Franklin Township, Warren County, NJ has given Finelli Consulting Engineers the approval to submit this grant on behalf of the Township of Franklin,

Whereas, the committee of Franklin Township, Warren County, NJ formally approves the grant application for the above stated project,

Be It Further Resolved, the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA2013-Franklin Township-00339** to the New Jersey Department of Transportation on behalf of Franklin Township, Warren County, NJ,

Now Therefore Be It Resolved, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Franklin Township, Warren County, NJ and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

On motion by Mike Toretta and seconded by Sarah Payne the aforementioned **Resolution 2012-82** 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) Absent	Motion Carried

Dated: October 1, 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, October 1, 2011.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL:

(Denise L. Cicerelle)
Municipal Clerk

(Bonnie Butler) Presiding Officer
Mayor

The following **Resolution 2012-83** was presented for First Reading/Adoption

Resolution No.2012-83

RESOLUTION AUTHORIZING COMBINED SALE AND ISSUANCE OF BOND ANTICIPATION NOTES, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$535,694 GENERAL IMPROVEMENT BOND ANTICIPATION NOTES OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF WARREN, NEW JERSEY.

WHEREAS, the Township of Franklin (the "Township"), in the County of Warren, New Jersey has determined it is in the best interest of the Township to have a combined sale of the Township's Bond Anticipation Notes as set forth herein; and

WHEREAS, the Township has issued Bond Anticipation Notes pursuant to the following Ordinances on October 20, 2011, which mature on October 19, 2012 (the "Prior Note"); and

WHEREAS, the Township has determined to issue Bond Anticipation Notes to refund, in part with other funds of the Township the Prior Note, said Bond Anticipation Notes to be issued in an amount not to exceed \$535,694, all pursuant to the following Ordinances:

<u>Ordinance and Date of Adoption</u>	<u>Total Debt Authorized</u>	<u>Improvement</u>
Ordinance No.04-14 adopted January 3, 2005	\$70,000	Halfway House/Good Springs Road
Ordinance No.04-03 adopted April 3, 2004	\$160,000	Millbrook Road
Ordinance No.05-12 adopted August 1, 2005	\$1,210,000	Acquisition of Open Space
Ordinance No.06-13 adopted November 11, 2006	\$665,000	Acquisition of real property
Ordinance No.07-14 adopted September 10, 2007	\$266,000	Road Improvements

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF WARREN, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-8, the following amounts of General Obligation General Improvement Bond Anticipation Notes (the "Notes") shall be issued at such dates and in such amounts as is determined by the Chief Financial Officer and/or acting Chief Financial Officer in accordance with this resolution:

- a. Pursuant to Bond Ordinance No. 04-14, Notes in the principal amount of not to exceed \$15,000 for the purpose stated therein, and to redeem the Prior Note.
- b. Pursuant to Bond Ordinance No. 04-03, Notes in the principal amount of not to exceed \$48,000 for the purpose stated therein, and to redeem the Prior Note.
- c. Pursuant to Bond Ordinance No.05-12, Notes in the principal amount of not to exceed \$73,694 for the purpose stated therein, and to redeem the Prior Note.
- d. Pursuant to Bond Ordinance No.06-13, Notes in the principal amount of not to exceed \$266,000 for the purpose stated therein, and to redeem the Prior Note.
- e. Pursuant to Bond Ordinance No.07-14, Notes in the principal amount of not to exceed \$133,000 for the purpose stated therein, and to redeem the Prior Note.

Section 2. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof, and in lieu of the sale of more than one (1) issue of

bonds or notes as provided for in said Local Bond Law, the issues of bonds and notes of the Township authorized pursuant to the Bond Ordinances of the Township hereinabove set forth shall be combined into one (1) issue of Notes to be sold in the aggregate amount of not to exceed \$535,694.

Section 3. The following matters in connection with said Notes are hereby determined:

(a) All notes issued hereunder and any renewal thereof, shall mature at such times as may be determined by the Chief Financial Officer and/or acting Chief Financial Officer of the Township, provided that any note issued pursuant hereto shall be issued for a period not to exceed one (1) year, but all such notes, including renewals, shall mature and be paid in accordance with the Local Bond Law.

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer and/or acting Chief Financial Officer of the Township.

(c) The notes shall be in a form as permitted by law and approved by Bond Counsel, and issued pursuant to the Local Bond Law, and any such notes or any renewal thereof, may be signed or sealed by officers of the Township in any manner permitted by Section 40A:2-25 of said Law notwithstanding what is otherwise set forth herein.

Section 4. The Chief Financial Officer and/or acting Chief Financial Officer of the Township is hereby authorized and directed to determine all matters in connection with said Notes or any renewal thereof, not determined by this or a subsequent resolution and his/her signature upon said Notes shall be conclusive as to such determinations.

Section 5. The Chief Financial Officer an/or acting Chief Financial Officer of the Township is hereby authorized to sell said Notes or any renewal thereof, from time to time at public or private sale in such amounts as he/she may determine at not less than par value and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from the dated date of the Notes to the date of delivery thereof and payment therefor.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligation and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 7. The governing body of the Township hereby covenants on behalf of the Township to take any action necessary or refrain from taking any action in order to preserve the tax exempt status of the debt obligations authorized hereunder as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 8. This resolution shall take effect immediately.

On motion by Joe Flynn and seconded by Mike Toretta the aforementioned Resolution 2012-83 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

CERTIFICATION

I hereby certify this to be a true copy of the original resolution adopted by the governing body at a duly convened meeting on the 1st day of October, 2012.

Denise L. Cicerelle, Municipal Clerk

Dated: October 1st, 2012

The following **Resolution 2012-84** was presented for First Reading/Adoption

RESOLUTION 2012-84

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:

Property Address	Block	Lot	Property Owner	Cost
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 9/4/12 and 9/18/12)

On motion by Sarah Payne and seconded by Jacob Pence the aforementioned **Resolution 2012-84** 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: October 1, 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 October 1, 2012.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

DISCUSSIONS/APPROVALS

Replacement Windows for Municipal Offices

Committeeman Flynn passed out additional information as to contractors receiving quote packages. Further discussion to ensue at the next meeting.

Pitney Bowes Postage Meter (Service Agreement)

On motion by Mike Toretta and seconded by Bonnie Butler to execute contract with Pitney Bowes accordingly.

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

Office Photocopier (Replacement Quotes)

Another quote received from Ricoh, Model MP4002, \$8779.68 and Model MPC3002, \$12,843.

Committeeman Pence looking into additional quotes and was asked to bring back at the next meeting, recommendations as to what copier will best suit our needs.

REPORTS/UPDATES

Attorney Report – Report on File

A letter was sent out to the foreclosing attorney referencing 29 Benjamin Drive. We need to take the necessary measures to secure this property. The road department is directed to board up doors and windows and keep track of supply cost and man hours and a lien will be applied accordingly.

Jim Onembo – Code Enforcement/Zoning

Updated committee as to happening in the township.

Roger Bulava – Recycling

October 7th Hazardous Waste Clean Up, Shredding Event October 13th.

DPW REPORT – Report on File

Mr. Read updated committee of the projects completed in September. Crack filling in the developments in progress in the developments. Mayor advised to use caution with their budget, not spending every dime, with the winter fast approaching with budget constraints there are things in line for budget transfers. Willow Grove Road, complaint to water running into yards after a resident on this road covered up half the ditch. Mr. Read advised the resident not to put the stone in the ditch and advised him to remove it after it had been done. Mr. Onembo will visit this complaint and handle accordingly advising the ditch needs to be opened up.

OPEN SPACE REPORT:

No one present at meeting.

Franklin Township Youth Association:

No one present at meeting.

OEM/Fire Department – Chief Sonny Read – no report given for OEM, no Fire report given.

Chief Read informed that he submitted the approved PO for the township to be reimbursed \$2950.68 for the October, 2011 event including the DPW and Fire equipment and Overtime.

Rescue Squad – Chief Karen Chiu

Quarterly report given to mayor.

TOWNSHIP COMMITTEE REPORTS:

Joe Flynn

Committeeman Flynn updated the committee as to the window proposals that have been sent out, awaiting prices to come back to review if we can entertain all windows replaced or just a few at this time.

At this time Leonard Ziegler presented the committee with 2 quotes for a sign at the Plenge Archaeological Site for review. Mayor Butler informed that the county will contribute ½ the cost of the sign. Quotes as follows:

- 1. The Southwell Co. \$3789
- 2. Sewah Studios, Inc. \$2070

On motion by Joe Flynn and seconded by Jacob Pence not to exceed \$1200 approving the Sewah Studios quote as submitted, and obtaining Township, County and Historical Commission approval as to what is printed on the sign.

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

Jacob Pence

Nothing to comment

Sarah Payne

Committeeperson Payne inquired as to the \$10 township fee collected for raffle/bingo licenses per game. Consensus of the committee is to only collect township fees from outside organizations of this township and not from Franklin Township non-profit organizations.

Michael Toretta

Nothing to comment

Bonnie Butler, Mayor

Mayor Butler informed that she and Engineer Finelli attended a meeting with the EPA and Greenwich Township representatives as to the impact of the groundwater contamination, which originated from the American Can Company. Those residents in the area of concern are eligible to hook up to public water and the EPA is funding the entire project, no cost to the homeowner. However, the EPA isn't making this hook up mandatory, but if the homeowner so chooses to hook up at a later date, the cost would be solely to the homeowner. An informational meeting will be confirmed for the EPA to address residents and their concerns here at the municipal building either October 16th or 18th.

Rabies Clinic for Franklin Township has been scheduled for December 1st from 2-4pm at the road garage.

A letter was received from Brenda Higgins as to the role of the Historical Commission and working with the Musconetcong Watershed Association with the mill restoration project. They are just looking for support without any funds that will help aid with grant monies.

Mayor was in contact with Knowlton Township Court and Franklin Township is above the threshold for tickets, no need to put additional funds in the court line item for next year's budget.

OPEN PUBLIC SESSION

Hearing no Open Session Comments from public present.

EXECUTIVE SESSION

BE IT RESOLVED, on this 1st day of October, 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/PROFESSIONAL CONTRACTS

It is not possible at this time for the Township Committee to determine when and under what circumstances the item which is to be discussed in executive session can be publicly disclosed.

THEREFORE, be it resolved on this 1st, day of October, 2012 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 8:215p.m.

On Motion by Sarah Payne and seconded by Mike Toretta to exit to executive session at 8:21p.m. Unanimous Vote.

On motion by Jacob Pence and seconded Mike Toretta to return to the regular session at 8:50p.m. Unanimous Vote.

A discussion ensued as to a discrepancy where the Port-a-Johns are being paid out of in the budget, at this time, they are being paid out of Recreational Trust, why not the FTYA Budget? Another area of concern is the bill from Sherwin Williams for the line paint, why is this being paid out of Recreational Trust and not FTYA? FTYA budget is now expended, why are we getting this bill and paying for it out of Recreational Trust and not given back to the FTYA to pay directly?

On another note, we need to look for a new Community Center Coordinator, now that Mrs. Carter has taken a position at the school. Committeeman Flynn advised he has someone in mind that has management and a recreation background that could assist us on a trial/temporary basis, with phone calls and applications that are starting to pile up without anyone doing this job. We need to revisit this position as well as fees and policies in the Spring.

MOTION FOR PAYMENT OF BILL LIST

On motion by Mike Toretta and seconded by Sarah Payne, and hearing no objection, to pay bills as per bill list submitted by the Chief Financial Officer.

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

Foreman Ron Read questioned how much money is in his budget. He received notice from the CFO as to how much is left but differs from others. Mayor advised that bills have been paid out of his budget, so it depends when she ran the report and when bills were paid, would probably clear up the discrepancy. Check with CFO directly as to how much money is left in your budget. Also the mayor addressed to Mr. Read that the counter at the front window should be extended and to put this on his to do list.

ADJOURNMENT

On motion by Mike Toretta and seconded by Sarah Payne, hearing no objection, meeting stands adjourned at 9:26 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