

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 6:30 pm on Monday, February 4, 2013. 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.

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

ROLL CALL OF COMMITTEE MEMBERS PRESENT: Bonnie Butler, Sarah Payne, Jacob Pence, Joe Flynn (4) Present, Mike Toretta (joined the meeting at 7:26 pm)

Present were: Denise L. Cicerelle, Municipal Clerk, Anthony Ardito, Auditor, Dawn Stanchina, CFO, Raymond Read, OEM, Ronnie Read, DPW Foreman.

Auditor Ardito addressed the committee that the township is utilizing too much surplus every year to balance the budget than it actually has. This is accomplished by deferring school tax. The township only generated \$600,000 approximately in surplus every year and that is the amount the township needs to use to balance the budget. The committee should consider a plan to permanently cut \$200,000 to \$250,000 of their expenses over the next 3 years so it can support its expense budget with \$600,000 of surplus. Also, new avenues of new revenues and fees to help minimize the effect of the expense cuts and maximize its tax levy up to the levy cap. Based on new appropriations, provided by our CFO, and maximizing the levy cap, the Auditor was able to get the surplus used to balance the budget down to \$852,000. This will require a tax increase of one penny on the rate, increasing the average taxpayer's taxes by \$20 annually (\$200,000 assessed value). The committee decided for an additional workshop to review the proposed budget figures and address a 3 year plan. This budget workshop will be advertised for Wednesday, February 20th at 7:00 pm.

After a quick recess at 7:27 pm, additional present were: Kevin Benbrook, Municipal Attorney, Roger Bulava, Recycling Coordinator, Jim Onembo, Zoning/Code Enforcement.

CONSENT AGENDA:

Minutes:

The Regular Meeting Minutes of January 2, 2013 were accepted on motion by Sarah Payne, and seconded by Bonnie Butler, Unanimous Vote.

Proclamations/Resolutions:

PROCLAMATION

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

WHEREAS, Franklin Township has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principal that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 1, 2013, which would have been the 109th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

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

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Committee calls on the citizens of the Township of Franklin assure that every child is in a safe place reading together with a caring adult on March 1, 2013;

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

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

I, Denise L. Cicerelle, Municipal Clerk, for the Township of Franklin, Warren County, NJ, hereby certify that this is a true copy of a Proclamation adopted by the Franklin Township Committee, February 4th, 2013.

Denise L. Cicerelle, Municipal Clerk

Dated: February 4, 2013

The following Resolution was presented for adoption:

**RESOLUTION 2013-30
Amendment to Resolution 2013-18**

WHEREAS, Ordinance 2002-14 provides for the establishment of a "Land Use Board" consisting of nine members that shall be appointed by the Mayor of the Township of Franklin. The appointments for the year 2013 for the coming year were made on January 2, 2013 as follows:

Class 4: Ron Sigler 3 year exp. 12/14

Alt. # 1 Gary Corde 1 year exp. 12/13

On motion by Sarah Payne and seconded by Bonnie Butler the aforementioned **Resolution 2013-30** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler	X			
Joe Flynn	X			
Sarah Payne	X			
Michael Toretta	X			
Jacob Pence	X		(5) Yes (0) No (0) 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 4, 2013.

Denise L. Cicerelle, Municipal Clerk

The following Resolution was presented for adoption:

RESOLUTION # 2013-31

RESOLUTION OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT MODIFICATION TO FEDERAL AID AGREEMENT NUMBER 2010-DT-BLA1-17 FOR THE PROJECT ASBURY HISTORIC DISTRICT SIDEWALK

WHEREAS, the Township of Franklin has executed Federal Aid Agreement Number 2010-DT-BLA1-17, and

WHEREAS, the Final Project Costs Eligible for Reimbursement from said Federal Aid Agreement, as reflected on the Project Final Change Order No. 3, are \$66,904.00, and

WHEREAS, the Township of Franklin has been instructed by the New Jersey Department of Transportation that an Agreement Modification is required to paragraph 6.1 (b) of said Federal Aid Agreement to make the “not to exceed” project cost equal to the Final Project Cost Eligible for Reimbursement, and

WHEREAS, an Agreement Modification form has been prepared for the purpose of amending said paragraph 6.1 (b);

WHEREAS, the endorsement of said Agreement Modification will facilitate the reimbursement of the final project cost eligible through the Agreement to the Township of Franklin;

NOW THEREFORE BE IT RESOLVED, the Mayor and Committee agree to the above-referenced Agreement Modification and hereby authorize the mayor to endorse the same.

On motion by Sarah Payne and seconded by Bonnie Butler the aforementioned **Resolution 2013-31** be adopted as read.

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

CERTIFICATION

I, Denise L. Cicerelle, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Franklin Township Committee at a meeting held on Monday, February 4th, 2013.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this Monday, February 4th, 2013.

Denise L. Cicerelle, Municipal Clerk

The following Resolution was presented for adoption:

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

**RESOLUTION 2013- 32
BUDGET TRANSFER**

WHEREAS, N.J.S.A. 40A:4-58 and 59 authorizes transfers from certain budget appropriations where it is expected that it will be insufficient, and

WHEREAS, it is reasonable expected that certain appropriations will not be sufficient for contemplated expenditures;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of Franklin Township, County of Warren, State of New Jersey, is hereby instructed to adjust the financial records in accordance with the provision of this Resolution:

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Employee Group Insurance	\$ 7,700.00	
Solid Waste Collection OE	\$ 5,535.00	
Land Use Board OE		\$ 2,065.00
Engineering OE		\$ 2,000.00
Road Maintenance S&W		\$ 550.00
Electricity OE		\$ 120.00
Road Maintenance OE		\$ 8,500.00
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TOTALS	\$13,235.00	\$ 13,235.00

On motion by Sarah Payne and seconded by Bonnie Butler the aforementioned **Resolution 2013-32** 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, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Franklin Township Committee at a meeting held on the 4th day of February, 2013.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 4th day of February, 2013.

Denise L. Cicerelle, Municipal Clerk

Dated: February 4, 2013

The following Resolution was presented for adoption:

Resolution 2013-33

WHEREAS, The Township of Franklin advertised and subsequently received bids, for Farming of 60.5 ± Acres known as Block 26 Lots 3 and 8 for a 3 year period, as outlined on the attached Summary of Bids and;

WHEREAS, seven bids were received as follows:

1. **Jason Petty – Deere Meadow Farms, Belvidere, NJ**
Total Bid Amount \$ 269.00 per acre
2. **Leonard Truskowski - Truskowski Farms, Stewartsville, NJ**
Total Bid Amount \$ 229.00 per acre
3. **Albert Hart - Hart Farms, LLC, Stewartsville, NJ**
Total Bid Amount \$ 166.00 per acre
4. **Carl Sigler – Sigler Farms, Broadway, NJ**
Total Bid Amount \$ 1,265.56 monthly rent
5. **Jacob Banghart – J.B. Farms, Broadway, NJ**
Total Bid Amount \$ 192.50 per acre

6. **Mitchell Jones, Washington, NJ**
Total Bid Amount \$ 126.25 per acre
7. **Roger Woolf – Woolf Farms, LLC, Washington, NJ**
Total Bid Amount \$ 236.00 per acre

WHEREAS, Kevin Benbrook, Township Attorney, has reviewed the submitted bids and determined that Jason Petty, Deere Meadow Farms submitted the highest bid and;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Township of Franklin that the Contract for the Farming of 60.5 ± Acres known as Block 26 Lots 3 and 8 for a 3 year period, be and is hereby awarded to Jason Petty, based on their bid , subject to the following conditions:

1. The Contract is awarded and will be based upon as outlined in the Plans and Specifications prepared by Kevin Benbrook, Township Attorney.

This being submitted at the Council meeting held on February 4, 2013.

ATTEST:

Mayor

MUNICIPAL CLERK

On motion by Sarah Payne and seconded by Bonnie Butler the aforementioned **Resolution 2013-33** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Joe Flynn	X		
Sarah Payne	X		
Jacob Pence	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, County of Warren, State of New Jersey do hereby certify that the foregoing document is a true and exact copy of the document adopted by the Township of Franklin Governing Body at their Council meeting held on February 4, 2013.

Denise L. Cicerelle, RMC, CMR
Municipal Clerk

Dated February 4, 2013

REPORT/UPDATE:

New Jersey State Police:

No one present at meeting

Engineer's Report:

Mr. Finelli not present at meeting

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.
- It is our understanding that the Warren County Canal Commission was going to meet and discuss the project at a Commission meeting scheduled in October, 2012. To date, our office is unaware if this meeting took place and has not received any feedback/comments from any Canal Commission and/or County Planning Department representatives. We are in the process of contacting Jim Lee to potentially utilize his

professional consulting services as both a Morris Canal “expert” and archaeologist as required by the Warren County Planning Department and Canal Commission.

- A field meeting with Mr. Lee and Kevin Smith from our office was previously conducted at the site. Subsequent to that meeting, Mr. Lee’s company, Hunter Research, submitted a proposal, dated December 18, 2012, for the required Archaeological consulting services associated with our Morris Canal drainage improvements project. The proposal was previously provided to Mayor Butler. In order for this project to move forward, the Township needs to contract with an Archaeologist to perform the services as outlined in the Hunter Research’ proposal. I would recommend that the Township Committee review the proposal and proceed to execute same in order for this project to continue as per the requirements of SHPO, the Warren County Canal Commission, and the NJDEP.

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.
- Our office previously 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. Our office is unaware if the Township has received any recent reimbursement but, if not, should receive this reimbursement in the near future.
- At this juncture, we have recently completed this phase of the WMP and have submitted the revised mapping to the NJDEP via correspondence from our office, dated January 16, 2013. We will continue to keep the Committee apprised as this project and Plan move forward through the review/approval process with the NJDEP.

HIGHLANDS PLAN CONFORMANCE

- Please refer to our engineer’s report, December 2, 2011, for previously provided information regarding this project.
- James Kyle, P.P., Township Planner, is presently working on furthering the Plan Conformance process and various Highlands requirements. We are coordinating and providing the necessary support to Jim Kyle as per his needs and requests. It is my understanding that Jim Kyle is also coordinating with Dawn Stanchina, CFO, regarding the appropriate and currently applicable Highlands reimbursements.

2010 TRANSPORTATION ENHANCEMENT APPLICATION

(No change since last month’s report)

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

- Denise Cicerelle, Clerk, was recently contacted by Cheryl Edwards, NJDOT, regarding Resolutions that needed to be adopted by the Township Committee in conjunction with the final close-out of this project. Kevin Smith has been in contact with Ms. Edwards and has since forwarded the revised Resolutions to Denise for inclusion on the February 4, 2013 agenda. Once these Resolutions are adopted, they need to be forwarded to the NJDOT.

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.
- Previously, in November, 2012, the contractor submitted a progress voucher (Payment #2) in the amount of \$58,447.20 which was approved for payment by the Township. Based upon the initial voucher amount of \$12,436.20 and Voucher #2, the total billings towards this project equate to \$70,883.40. We are still well within the total contract amount and budget and will look to close-out the project during the month of November.
- Final payment to the contractor (Payment Voucher #2) was made by the Township in December, 2012. The project could not be closed out at that time due to some miscellaneous paperwork, maintenance bond, etc. that was due the Township from the contractor. We have been continually coordinating with Tillerman regarding the final close-out of this project as it relates to contractor's responsibility to the Township and have received the majority of required "paperwork." However, to date, the NJDOT has not been to the site

to perform their final inspection and therefore, we are reluctant to process final payment (which is only retainage at this time) due the contractor. Until the NJDOT approves the construction aspects of the project, we will not be able to finalize this 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

(No change since last month's report)

- 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 Stewartville 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.

- Two (2) additional FEMA reimbursements were received during the month of October, one (1) totaling \$1,750.28 and one (1) totaling \$2,918.76. These are the Township's component (75%) of eligible FEMA reimbursement monies attributable to volunteer time expended and debris removal, respectively. Our office previously forwarded the required FEMA paperwork to the Township for their review and execution. I am sure that Sonny Read will further update the Township on the overall status of our FEMA reimbursement.

2013 NJDOT TRUST FUND GRANT PROGRAM

- As previously directed by the Township Committee, our office prepared one (1) updated grant application to be submitted under this program. 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 took action on the Good Springs Road Resolution at the October 1, 2012 Committee meeting as part of their requirements for the submission of a complete application. The deadline for the submission of these applications was October 19, 2012 and the applications were submitted electronically through the SAGE system on October 18, 2012.
- 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.

Open Public Session – As to Engineer's Report and New Jersey State Police matters Only

At this time Mayor Butler opened up the floor for any comments only for the Engineer, Hearing no public comment.

NEW BUSINESS:

Discussions/Approvals/Executions

Community Center – Eddy Patient

A proposal of 4 items was handed to the committee for review and discussion. Mr. Patient proposed 4 items he would like to see with the community center, Soccer Futsal Tournaments, Vendor Day Event, Housekeeping and Marketing. A Soccer Futsal Tournaments, in order to accommodate such an event we would need to purchase futsal goals at an approximate cost of \$1400 and installation of a new net between the gym floor and spectator area, protecting spectators and providing a distinct playing area for the players. Vendor Events, would include various representatives to promote and/or sell their products; such as Mary Kay, Tastefully Simple, Pampered Chef, etc. A flat fee per table would be charged. Housekeeping items would include additional recycle bins, additional bathroom signs, extra chair racks, remove unwanted items from closet, additional lines to be added to gym floor, relocation of hockey goals. Lastly, marketing, this would include enhancing the website creating a dedicated page as to the community center. The committee would like Mr. Patient to move forward in ordering the new goals now and the other items, gather additional information and cost to revisit.

Archeological Study – Third Street

Mayor Butler met with Mike Finelli and folks from the Morris Canal Historical Artifact. A proposed cost and estimate was received from Hunter Research as to archaeological consulting services in connection with the proposed drainage improvement project within the Morris Canal Historic District in Franklin Township. The fee to conduct this service would be \$7393.78. A concern as to if these services could be used from the Historic Preservation Trust Fund and how much money is left in the DEP grant for this project, consensus of the committee to table this item at this time.

New Village Recreation Field

Received notification from the Department of Land Preservation that the Board of Chosen Freeholders has approved the recommendation of the Warren County Municipal and Charitable Conservancy Trust Fund

Committee to fund the grant applied for by The Land Conservancy back in 2012. Mayor Butler spoke with Barbara Haskins Davis of the Conservancy and she advised that the money is still available to us. Mayor Butler also noted that the township committee did not support this project and the Open Space Commission did, there seems to be a disconnect of common goals.

Committeeman Flynn is confused why we would even pursue this field when we didn't pursue the field across from the school. Karen Chiu is in favor of a park in New Village as well as Sam Santini. Cathy Pineno agrees with Committeeman Flynn as being confused, she questioned as what happened with the proposed ball field across from the Franklin Township School and why would we pursue another field at this time. Mayor Butler replied that this plan is dead, the township committee voted not to proceed with this park and did not proceed any further with it. Additional discussion to ensue at the special workshop meeting February 20th.

OLD BUSINESS:

Public Hearing and Consideration of:

Final Reading and Adoption of Ordinance 2013-1 (An ordinance authorizing the salaries of employees and committee for the year 2013 in the Township of Franklin, County of Warren, New Jersey)

On motion by Sarah Payne and seconded by Joe Flynn to open the Public Hearing.

No Public Comments

On motion by Jacob Pence and seconded by Sarah Payne to close the Public Hearing

Ordinance 2013-1

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

On motion by Committeeperson Jacob Pence and seconded by Committeeperson Sarah Payne the aforementioned **Ordinance 2013-1** be adopted.

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

Public Hearing and Consideration of:

Final Reading and Adoption of Ordinance 2013-2 (An ordinance to exceed the municipal budget appropriation limits and to establish a cap back for the year 2013 in the Township of Franklin, County of Warren, New Jersey)

On motion by Jacob Pence and seconded by Sarah Payne to open the Public Hearing.

No Public Comments

On motion by Joe Flynn and seconded by Jacob Pence to close the Public Hearing.

ORDINANCE 2013-2

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

On motion by Committeeperson Sarah Payne and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2013-2** be adopted.

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

REPORTS/UPDATES

Attorney Report – Report on File

Attorney Benbrook recapped committee as to some of the items he is working on for the township. Advised that Asbury Willows still has not renewed their liquor license, he will follow up with their attorney on this. Millbrook Road Vacation Ordinance working on this with Engineer Finelli. Friday, February 1st we had the bid opening for the farmland (aka Brandywine Property) Block 26 Lots 3&8, Jason Petty was the apparent highest responsible bidder with all paperwork included with his bid as per the instructions of the Notice To Bidders. Carl Sigler was present at this meeting and feels when he negotiated this land with the township, he is still entitled to farm this property as per discussions at that time, although, nothing is on file executed supporting same.

On motion by Bonnie Butler and seconded by Sarah Payne, to approve the bid received by Jason Petty for the farmland above.

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

Jim Onembo – Code Enforcement/Zoning

Mr. Onembo advised of the following:

Verizon building has been sold as well as the Piccone Ranch. There is an issue with respect to the alleyway in between Dunkin Donuts on Rt. 57 in New Village and this home. Per Committeeman Pence this is a private easement and the DPW should not be plowing this as well. A building permit has been issued for the old Ayers property on Rt. 57 in Broadway for a single family house on the existing foundation. Committeeperson Payne questioned the tree down in the driveway at Asbury Willows this is a fire hazard and an eye soar. Attorney Benbrook will handle this matter and coordinate his findings with Mr. Onembo.

Roger Bulava – Recycling

Mr. Bulava updated committee as to Spring Clean Up this year to be the first week in June in lieu of the second week and will keep them advised to the electronics recycling.

OEM REPORT – Raymond Read

Mr. Read advised the committee that he has received a couple of grants and the CFO is starting to see electronic returns, we will be receiving \$16,953 in storm grant reimbursements for last years storms. Mr. Read has been attending Mitigation Plan Meetings so we can now apply for generators. The grant will provide 75% of the cost leaving the remaining 25% for the township to pay, this grant can be turned down and we are not obligated to use.

DPW REPORT – Report submitted

Mr. Read advised the committee of items he is requesting to be included for this years budget; salt shed, base radio, 95 International Truck troubles with electronics (needs to be replaced), side arm mower. A discussion ensued as to straight salt vs. salt and grit mix and its costs. Mr. Read also handed out a road map showing the areas of the township that roads have been oil/chipped, paved, or cracks filled and years completed. PAIC recommendations were also reviewed after a recent inspection of the DPW and Municipal Buildings.

OPEN SPACE REPORT:

No one present at meeting.

Franklin Township Youth Association:

No one present at meeting.

Rescue Squad – Chief Karen Chiu

The end of year report handed out to the committee by Ms. Chiu.

TOWNSHIP COMMITTEE REPORTS:

Joe Flynn

Mr. Flynn commented that Eddy Patient the new Community Center Coordinator is working out well.

Jacob Pence

Nothing further to report.

Sarah Payne

Nothing further to report.

Michael Toretta

Nothing further to report.

Bonnie Butler, Mayor

Mayor Butler informed that a subcommittee was needed to address Recreation and the Community Center, Joe Flynn and Sarah Payne will address this. Also a subcommittee is needed for Brandywine Tract direction, Bonnie Butler and Mike Toretta will address this. Mayor Butler and Mike Toretta met with CFO addressing grant monies that still need to be reimbursed back to the township and how this can be accomplished. The DPW built a closet enclosing the computer and phone equipment in our new conference room, a flat screen tv is needed to complete the room. Attorney Benbrook has been directed to review the Fence Ordinance as to having the good side toward your neighbor. Our Open Space Ordinance 2004-8 reads 7 members, 1 member of the Franklin Township Planning Board should sit on this board, mayor will put this ordinance in each committee mailbox for review and Attorney Benbrook will review statutory requirements. Mayor Butler spoke with Rosanne our court administrator out of Knowlton Township Court and she has

advised that we have collected \$18,000 of ticket revenue and the township should be ok not to pay additional funds.

OPEN PUBLIC SESSION

No comments noted

EXECUTIVE SESSION

BE IT RESOLVED, on this 4th day of February, 2013, 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

PERSONNEL/CONTRACTNEGOTIATIONS

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 4th, day of February, 2013 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 9:35 pm.

On Motion by Mike Toretta and seconded by Joe Flynn to exit to executive session at 9:35 p.m. Unanimous Vote.

On motion by Mike Toretta and seconded Jacob Pence to return to the regular session at 10:43 p.m. Unanimous Vote.

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 lists 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

MOTION FOR REIMBURSEMENT OF DRIVEWAY BOND-CLARA SANTINI

On motion by Mike Toretta and seconded by Jacob Pence, and hearing no objection, to reimburse \$2,500.00 for Block 44 Lot 2.01.

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

Committeeman Payne reminded committee as to budgeting for volunteer fire and squad physicals. Possibly look into random drug testing as well for employees/volunteers as well.

NEW BUSINESS:

First Reading and Introduction –

ORDINANCE 2013-3
Amendment to Salary Ordinance #2013-1

BE IT ORDAINED, by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey that;

Purpose of Ordinance Amendment

Ordinance 2013-1 of the Township of Franklin is hereby amending Section 2 as follows:

<i>EMERGENCY MANAGEMENT CO-ORD PER YEAR</i>	<i>\$12,000.00</i>
<i>911 CO-ORD PER YEAR</i>	<i>\$ 2,400.00</i>

That this Ordinance shall remain in effect for the remainder of the 2013 year and be retroactive from January 1, 2013. That said Ordinance will be presented for final reading and adoption at a public meeting to be held on March 4th, 2013 at the hour of 7:00 p.m. following publication in the Star-Gazette.

On motion by Mike Toretta and seconded by Bonnie Butler to approve at first reading the aforementioned **Ordinance 2013-3**.

Roll Call Vote:	Yes	No	Absent/abstained
Joe Flynn	X		
Michael Toretta	X		
Jacob Pence	X		
Sarah Payne	X		
Mayor Bonnie Butler	X	(5) Yes (0) Absent	Motion carried

Dated: February 4, 2013

Dated: March 4, 2013

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 4, 2013. Second reading, public hearing will be held on March 4, 2013 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Cicerelle, RMC/CMR

ADJOURNMENT

On motion by Joe Flynn and seconded by Mike Toretta, hearing no objection, meeting stands adjourned at 10:53 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