

## **REGULAR MEETING**

The Franklin Township Committee held its regular monthly meeting at 7:00 pm on Monday, April 1, 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, Jacob Pence, Mike Toretta (3) Present

**ABSENT:** Joe Flynn Sarah Payne

Present were: Denise L. Cicerelle, Municipal Clerk, Mike Finelli, Municipal Engineer, Robert Benbrook, Municipal Attorney, Roger Bulava, Recycling Coordinator.

### **CONSENT AGENDA:**

#### **Minutes:**

The Regular Meeting Minutes of March 4, 2013, Executive Meeting Minutes of March 4, 2013, were accepted on motion by Jacob Pence, and seconded by Mike Toretta, Unanimous Vote.

### **NEW BUSINESS:**

#### **Report/Update:**

**New Jersey State Police:** No one present

**Engineer's Report:** Mr. Finelli briefed the committee as to his report submitted. Mayor Butler requested that Mr. Finelli coordinate with Road Foreman Read to do improvements to the front walkway here at the municipal building.

Whites Road- Betty Shoen was present at this meeting and also submitted a letter to the committee proposing that a portion of Whites Road to be private near her home. Many tourists who want to visit Merrill Creek seem to be directed by Google Maps or GPS to head North on Whites Road through her gate. The upper portion of this road, Youman Road and out to Montana Road, is only wide enough for one car, not maintained by the township, salted or plowed, and the road is steep and winding. The clerk will review her Road Vacation Files to see if anything is on record for this upper portion of Whites Road as vacated or private. If not Attorney Benbrook will look into this further.

- It is our understanding that the Warren County Canal Commission was going to meet and discuss the project at a Commission meeting. 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 were advised to contact 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. 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. The proposal was previously provided to Mayor Butler and it is my understanding is that it was distributed and discussed at the February 4, 2013 Committee meeting. The amount of the proposal was \$7,393.78. It is important to note that the fees for the archaeological services would be considered a reimbursable

to the Township through this grant program. I have previously confirmed that with Mr. James Watt, NJDEP, our project administrator.

- On February 14, 2013, I met with Dawn Stanchina, CFO, to review the status of the reimbursement component of this project and grant. We believe that we are in a position to apply for a sizable reimbursement of professional fees for services previously provided (in 2012). We have been coordinating with Dawn in order to apply and receive the maximum amount of grant dollars available to the Township at this time. A progress payment voucher was recently sent to the State in the amount of \$29,513 via correspondence from our office, dated March 21, 2013.
- The Township Committee, at their March 4, 2013 meeting, voted to authorize Hunter Research to proceed with the work in question. Attorney Benbrook has recently forwarded a contract to Hunter Research for their review and execution. As previously discussed, the work to be performed by Hunter Research is a requirement of SHPO, the Warren County Canal Commission, and the NJDEP. We hope and anticipate that the work required by Hunter Research can be completed sometime in April, 2013.

#### TOWNSHIP WASTEWATER MANAGEMENT PLAN

- Our office previously forwarded all the required paperwork and supporting documentation to Dawn Stanchina, CFO, via correspondence dated February 12, 2013, 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 (July 2012 thru December 2012) totaled \$7,261.48.
- We have recently completed another phase of the WMP and have submitted the revised mapping to the NJDEP via correspondence from our office, dated January 16, 2013. A recent submittal of our WMP, via correspondence dated February 12, 2013, was made to the Highlands Council for their review and approval as required by the NJDEP. We will continue to keep the Committee apprised as this project and Plan move forward through the review/approval process with the NJDEP.
- As required by the NJDEP, our office, via correspondence dated March 14, 2013, provided the required quarterly progress reports for the third and fourth quarter of 2012 to 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.
- 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)**

- We have previously 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. As of the date of this report, I am unaware if the Township has received their reimbursement.

#### HALFWAY HOUSE ROADWAY STABILIZATION PROJECT

- 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 all of the required "paperwork."

- As discussed at the March 4, 2013 Township Committee meeting, the NJDOT had not performed their final inspection of the project as of that date and therefore, we were reluctant to forward final payment (retainage in the amount of \$2,379) to Tillerman. The NJDOT has recently and finally performed their final inspection with the results being approval of the project with one (1) minor exception which includes the incorporation of “chevrons” at both terminus points of the new guiderail. We have since contacted Tillerman and have authorized Tillerman to install same. As of the date of this report, I do not believe that the chevrons have been installed, but should be installed in the very near future. Immediately upon completion of this installation, we will proceed with final close-out in order to secure the final reimbursement due the Township on this project in the amount of \$28,750.

#### **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)**

- Please refer to our engineer’s report, February 4, 2013, for previously provided information regarding this project.

#### **FEMA LOCAL AID INFRASTRUCTURE FUNDING**

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

- Please refer to our engineer’s report, February 4, 2013, for previously provided information regarding this project.

#### **2013 NJDOT TRUST FUND GRANT PROGRAM**

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

- 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.

#### **FIRST READING/ADOPTION OF RESOLUTIONS:**

**The following resolution was presented for adoption:**

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

**RESOLUTION #2013-39**

**WHEREAS**, the provisions of C.63, P.L.1991 (The Supplemental Municipal Property Tax Relief Act) under Section 13 required municipalities whose school tax year

is on a fiscal basis to defer twenty-five (25) per cent of the maximum allowable amount and anticipate it into their budget over a four (4) year period beginning in budget year 1991, and ending in budget year 1994 as additional Municipal surplus to offset the REGIONAL property tax levy for REGIONAL purposes; and,

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

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

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

	<u>FY 12-13</u> <u>REGIONAL SCHOOL</u> <u>LEVY</u>	<u>MAXIMUM AMOUNT</u> <u>OF DEFER TAX</u>
REGIONAL SCHOOL TAX	\$3,880,346.55	\$1,940,173.28
TOTAL MAXIMUM DEFER TAX 12/31/12		1,940,173.28
LESS – DEFERRED SCHOOL TAX 12/31/11		958,589.98
INCREASE IN MAXIMUM DEFER TAX ALLOWABLE FOR CALENDAR YEAR 2012		\$981,583.30
ACTUAL ADDITIONAL AMOUNT DEFERRED AT 12/31/12		\$350,000.00

On motion by Jacob Pence and seconded by Mike Toretta the aforementioned **Resolution 2013-39** be adopted as read.

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

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a regular meeting held on April 1, 2013.

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

SEAL:

\_\_\_\_\_  
Denise L. Cicerelle, Township Clerk

The following resolution was presented for adoption:

**TOWNSHIP OF FRANKLIN  
COUNTY OF WARREN  
STATE OF NEW JERSEY  
  
RESOLUTION #2013-40**

WHEREAS, the 2013 Local Municipal Budget was introduced on the 1st day of April, 2013; and,

WHEREAS, during the fiscal year 2013 the Township of Franklin has been allocated a state grant for various programs in the amount of \$15,850.00

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2013 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:**"

<b>Recycling Tonnage Grant – Prior Year</b>	<b>\$ 2,264.00</b>
<b>Clean Communities Program – Prior Year</b>	<b>9,790.00</b>
<b>Municipal Alliance on Alcoholism &amp; Drug Abuse</b>	<b><u>3,796.00</u></b>
	<b><u>\$ 15,850.00</u></b>

On motion by Jacob Pence and seconded by Mike Toretta the aforementioned **Resolution 2013-40** be adopted as read.

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

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held in the Municipal Building, on April 1, 2013.

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

SEAL:

Township Clerk

Denise L. Cicerelle,

The following resolution was presented for adoption:

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

**RESOLUTION-#2013-41**

WHEREAS, the Township of Franklin is holding a meeting on April 1, 2013, for the purpose of introducing the 2013 Municipal Budget and conducting other matters; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin, Warren County, New Jersey, that the Township of Franklin hereby petitions the Director of the Division of Local Government Services that the 2013 Local Municipal Budget be introduced and approved on April 1, 2013.

**2013 FRANKLIN TOWNSHIP MUNICIPAL BUDGET**

Surplus anticipated general revenues	\$ 827,000.00
Total Miscellaneous revenue	373,240.00
Receipts from Delinquent Taxes	180,000.00
Local Property Taxes	<u>760,261.00</u>
Total General Revenues	<u>\$2,140,501.00</u>
Total Operations	
Salaries and Wages	\$478,677.00
Other Expenses	745,990.00
Capital Improvements	90,000.00
Statutory Expenditures	80,102.00
Debt Service	136,500.00
Reserve for Delinquent Taxes	<u>609,232.00</u>
Total 2013 Municipal Budget	<u>\$2,140,501.00</u>
2013 Municipal Tax Rate	0.1835

On motion by Jacob Pence and seconded by Mike Toretta the aforementioned **Resolution 2013-41** 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		
(3) Yes (0) No (2) Absent Motion Carried			

**CERTIFICATION**

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a regular meeting held April 1, 2013, at the Municipal Building, Broadway, New Jersey.

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

SEAL:

\_\_\_\_\_  
Denise L. Cicerelle, Township Clerk

**The following resolution was presented for adoption:**

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

**RESOLUTION-#2013-42**

**WHEREAS**, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 15 of the fiscal year; and,

**WHEREAS**, the Township of Franklin has delayed the introduction of the 2013 Municipal Budget past the statutory deadline; and,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Franklin, Warren County, New Jersey, that the Township of Franklin hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2013 Franklin Township Municipal Budget; and,

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

On motion by Jacob Pence and seconded by Mike Toretta the aforementioned **Resolution 2013-42** 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		
(3) Yes (0) No (2) Absent Motion Carried			

CERTIFICATION

I, Denise L. Cicerelle, Clerk of the Township of Franklin, County of Warren do hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Franklin Township Committee at a meeting of said Township Committee held on April 1, 2013.

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

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

The following resolution was presented for adoption:

**RESOLUTION 2013-43**  
**OPPOSING S2364/A3553**  
**PROPOSED TO CREATE**  
**EARLY VOTING SYSTEM IN NEW JERSEY**

**WHEREAS**, Senate Bill S-2364 and Assembly Bill A3553 propose to create a system of early voting in the State of New Jersey; and

**WHEREAS**, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; and

**WHEREAS**, these bills would in reality increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and

**WHEREAS**, these bills would require for each primary and general election a public facility, except a public school, located in each municipality in an area of a high concentration of population to be open and available to registered voters starting 15 days before an election for early polling, possibly conflicting with if not pushing out other important uses for these buildings, causing inconvenience to residents; and

**WHEREAS**, these bills require retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training polls workers is already a difficult process; and

**WHEREAS**, these bills would increase costs to municipalities, including overtime pay for workers; and

**WHEREAS**, although these bills allow municipalities to request reimbursement for extra costs and provide an appropriation, the appropriation does not outline a specific amount nor dedicated funding, only that which the State Treasurer and the Director of the Division of Budget and Accounting deem necessary, and they do not outline the procedure for a municipality whose reimbursement request is denied; and

**WHEREAS**, the opportunity for “Early Voting” already exists in the State of New Jersey through the Vote by Mail ballot process.

**NOW, THEREFORE, BE IT RESOLVED**, that governing body of the Township of Franklin in the County of Warren does hereby oppose S2364 and A3553; and

**BE IT FURTHER RESOLVED**, the governing body of the Franklin Township does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be sent to the Office of the Governor, Senate President Sweeney, Senators Gill and Whelan, sponsors of S2364, Speaker Oliver, Assemblymen Wisniewski, Diegnan, Benson, Conaway, and Coughlin, sponsors of A3553, our State Senator and Assembly representatives, the County Board of Elections, and the New Jersey League of Municipalities.

On motion by Mike Toretta and seconded by Jacob Pence the aforementioned **Resolution 2013-43** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
Joe Flynn			X
Sarah Payne			X
Jacob Pence	X		
Michael Toretta	X		
Mayor Bonnie Butler	X		
(3) Yes (0) No (2) 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 April 1, 2013.

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

**The following resolution was presented for adoption:**

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

**A RESOLUTION  
2013-44**

**WHEREAS**, various ordinances (Improvement Authorizations), as noted below, were adopted for the acquisition of real property and for other various township improvements and equipment.; and,

**WHEREAS**, Bonds and Notes, as noted below, were authorized but not issued; and,



**WHEREAS**, Improvement authorizations for various ordinances, as noted below, are currently unspent and remain outstanding, so now therefore,

**BE IT RESOLVED**, by the Township Committee of the Township of Franklin that in accordance with N.J.S.A. 40A-2 et al, the governing body authorizes cancelation of said Improvement Authorizations as noted below and the credit of said balances as noted below.

On motion by Bonnie Butler and seconded by Mike Toretta the aforementioned **Resolution 2013-44** 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	(3) Yes (0) No (2) Absent	Motion Carried

<u>IMPROVEMENT DESCRIPTION</u>	<u>ORDINANCE NUMBER</u>	<u>DATE</u>	<u>Cancel Unspent Improvement Authorization</u>	<u>Credit Deferred Charges Bonds Auth, Not Issued</u>	<u>Credit Capital Improv. Fund</u>
Purchase of Fire Equipment	00-08	5-8-00	\$ 12,000		\$ 12,000
Road and Parking Lot Improvements	05-05	4-4-05	4,897		4,897
DPW Furnace & Insulation	09-8	9-14-09	3,950		3,950
Entrance Door & Monitoring	09-9	9-14-09	10,072		10,072
DPW Mowing Equipment	10-09	7-12-10	<u>10</u>	<u>-</u>	<u>10</u>
Totals			<u>\$ 30,929</u>	<u>\$ 0</u>	<u>\$ 30,929</u>

**CERTIFICATION**

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held on Monday, April 1, 2013.

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

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

The following resolution was presented for adoption:

**RESOLUTION NO. 2013-45**

**WHEREAS**, FWDSL & Associate, LLC holds Tax Sale Certificate # 12-003 and has paid subsequent taxes on Block 1 Lot 4.03 and,

**WHEREAS**, the property owner has redeemed this lien,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$8,998.80 and the premium amount of \$1,500.00, for a total refund of \$10,498.80 to FWDSL & Associates, LLC, 5 Cold Hill Road S., Suite 11, Mendham, NJ 07945.

On motion by Mike Toretta and seconded by Jacob Pence the aforementioned **Resolution 2013-45** be adopted as read.

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

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

**CERTIFICATION**

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held on Monday, April 1, 2013.

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

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Denise L. Cicerelle, Municipal Clerk

The following resolution was presented for adoption:

**RESOLUTION 2013-46**

**AMENDED RESOLUTION AUTHORIZING AN APPLICATION TO THE WARREN COUNTY AGRICULTURAL BOARD FOR THE SALE OF THE DEVELOPMENT RIGHTS OF BLOCK 26, LOTS 3 AND 8**

**WHEREAS**, The Township of Franklin purchased property known as Block 26, Lots 3 and 8 from Carl Sigler, pursuant to a Contract dated August 9, 2010 for the purchase price of \$1,100,000.00 in furtherance of the settlement of litigation surrounding the development of the property for a mixed use project known as the Brandywine Development to avoid the potential adverse impact of that development upon the rural character of the Township; and

**WHEREAS**, Fee simple ownership of the property is vested in the Township by virtue of a Deed dated December 10, 2010, recorded in the Warren County Clerk’s Office in Book 2351, Page 198; and

**WHEREAS**, the Township funded the purchase through the payment of a \$50,000.00 deposit from its general capital account and obtained the approval of the Local Finance Board to pay the balance in four periodic installments; and

**WHEREAS** the Township intended to maintain the property in part as open space and in part to facilitate the construction of a leased solar project, the electricity from which would have provided a source of green energy for the Franklin Township School and the rent from which was intended to finance the balance of the purchase price; and

**WHEREAS**, development as aforesaid has proved unfeasible, and the Township now desires to sell the development rights to the entirety of Lots 3 and 8, consisting of an approximately 62 acre tract and a 6 acre tract, to the County of Warren for the purpose of maintaining the rural character of the property and funding in part the balance of the purchase price that remains outstanding and owed.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committed of the Township of Franklin, County of Warren, State of New Jersey, as follows:

1. The Township shall submit an application to the Warren County Agriculture Board for the sale of the development rights to Block 26, Lots 3 and 8.

On motion by Jacob Pence and seconded by Bonnie Butler the aforementioned **Resolution 2013-46** 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	(2) Yes (0) No (1) Abstained (2) 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 April 1, 2013.

Denise L. Cicerelle, RMC/CMR

Dated: April 1, 2013

**First Reading/Introduction of Ordinances:**

**ORDINANCE 2013-5**

**AN ORDINANCE APPROPRIATING THE SUM OF \$8,039.00  
CURRENTLY LOCATED WITHIN THE CAPITAL  
IMPROVEMENT FUND OF THE TOWNSHIP OF  
FRANKLIN FOR THE REPLACEMENT AND UPGRADE THE AIR  
CONDITIONING SYSTEM IN THE TOWNSHIP MUNICIPAL  
BUILDING**

**WHEREAS**, there are currently funds, raised by the Current Fund and previous, budgets within the Capital Improvement Fund of Franklin Township, and the Township Committee wishes to replace and upgrade the Air Conditioning System in the Township Municipal Building

**WHEREAS**, it is deemed appropriate to make use of \$8,039.00 of the allowable Capital improvements for the replacement and upgrade the Air Conditioning System in the Township Municipal Building

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

- Section 1. The sum of \$8,039.00 presently located in the Capital Improvement Fund is hereby appropriated for Township Buildings.
- Section 2. In connection with the amount authorized in Section 1 hereof, the Township Committee makes the following determinations.

- A) The purpose described in. Section 1 hereof is not a Current Expense and is an improvement which the Township may lawfully take as a general capital improvement
- B) The period of usefulness of the purpose described in Section 1 hereof is not in the limitation of the Local Bond Law and the reasonable life thereof is at least five (5) years.

- Section 3. All ordinances or parts of ordinances which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.
- Section 4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

On motion by Committeeperson Mike Toretta and seconded by Committeeperson Jacob Pence the aforementioned **Ordinance 2013-5** be adopted at first reading. Final reading and adoption to take place on **May 6th, 2013 at 7:00 p.m.**

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

On motion by Committeeperson and seconded by Committeeperson the aforementioned **Ordinance 2013-5** be adopted.

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

**CERTIFICATION**

I, Denise L. Cicerelle, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on April 1st, 2013. Second reading, public hearing will be held on May 6th, 2013 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Cicerelle, Municipal Clerk

**Discussions/Approvals/Executions**

**Network Attached Storage (NAS) Device:**

The retrieval of township’s data off the Municipal Software Server and to consolidate to one through ARAE Network, which already does all of our IT work at this time. This work has been highly recommended by our IT consultant, Jean Paul Reece, to prevent overcome of recent issues with accessing data to prevent a severe issue, implementing a Network Attached Storage (NAS)

device transferring all of the township’s data onto the NAS leaving Municipal Software only with the Tax Software and data on the server

On motion by Bonnie Butler and seconded by Mike Toretta to accept the proposal as given by ARAE Network in the amount of \$4,150.00 for Network Storage Solution including the Server UPS and \$75 a month for offsite secured backups.

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

**New Village Field Project Contract:**

On motion by Mike Toretta and seconded by Jacob Pence to authorize the mayor to execute contract between the Township of Franklin and Guinta/Onembo to purchase property.

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

**Hunter Research, Inc.:**

On motion by Jacob Pence and seconded by Mike Toretta to authorize the mayor to execute the contract with Hunter Research, Archeological Consulting Services for drainage improvement project within the Morris Canal Historic District in Franklin Township.

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

**OLD BUSINESS:**

**Public Hearing and Consideration of:**

**Final Reading and Adoption of Ordinance 2013-4** (An Ordinance to release, vacate and extinguish any and all public rights in and to a portion of Millbrook Road)

On motion by Jacob Pence and seconded by Mike Toretta to open the Public Hearing.

No Public Comments

On motion by Jacob Pence and seconded by Mike Toretta to close the Public Hearing

**ORDINANCE #2013-4**

**AN ORDINANCE TO RELEASE, VACATE  
AND EXTINGUISH ANY AND ALL  
PUBLIC RIGHTS IN AND TO  
A PORTION OF MILLBROOK ROAD**

On motion by Mike Toretta and seconded by Jacob Pence to adopt the aforementioned Ordinance 2013-4.

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

Dated: April 1, 2013

**REPORTS/UPDATES**

**Attorney Report – Report on File**

**Jim Onembo – Code Enforcement/Zoning – Not present**

**Roger Bulava – Recycling**

Mr. Bulava updated committee as to Spring Clean Up will entertain proposals received at May’s meeting.

**OEM REPORT – Raymond Read – Not present**

**DPW REPORT – Report submitted – Not present**

**OPEN SPACE REPORT – No representative present**

**Franklin Township Youth Association – No representative present**

**Rescue Squad – Chief Karen Chiu**

No report submitted.

**TOWNSHIP COMMITTEE REPORTS:**

**Joe Flynn – Not present**

**Jacob Pence**

Nothing further to report.

**Sarah Payne – Not present**

**Michael Toretta**

Nothing further to report.

**Bonnie Butler, Mayor**

Nothing further to report.

**OPEN PUBLIC SESSION**

Third Street – Joan Ward requested an update. Mr. Finelli commented to Mrs. Ward that we have now gained access with the Chiu and Demasi properties. We also needed to execute a contract with an Archeological Study that was required for the Morris Canal drainage improvements. Should begin next week and take a few weeks to complete. If there are no red flags with the study we can complete the design and be able to go out to bid. Projected completion by the end of this year.

Dennis McMahon – Mr. McMahon addressed the committee as to his concerns with the building being closed early one day and then had to wait another 20 minutes for the Tax Assessor. Mayor Butler informed that after speaking with staff, the building was closed a few minutes before 4:00 to do banking for the township and the assessor had extenuating circumstances causing her to arrive that day on time. Mr. McMahon is also appealing his taxes and after filing a OPRA request is questioning why he is being excluded from some of the documents. Mayor Butler informed that our Assessor did converse with the State Tax Board advising that some of the information requested is UN-OPRA able. Attorney will follow up on this matter.

**EXECUTIVE SESSION**

BE IT RESOLVED, on this 1st day of April, 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

**CONTRACT NEGOTIATIONS**

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

THEREFORE, be it resolved on this 1st, day of April, 2013 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 7:48 pm.

On Motion by Mike Toretta and seconded by Jacob Pence to exit to executive session at 7:48 p.m. Unanimous Vote.

On motion by Jacob Pence and seconded Mike Toretta to return to the regular session at 8:15p.m. Unanimous Vote.

**MOTION FOR PAYMENT OF BILL LIST**

On motion by Jacob Pence and seconded by Mike Toretta, 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 (3) Yes	(0) No	(2) Absent Motion carried

**ADJOURNMENT**

On motion by Bonnie Butler and seconded by Jacob Pence, hearing no objection, meeting stands adjourned at 8:16 pm.

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

Respectfully submitted,

Denise L. Cicerelle  
Municipal Clerk