

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 7:10 pm on Monday, September 9, 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: Joe Flynn, Sarah Payne, Bonnie Butler

ABSENT: Jacob Pence, Mike Toretta,

Present were: Denise L. Cicerelle, Municipal Clerk, Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney, Roger Bulava, Recycle Coordinator, Jim Onembo, Zoning & Code Enforcement

CONSENT AGENDA

Minutes

The Regular Meeting Minutes of August 5, 2013, Executive Meeting Minutes of August 5, 2013 and Workshop Meeting Minutes of August 21, 2013 were accepted on motion by Sarah Payne, and seconded by Joe Flynn, Unanimous Vote.

NEW BUSINESS

Report/Update:

The New Jersey State Police had no representative present at this meeting.

First Reading/Adoption of Resolutions:

The following Resolutions were presented for adoption:

RESOLUTION 2013-64

RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF ANIMAL CONTROL OFFICER

WHEREAS, Kim Bennett is certified as an ACO, worked with the Township's prior ACO, is familiar with the Township, and is willing to perform the job.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that Kim Bennett be and hereby is appointed, effective August 5, 2013, as the Township of Franklin's Permanent Animal Control Officer at the salary established for that position in the Salary Ordinance and budget.

The within **Resolution 2013-64** was moved by Committeeperson Joe Flynn and seconded by Committeeperson Sarah Payne and upon roll call vote was passed.

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

Dated: September 9, 2013

CERTIFICATION

I, Denise L. Becton, 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 September 9, 2013.

Denise L. Becton, RMC/CMR

RESOLUTION 2013-65

**RESOLUTION AUTHORIZING THE APPOINTMENT OF
DEPUTY ANIMAL CONTROL OFFICER**

WHEREAS, Robert Lagonera is certified as an ACO, and is willing to perform the job of Deputy Animal Control Officer.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that Robert Lagonera be and hereby is appointed, effective August 5, 2013, as the Township of Franklin's Deputy Animal Control Officer at the salary established for that position in the Salary Ordinance and budget.

The within **Resolution 2013-65** was moved by Committeeperson Joe Flynn and seconded by Committeeperson Sarah Payne and upon roll call vote was passed.

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

Dated: September 9, 2013

CERTIFICATION

I, Denise L. Becton, 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 September 9, 2013.

Denise L. Becton, RMC/CMR

RESOLUTION 2013-66

**A RESOLUTION FIXING THE SALARIES OF CERTAIN OFFICERS
AND EMPLOYEES OF THE TOWNSHIP OF FRANKLIN**

BE IT ORDAINED, by the Mayor and Committee of the Township of Franklin, County of Warren and State of New Jersey, as follows, until a subsequent salary resolution is adopted

Section I. The salary for 2013 for the following employee of the Township of Franklin shall be as follows;

Title	Salary
Deputy Animal Control Officer	\$60 per call out (plus mileage)

Section II Any resolution or part of resolution inconsistent herewith is hereby repealed.

On motion by Joe Flynn and seconded by Sarah Payne the aforementioned **Resolution 2013-66** 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	(3) Yes (0) No (2) Absent	Motion Carried

CERTIFICATION

I, Denise L. Becton, 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 9th day of September, 2013.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 9th day of September, 2013.

Denise L. Becton, Municipal Clerk

Dated: September 9, 2013

RESOLUTION NO. 2013-67

WHEREAS, the State of New Jersey has applied a Homestead Rebate to Block 39 Lot 5.08, and

WHEREAS, Block 39 Lot 5.08 is Tax Exempt and this payment has caused an overpayment on this property,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 979.39 to Charles and Linda Krutulis, 44 Stewartsville Road, Stewartsville, NJ 08886.

On motion by Sarah Payne and seconded by Joe Flynn the aforementioned **Resolution 2013-67** 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	(3) Yes (0) No (2) Absent	Motion Carried

CERTIFICATION

I, Denise L. Becton, 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 9th day of September, 2013.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 9th day of September, 2013.

Denise L. Becton, Municipal Clerk

Dated: September 9, 2013

RESOLUTION NO. 2013-68

WHEREAS, the property owner of Block 34.02 Lot 3 appealed his 2012 property tax assessments to the Tax Court of New Jersey, and

WHEREAS, the Tax Court of New Jersey ruled in favor of the property owner and reduced his property tax assessment for 2012, and

WHEREAS, this reduction has caused an overpayment of taxes for 2012, and

WHEREAS, the property owner has requested that this overpayment be returned to him,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund property taxes for Block 34.02 Lot 3 in the amount of \$421.20 to Edward Adamusinski, 9 Cliffside Drive, Stewartville, NJ 08886.

On motion by Sarah Payne and seconded by Joe Flynn the aforementioned **Resolution 2013-68** 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		

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

CERTIFICATION

I, Denise L. Becton, 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 9th day of September, 2013.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 9th day of September, 2013.

Denise L. Becton, Municipal Clerk

Dated: September 9, 2013

RESOLUTION NO. 2013-69

WHEREAS, Block 61 Lot 27 has been changed to Block 61 Lot 27 Qfarm, and

WHEREAS, the amount paid by the property owner 2013 first and second quarters exceeds the yearly amount now due for this property, and

WHEREAS, there now exists an overpayment on Block 61 Lot 27 Qfarm, and

WHEREAS, the property owners have requested a refund check be issued to them,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 591.82 to Clifford Oberly, 70 Herleman Road, Stewartsville, NJ 08886.

On motion by Sarah Payne and seconded by Joe Flynn the aforementioned **Resolution 2013-69** 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		

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

CERTIFICATION

I, Denise L. Becton, 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 9th day of September, 2013.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 9th day of September, 2013.

Denise L. Becton, Municipal Clerk

Dated: September 9, 2013

RESOLUTION NO. 2013-70

WHEREAS, A tax payment was made on Block 48 Lot 4.05 for the third quarter of 2013 by the property owners and another payment by the mortgage company, and

WHEREAS, these payments have caused an overpayment on Block 48 Lot 4.05, and

WHEREAS, the property owners have requested a refund check be issued to them,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 3,400.72 to Theresa and David Gammel, 107 Mountain View Road, Asbury, NJ 08802.

On motion by Sarah Payne and seconded by Joe Flynn the aforementioned **Resolution 2013-70** 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	(3) Yes (0) No (2) Absent	Motion Carried

CERTIFICATION

I, Denise L. Becton, 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 9th day of September, 2013.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 9th day of September, 2013.

Denise L. Becton, Municipal Clerk

Dated: September 9, 2013

REPORTS

Engineer

Mr. Finelli briefed the committee as to the report submitted. The following Resolutions were adopted as follows:

**FRANKLIN TOWNSHIP
WARREN COUNTY/STATE OF NEW JERSEY
RESOLUTION; 2013-74**

A RESOLUTION OF AWARD, GOOD SPRINGS ROAD RESURFACING

Be it resolved, that on September 9, 2013 the Township Committee of the Township of Franklin adopted 2013-74 to award unit bid prices for individual construction items to perform the necessary construction to complete the Good Springs Road Resurfacing, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$152, 965.00

Be it further resolved, that the Township Committee of the Township of Franklin does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$143,775.15. The award is made to the Morris County Cooperative Pricing Council vendor, Tilcon New York, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
1,2,3	Hot Mix Asphalt (HMA) 12.5M64	1,965	TN	\$72.88	\$143,209.20

4	HMA Milling 0"-2"	343	SY	\$1.65	\$565.95
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TOTAL \$143,775.15

Be it further resolved, that the Township Committee of the Township of Franklin does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$1,712.00. The award is made to the Morris County Cooperative Pricing Council vendor, Denville Line Painting, Inc, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
5	Traffic Stripes Long Life	21,400	LF	\$0.08	\$1,712.00
					TOTAL \$1,712.00

ATTEST:

Denise L. Becton
Municipal Clerk

Bonnie Butler
Mayor

On motion by Bonnie Butler and seconded by Sarah Payne the aforementioned **Resolution 2013-74** be adopted as read.

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

CERTIFICATION

I, Denise L. Becton, 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 September 9, 2013.

Denise L. Becton, Municipal Clerk

RESOLUTION 2013-72

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, Section 2

Whereas, Franklin Township, Warren County, NJ has given Finelli Consulting Engineers the approval to submit this grant on be half 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 **MA2014-Franklin Township-00273** 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 Sarah Payne and seconded by Joe Flynn the aforementioned **Resolution 2013-72** 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	(3) Yes	(2) Absent (0) No Motion Carried

Dated: September 9, 2013

CERTIFICATION

I, Denise L. Becton, 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, September 9, 2013.

Denise L. Becton, 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. Becton)
Municipal Clerk

(Bonnie Butler) Presiding Officer
Mayor

RESOLUTION 2013-73

Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the Maple Avenue 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 **MA2014-Franklin Township-00274** 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 Sarah Payne and seconded by Joe Flynn the aforementioned **Resolution 2013-73** 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	(3) Yes (2) Absent (0) No	Motion Carried

Dated: September 9, 2013

CERTIFICATION

Certification: I, Denise L. Becton, 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, September 9, 2013.

Denise L. Becton, 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. Becton)
Municipal Clerk

(Bonnie Butler) Presiding Officer
Mayor

Open Public (Engineer's Report Only)

Barry Gleason questioned as to why we need an extension to our waterline if we can still use our wells? Engineer Finelli and Attorney Benbrook addressed the situation. The EPA is not designating mandatory hook up to the water line when it comes through. It will be the homeowners decision if you want to hook up to the water line, at no charge, if later you abandon your well and hook up, then it will be at your cost.

THIRD STREET DRAINAGE PROBLEMS (Flood Control Grant Application)

- 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. 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 previously forwarded a contract to Hunter Research for their 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. I am pleased to report that the required field work by Hunter Research was completed the week of April 15, 2013.
- Mr. James Lee from Hunter Research forwarded their final report, dated June 26, 2013, entitled “Archaeological Investigations: Morris Canal Drainage Project.” I will be forwarding an electronic copy of their report to all the Township Committee Members for their information and records. Their findings were generally of a positive nature and should not present any obstacles or delays in moving the project forward. The only changes resulting from the Hunter Research report and investigation appear to be a slight shift in the design location for a small portion of the upstream run of the storm sewer and some minor proposed grading changes within the canal prism so as to minimize the impacts to the clay liner of the prism. The next step in this process and as previously authorized would be for Hunter Research to submit their report and findings to SHPO (State Historic Preservation Office) for their approval. Mr. Lee is in the process of preparing that application at this time.
- On May 9, 2013, Kevin Benbrook, Esq. and I met with Scott DeMasi, Esq. to discuss the easement that the Township is looking to secure from the DeMasi’s relative to the new outfall to be constructed in conjunction with this project. The meeting seemed to go fairly well and I believe that all of Mr. DeMasi’s questions were answered. Mr. Benbrook recently forwarded a follow-up letter to Mr. DeMasi to inquire if there were any questions and to encourage his execution of the required easement agreement. I would defer to Attorney Benbrook for any additional information and/or update on the progress of the Township securing this small drainage easement.
- As discussed at recent Committee meetings, this project must also secure approval from the Highlands Council (based upon the fact that the canal is located within the Preservation Area) and a LURP general wetlands permit from the NJDEP. Our office continues to move forward towards securing these two (2) permits/approvals and have been in fairly consistent conversations and discussions with various NJDEP representatives regarding their requirements to secure the required permits.
- As previously mentioned to the Committee, our office had scheduled a field meeting with the DEP which took place on August 22, 2013. The meeting was on-site and attended by Donna Becker, P.E., our office, and Lou Catuna, NJDEP. As a result of the meeting, our office has been instructed to provide additional supporting calculations to the NJDEP in an effort for the DEP to better determine exactly which NJDEP permits will be required. At a minimum, it appears that we will need both Flood Hazard Area and Wetlands permits. Some of the permit requirements are directly related to the Township receiving a Highlands Preservation Area exception determination. In 2007, we applied for a Highlands exception and were denied. After the meeting, the DEP feels we should try to modify the project and apply again for the Highlands exception. FCE is looking into this course of action and will continue to advise the Committee accordingly.

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.

- Additional funding has been made available by the DEP for the completion of the required work on our WMP. At the May 6, 2013 Committee meeting, the Committee authorized our office to prepare the application forms in conjunction with this additional funding which has recently become available. Our office has completed and submitted same on May 20, 2013.
- Subsequent to the receipt of our most recent grant application, the NJDEP provided our office with comments. Via correspondence to the NJDEP, dated June 27, 2013, our office submitted a revised grant proposal in the amount of \$19,000. This grant is intended to facilitate the next phase of work on the WMP. Once approval of our grant proposal is secured, we will proceed in continuing to move forward towards the completion of the Township's WMP. I will keep the Committee apprised relative to the DEP's action on our grant proposal and the various tasks associated with the completion of the WMP.
- Via correspondence from our office, dated July 16, 2013, our office submitted the required quarterly report for the second quarter, 2013. Additionally, via separate correspondence, dated July 16, 2013, our office forwarded to Dawn Stanchina all required reimbursement documents to submit to the NJDEP for reimbursement. The amount requested was \$4,210.26 which represented fees for the second quarter of 2013.
- Via correspondence from our office to the NJDEP, dated August 23, 2013, our office submitted a close-out report associated with the Franklin Township interim WMP. At this juncture, we believe that the work required of the Township by the NJDEP has been satisfied. Any additional work that is requested by the NJDEP in conjunction with the development of a "full" WMP will be a function of the second round of grant monies which were previously applied for, but no confirmation has been received to date.

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

(No change since last month's report)

- Our office previously received notification from the NJDOT that the project has been re-inspected and approved. Our office has prepared a separate correspondence, dated May 2, 2013, which recommended final payment to Tillerman for both the previously held retainage and the installation of the Chevrons. This payment was made to Tillerman allowing our office to proceed with the final close-out of the project. We recently received the approved Change Order form from the NJDOT and a copy has been forwarded to the Township. At this juncture, based upon correspondence to the NJDOT from our office, dated May 15, 2013, we believe that all administrative aspects of the project have been completed and the Township should soon be receiving their final reimbursement of \$28,750 in the near future. As of the date of this report, we are unaware if the final reimbursement has been received by the Township.

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

- 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.
- As per my separate and prior e-mail to the Township Committee, I am very pleased to report that the Township received a grant for Good Springs Road in the amount of \$152,965. This project was discussed at the May 6, 2013 Committee meeting where it was decided that a field meeting would take place to review the conditions of the roadway. This meeting occurred on May 17, 2013 where Mike Toretta, the DPW and myself were present. During the course of our meeting and roadway inspection, we began the development of a more defined scope of work and project limits in an effort to establish a total budget for this project with the obvious consideration of the \$152,965 NJDOT grant.
- It was determined that minimal roadway reconstruction would be performed and that the DPW would do all the necessary preparation work in order to allow for the project to be constructed via utilizing the Morris County Co-Op. The DPW has been working on the required "prep." work for Good Springs Road and as of the date of our last inspection, the vast majority of all required "prep" work has been completed. The DPW has done a very commendable job with this project to date.
- At the June 3, 2013 Township Committee meeting, the Committee provided authorization to our office to move forward with the development of plans and specifications (which are still necessary as per DOT requirements even if the project is slated to be constructed via the Co-Op) in order to continue to expedite this project with the hope of having it paved some time this year.
- Our office has completed the construction plans and project specifications and a final plan set was provided to the Township Committee at the August 5, 2013 Committee meeting. Our office has also sent the plans and specifications to the NJDOT and have secured their approval. Our office has been in recent continuous communications with Tilcon regarding the scheduling of the resurfacing of Good Springs Road. At this juncture, we are awaiting final confirmation from Tilcon regarding their "exact" schedule for the overlay/resurfacing operation. We are hopeful that the resurfacing of the roadway will occur during the week of September 9, 2013 and/or September 16, 2013, at the latest. We will continue to coordinate this project with Mike Toretta and the DPW.

2014 NJDOT TRUST FUND GRANT PROGRAM

- Our office recently received a letter from the NJDOT regarding the DOT's FY2014 State Aid Programs. This year's round of applications must be submitted on or before September 20, 2013 via the SAGE system. The Township previously authorized our office to proceed with the preparation of two (2) applications for the 2014 program. Those applications are for the final section of Good Springs Road and for a portion of Maple Avenue. Draft supporting resolutions have been forwarded to Denise for approval by the Township Committee at the September 9, 2013 Committee meeting. Our office will continue developing the two (2) applications and will ensure their SAGE submittal to the NJDOT in advance of the September 20, 2013 deadline.

The following Proclamation adopted

PROCLAMATION

Constitution Week 2013

Whereas, September 17, 2013 marks the two hundred and twenty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week;

NOW, THEREFORE, I, Bonnie Butler, Mayor of the Township of Franklin, Warren County, NJ do hereby proclaim September 17 through 23, 2013 to be

CONSTITUTION WEEK

In Franklin Township, Warren County, NJ, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

PLACE SEAL HERE

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Township of Franklin, Warren County, NJ on this Ninth day of September in the year of our Lord two thousand thirteen and of the Independence of the United States of America the two hundred and thirty seventh and of the State of New Jersey.

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

The following Resolution was adopted:

RESOLUTION 2013-71

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 (8/12/13 & 8/26/13 Bi-Weekly Visit)	16	20.33	Michael & Diane D'Aries	\$130
45 Thatcher Avenue (8/12/13 & 8/26/13 Bi-Weekly Visit)	35	5	Genaro B. Rodrigues	\$ 70
6 Montana Road (8/13/13 Bi-Weekly Visit)	3	1.04	Lee & Michele Spano	\$ 65

On motion by Sarah Payne and seconded by Joe Flynn the aforementioned **Resolution 2013-71** 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	(3) Yes (0) No (2) Absent	Motion Carried

Dated: September 9, 2013

Certification

I, Denise L. Becton, 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 September 9, 2013.

Denise L. Becton, RMC/CMR
Municipal Clerk

First Reading/Introduction of Ordinances:

Ordinance 2013-10

ORDINANCE #2013-10

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

Whereas, the Township Council in the Township of Franklin in the County of Warren is of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which said Township may have in and to the portion of Whites Road that was realigned and reconstructed.

Now, Therefore, Be it Ordained by the Township Council of the Township of Franklin, County of Warren, State of New Jersey, as follows:

1. The public rights and interests in and to Whites Road, particularly described as follows are hereby vacated, abandoned and released:

See **Schedule A** attached.

2. All rights of public utilities and CATV companies are hereby expressly reserved and excepted from this vacation, including but not limited to:

Jersey Central Power & Light
 Verizon
 Consumers New Jersey Water Company
 Elizabethtown Gas
 Comcast

3. The right of first responders to continue accessing the vacated public right of way in the event of an emergency is hereby expressly reserved and excepted from this vacation.

4. This ordinance shall become effective after final passage and publication according to law and filing with the County of Warren as may be applicable.

 Bonnie Butler, Mayor

ATTEST:

 Denise L. Becton, Township Clerk

ADOPTED:

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on September 9, 2013, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on October 7, 2013 at 7 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 2093 Rt. 57, Broadway, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

 Denise L. Becton
 Municipal Clerk

On motion by Committeeperson Joe Flynn and seconded by Committeeperson Sarah Payne the aforementioned **Ordinance 2013-10** be adopted at first reading. Final reading and adoption to take place on **October 7th, 2013 at approximately 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 2013-10** 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. Becton, 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 September 9, 2013. Second reading, public hearing will be held on October 7, 2013 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

 Denise L. Becton, Municipal Clerk

ORDINANCE #2013-11

AN ORDINANCE TO AMEND
CHAPTER 135 ENTITLED "WATER"
OF THE CODE OF THE
TOWNSHIP OF FRANKLIN

BE IT ORDAINED by the Mayor and Committee of the Township of Franklin, Warren County, New Jersey that Chapter 135 of the Code of the Township of Franklin entitled "Water" be amended by the deletion of existing ARTICLE II entitled "Theft of Services" and the addition of a new ARTICLE II "Fire Hydrants", to read as follows:

SECTION I

ARTICLE II
Fire Hydrants

§135-7. Hydrants required.

A. All public water systems constructed within the Township shall be designed to support the installation of fire hydrants conforming with NFPA standards to facilitate the provision of fire protection to all areas of the Township served by public water systems.

B. All fire hydrants shall conform to NFPA standards. Fire hydrants shall have at least three outlets with National Standard Threads: one outlet shall be a four-and-one-half-inch pumper outlet, the other outlets shall be at least two-and-one-half-inch nominal size. The pumper outlet shall face the street. All outlet nozzles shall be at least 12 inches above the adjoining grade. When a concrete slab is provided around the hydrant riser, the flange where the fire hydrant connects to the riser shall be at least two inches above the adjacent grade. Service main connections from the fire hydrants shall be a minimum of six inches in diameter. A valve shall be installed on the service connections between the fire hydrants and the street mains.

C. Fire hydrants shall be tested at least once annually whether located on private property or within the public right-of-way. The Township of Franklin shall be responsible for the maintenance of all and any fire hydrants located within the right-of-way of the public streets within the Township of Franklin. Private hydrants shall be tested and maintained at the expense of the owner.

D. Fire hydrants shall be made accessible at all times.

E. No person, other than the members of the Volunteer Fire Departments or authorized agents and employees of the Township of Franklin, shall be permitted to open any fire hydrants. Only standard fire hydrant wrenches shall be used in the opening or closing of fire hydrants.

§ 135-8. Obstruction of fire hydrants; liability for damage to fire hydrants.

A. No person shall in any manner obstruct or prevent free access to, or tamper with, or injure, or damage by causing or permitting a vehicle to come in contact with any fire hydrant, or place or store temporarily or otherwise any object, material, snow, debris or structure of any kind within a distance of 10 feet of any hydrant. Any such obstruction, when discovered, may be removed at once by the Township at the expense of the person responsible for the obstruction, said expense to be imposed as a municipal lien against the property upon which any obstruction is located.

B. No person shall in any manner tamper with, injure or damage any fire hydrant. Should a fire hydrant be damaged, it shall be the responsibility of the person(s) inflicting the damage to reimburse the Township for the full cost (on a time-and-material basis) of repairing or replacing the damaged fire hydrant.

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

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

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

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Franklin in the County of Warren and State of New Jersey, held on September 9, 2013, and will be further considered for final passage after public hearing thereon at a regular meeting of said Township Council on October 7, 2013.

Dated: September 9, 2013

Denise L. Becton, Municipal Clerk

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on September 9, 2013, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on October 7, 2013 at 7 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 2093 Rt. 57, Broadway, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Denise L. Becton
Municipal Clerk

On motion by Committeeperson Joe Flynn and seconded by Committeeperson Sarah Payne the aforementioned **Ordinance 2013-11** be adopted at first reading. Final reading and adoption to take place on **October 7th, 2013 at approximately 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 2013-11** 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. Becton, 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 September 9, 2013. Second reading, public hearing will be held on October 7, 2013 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Becton, Municipal Clerk

Introduced: September 9, 2013

Adopted: October 7, 2013

DISCUSSIONS/APPROVALS

Service Experts Heating & Air Conditioning Maintenance Agreement:

On motion by Committeeperson Joe Flynn and seconded by Committeeperson Sarah Payne to approve/execute this maintenance agreement effective for one year September 1, 2013 through August 31, 2014 - \$672.

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

Replacement server for Tax and Fund Accounting Systems:

Discussion to replacing this server was tabled for further discussion, as only one quote received and could this expense be shared with the other municipalities our CFO works for.

OLD BUSINESS

Public Hearing and Consideration of:

Final Reading and Adoption of Ordinance 2013-9

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

A number of town residents were again in attendance at this meeting in opposition of dissolving our Construction Office to the State Department of Community Affairs. Addressing the township committee with their concerns as to why this department should not be dissolved. Increasing the permit fees and a reduction in salaries, in this department, is one of the ways discussed to help improve the loss of revenue in this department.

On motion by Sarah Payne and seconded by Joe Flynn to close the Public Hearing and table this ordinance until the October 7th meeting, as per Attorney Benbrook, there will be no other public notices advertising this public hearing.

**ORDINANCE NO. 2013-9
FRANKLIN TOWNSHIP
WARREN COUNTY, NEW JERSEY**

AN ORDINANCE REPEALING CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF FRANKLIN, WARREN COUNTY, NEW JERSEY, AND TRANSFERRING JURISDICTION FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM CONSTRUCTION CODE TO THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS

Reports/Updates:

Attorney – Kevin Benbrook

Attorney reviewed his report submitted with the township committee. Mayor Butler would like to have an amendment to the fence ordinance, good side of fence facing out, to have ready for first reading at next month’s meeting.

Roger Bulava – Recycling

Paper Shredding and Hazardous Material events have been completed on the county level. Solid Waste Advisory Committee Meeting, addressed a purchase of an additional 20 acres, considering to attach to the Pollution Control Authority property.

DPW REPORT – Report submitted – (Report on File as submitted) No representative present

Open Space – No representative present

Franklin Township Youth Association – No representative present

Fire Department/OEM – Chief Sonny Read – No representative present

Jim Onembo – Code Enforcement/Zoning –

Mr. Onembo updated the committee as to activities around the town. The Verizon building has been sold. Roger Woolf is putting a sizable barn up on Convey land. With respect to the existing Solar Ordinance, apparently there are residential systems for which zoning clearance is being sought, and that may exceed the kilowatt limitations of the existing Ordinance. We may want to consider raising the maximum kilowatt limitations in the Ordinance.

TOWNSHIP COMMITTEE REPORTS:

Joe Flynn –

Nothing further to report

Jacob Pence –

Absent

Sarah Payne –

Committeeperson Payne readdressed the new server for the CFO, brought up earlier in the meeting, advising that it sounds that this is necessary to keep the CFO running and her responsibilities and we should entertain this tonight. This is something that was addressed with the CFO’s software provider, MSI, and that is why only one quote was received, they will have to correct the problem.

On motion by Committeeperson Sarah Payne and seconded by Committeeperson Bonnie Butler to approve the purchase for a new server, as per quote received from Municipal Software, in the amount of \$5, 370.00.

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

Michael Toretta

Absent

Bonnie Butler, Mayor

Mayor Butler reported that the laundry bill for the DPW with G&K, has been taken care of, removing Steve Tabert’s name from the bill. Mayor Butler met with the Lieutenant Governor addressing the Flexible Spending Account and a small town waiver. Paperwork has been handed out to all employees as to the Federal Health Care Act. Mayor asked the clerk to set up a meeting with the mayors of Washington Township and Borough addressing the joint contract for the Roller/Trailer/Paver.

OPEN PUBLIC SESSION

Nothing addressed

EXECUTIVE SESSION

BE IT RESOLVED, on this 9th day of September, 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

**Litigation-Franklin Township Court dispute with Lopatcong Township
Litigation-Estate of Ashley Brandon Kraus vs. Township of Franklin
Contract Negotiations-Farming of Archives Property Block 16 Lot 9.02
Contract Negotiations-Brandywine/Carl Sigler Acquisition installment Block 26
Lots 3&8**

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 9th, day of September , 2013 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 8:59 pm.

On Motion by Joe Flynn and seconded by Sarah Payne to exit to executive session at 8:59 p.m. Unanimous Vote.

On motion by Bonnie Butler and seconded Sarah Payne to return to the regular session at 9:15 p.m. Unanimous Vote.

On motion by Sarah Payne and seconded by Joe Flynn to authorize settlement with Lopatcong Township, subject to adequate payment provisions in the amount of \$21,542.50.

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

On motion by Sarah Payne and seconded by Joe Flynn to go out to bid for the township owned farmland aka Archives Property, consistent with previous policies.

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

Attorney to get bid notice to the clerk for advertising.

MOTION FOR PAYMENT OF BILL LIST

On motion by Sarah Payne and seconded by Joe Flynn, to pay the 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 Sarah Payne and seconded by Joe Flynn, hearing no objection, meeting stands adjourned at 9:20 pm.

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

Respectfully submitted,

Denise L. Becton
Municipal Clerk

