

**REGULAR MEETING**

The Franklin Township Committee held its regular monthly meeting at 7:10 pm on Monday, October 7, 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, Jacob Pence, Mike Toretta, Bonnie Butler

Present were: Denise L. Becton, Municipal Clerk, Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney, Jim Onembo, Zoning & Code Enforcement, Raymond Read, OEM, Ronald Read, Road Foreman.

**CONSENT AGENDA**

**Minutes**

The Regular Meeting Minutes of September 9, 2013, Executive Meeting Minutes of September 9, 2013 were accepted on motion by Sarah Payne, and seconded by Bonnie Butler. Jacob Pence and Mike Toretta, Abstained.

**NEW BUSINESS**

**Report/Update:**

**New Jersey State Police**

No representative present

**Historical Commission**

**Brenda Higgins-Franklin Township Historical Commission**

April 8, 2014, Franklin Township will be 175 years old. The commission is considering a celebration and asking for the committees support with this project. Looking to mail out a flyer to township businesses and residents, Mayor Butler informed that they can add a page in with the stormwater flyer and directory that goes out in February. Also, can the commission solicit donations and hold fundraisers and charge people to attend this event? Per Attorney Benbrook yes they can, however, the funds raised must be turned into the township, accounted for by our CFO and dedicated to this event.

**FIRST READING/ADOPTION OF RESOLUTIONS**

**The following Resolutions were presented for adoption:**

**RESOLUTION 2013-75**

**APPOINTMENT OF A FUND COMMISSIONER TO THE PUBLIC ALLIANCE INSURANCE COVERAGE FUND**

**BE IT RESOLVED**, by the Township of Franklin, County of Warren , State of New Jersey, that it hereby appoints,

Jacob Pence as the Fund Commissioner and Denise L. Becton as the Alternate Fund Commissioner to the Public Alliance Insurance Coverage Fund; and

**BE IT FURTHER RESOLVED** that copies of this Resolution be forwarded to the

following:

1. Jacob Pence  
(Fund Commissioner)
2. Denise L. Becton  
(Alternate Fund Commissioner)
3. Public Alliance Insurance Coverage Fund

On motion by Mike Toretta and seconded by Joe Flynn the aforementioned **Resolution 2013-75** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
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. 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 October 7, 2013.

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

**Resolution No. 2013-76**

**RESOLUTION AUTHORIZING COMBINED SALE AND ISSUANCE OF BOND ANTICIPATION NOTES, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$397,030 GENERAL IMPROVEMENT BOND ANTICIPATION NOTES OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF WARREN, NEW JERSEY.**

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

WHEREAS, the Township has issued Bond Anticipation Notes pursuant to the following Ordinances on October 19, 2012, which mature on October 18, 2013 (the "Prior Note"); and

WHEREAS, the Township has determined to issue Bond Anticipation Notes to refund, in part with other funds of the Township the Prior Note, said Bond Anticipation Notes to be issued in an amount not to exceed \$397,030, all pursuant to the following Ordinances:

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

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

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

- a. Pursuant to Bond Ordinance No. 04-14, Notes in the principal amount of not to exceed \$10,000 for the purpose stated therein, and to redeem the Prior Note.
- b. Pursuant to Bond Ordinance No. 04-03, Notes in the principal amount of not to exceed \$32,000 for the purpose stated therein, and to redeem the Prior Note.
- c. Pursuant to Bond Ordinance No.05-12, Notes in the principal amount of not to exceed \$49,130 for the purpose stated therein, and to redeem the Prior Note.
- d. Pursuant to Bond Ordinance No.06-13, Notes in the principal amount of not to exceed \$199,500 for the purpose stated therein, and to redeem the Prior Note.
- e. Pursuant to Bond Ordinance No.07-14, Notes in the principal amount of not to exceed \$106,400 for the purpose stated therein, and to redeem the Prior Note.

Section 2. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof, and in lieu of the sale of more than one (1) issue of bonds or notes as provided for in said Local Bond Law, the issues of bonds and notes of the Township authorized pursuant to the Bond Ordinances of the Township hereinabove set forth shall be combined into one (1) issue of Notes to be sold in the aggregate amount of not to exceed \$\$397,030.

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

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

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

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

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

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

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

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

Section 8. This resolution shall take effect immediately.

On motion by Sarah Payne and seconded by Jacob Pence the aforementioned **Resolution 2013-76** be adopted as read.

<b>Roll Call Vote</b>	<b>Yes</b>	<b>No</b>	<b>Absent/Abstained</b>
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. 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 October 7, 2013.

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

**RESOLUTION 2013-77**

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

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

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

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

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

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

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

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

<u>Property Address</u>	<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Cost</u>
29 Benjamin Drive (9/09/13 & 9/23/13 Bi-Weekly Visit)	16	20.33	Michael & Diane D’Aries	\$130
45 Thatcher Avenue (9/09/13 & 9/23/13 Bi-Weekly Visit)	35	5	Genaro B. Rodrigues	\$ 70
6 Montana Road (9/04/13 & 9/16/13 & 9/13/13 Bi-Weekly Visit)	3	1.04	Lee & Michele Spano	\$195

On motion by Jacob Pence and seconded by Joe Flynn the aforementioned **Resolution 2013-77** be adopted as read.

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

Dated: October 7, 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 October 7, 2013.

Denise L. Becton, RMC/CMR  
Municipal Clerk

**Resolution 2013-78**

**WHEREAS**, The Township of Franklin advertised and subsequently received bids, for Farming of approximately 29.8 Acres known as Block 16 Lots 9.02 for a 3 year period, as outlined on the attached Summary of Bids and;

**WHEREAS**, one (1) bids were received as follows:

- 1. Roger Woolf – Woolf Farms, LLC, Washington, NJ**  
**Total Bid Amount \$ 150.00 per acre, \$4,470.00 per year**

**WHEREAS**, Kevin Benbrook, Township Attorney, has reviewed the submitted bids and determined that Roger Woolf submitted the only 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 29.8 Acres known as Block 16 Lot 9.02 for a 3 year period, be and is hereby awarded to Roger Woolf, based on the 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 October 7, 2013.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
MUNICIPAL CLERK

On motion by Sarah Payne and seconded by Jacob Pence the aforementioned **Resolution 2013-78** 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	(5) Yes (0) No (0) Absent	Motion Carried

**CERTIFICATION**

I, Denise L. Becton, 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 October 7, 2013.

\_\_\_\_\_  
Denise L. Becton, RMC, CMR  
Municipal Clerk

Dated October 7, 2013

**DISCUSSIONS/APPROVALS**

**2013 Best Practices Inventory Checklist**

Upon review of the Mayor and Township Committee, CFO, Municipal Clerk, OEM and Tax Assessor the Best Practices Checklist was acknowledged by the township committee and can be electronically submitted to Department of Community Affairs, Division of Local Government Services. This year two new answers were included as follows; prospective and not applicable. The number of questions answered “yes”, “prospective” or “not applicable” is 43 with 7 answered “no”, will allow the township to receive 100% amount of aid disbursed without any penalty.

**Possible Water Hook Up Ordinance, EPA Superfund Site**

A discussion ensued with the engineer, attorney and township committee as to the intro/adoption of this ordinance. Residents are not obligated to hook up but it is encouraged when the EPA notices those involved. The fire hydrants will be put in for free, but will have to be maintained after the water is flowing to them by the township. On behalf of the mayor and township committee the consensus is that we do NOT want the mandatory hook up for homes. Engineer Finelli will advise the EPA of this decision.

**Walls and Fences Ordinance**

A discussion ensued as to a new chapter in our code book as to walls and fences. The committee would like the ordinance to address that the good side of a wall or a fence must face out toward a neighbor. This ordinance will be placed on next month’s meeting agenda for introduction.

**OLD BUSINESS**

**Public Hearing and Consideration of:**

Final Reading and Adoption of Ordinance 2013-9

Mayor Butler inquired if Construction Department verbally agrees on a 10% pay reduction and rate modifications to construction fees and it is status quo with department, the committee would like to adjourn this matter and see how it goes in the next year or so. Walt VanLieu and Joe Rossi were they only ones present from the department, advising of said changes. Attorney Benbrook will put together an ordinance with our Construction Permit Fees, since it is not available to the public in our township code book.

**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**

On motion by Mayor Butler and seconded by Committeeperson Sarah Payne to withdrawal the aforementioned **Ordinance 2013-09** with a 10% salary reduction of the Construction Office and rate modifications adjustments accordingly.

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

**Public Hearing and Consideration of:**

**Final Reading and Adoption of Ordinance 2013-10**

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

Public Comments

Carl Sigler inquired if this will affect his entrance at the gate on Whites Road to access his portion of property.  
Karen Chiu inquired as to emergency access not being blocked.

On motion by Joe Flynn and seconded by Mike Toretta to close the Public Hearing and to table this ordinance until the following month, November 4<sup>th</sup>, 2013, for additional review by the township attorney dealing with the access for Mr. Sigler. Unanimous Vote.

**ORDINANCE #2013-10**

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

**Public Hearing and Consideration of:**

**Final Reading and Adoption of Ordinance 2013-11**

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

Public Comments

Cathy Schnorrbusch inquired as to the ordinance addressing only the hook up to water line as a homeowner

Carl Sigler inquired if this will affect his entrance at the gate on Whites Road to access his portion of property.  
Karen Chiu inquired as to emergency access not being blocked.

On motion by Joe Flynn and seconded by Mike Toretta to close the Public Hearing and to table this ordinance until the following month, November 4<sup>th</sup>, 2013, for additional review by the township attorney dealing with the access for Mr. Sigler. Unanimous Vote.

**ORDINANCE #2013-11**

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

## **Reports/Updates:**

### **Attorney – Kevin Benbrook**

Attorney reviewed his report submitted with the township committee.

### **Engineer – Mike Finelli**

Engineer reviewed his report submitted with the township committee.

### **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 on 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.
- James Lee of Hunter Research has submitted his report and findings to SHPO (State Historic Preservation Office). On September 13, 2013, SHPO replied to Mr. Lee with a letter requesting written alternatives analysis/justification for why the project needs to use the canal as the basin. FCE will be further evaluating the impacts of SHPO's request on the project. We will coordinate further with Mr. Lee as necessary and will continue to advise the Township Committee accordingly.

#### TOWNSHIP WASTEWATER MANAGEMENT PLAN

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

- 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**

- 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.
- We have recently been advised by Dawn Stanchina, CFO, that the Township has indeed received the final grant reimbursement payment of \$28,750 from the NJDOT.

**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.

**GOOD SPRINGS ROAD RESURFACING (2013 NJDOT TRUST FUND)**

- 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.
- I am very pleased to report and as I am sure everyone is aware by now, the resurfacing of Good Springs Road occurred on September 17 and 18, 2013. The project was set up as two (2) sections, the first being

the NJDOT Grant portion of the road (approximately 1.15 miles consisting of 1,996 tons at \$72.88 equating to \$145,468.48) and the second being the direct Township overlay section of the road (approximately 0.50 miles consisting of 1,010 tons at \$72.88 equating to \$73,608.80). We were able to resurface Good Springs Road from Asbury-Broadway Road to Edison Road for a distance of 1.65 miles utilizing a total of 3,006 tons of bituminous material at a total cost of \$219,077. It is important to note that this total for “blacktop” is much less than what was budgeted and resulted in the fact that very little DPW funds were needed to complete the overlay of Good Springs Road.

- At this juncture, we are moving forward with all the required NJDOT post-construction administration work along with scheduling the roadway striping and the pavement testing. We will continue to keep the Township Committee apprised as the project goes through its mandatory administrative close-out phase and as we process all required NJDOT grant reimbursement forms and associated paperwork.

#### 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. Supporting resolutions were adopted by the Township Committee at the September 9, 2013 Committee meeting.
- Our office completed the development of the two (2) applications and submitted same through SAGE in advance of the September 20, 2013 deadline. Hardcopies of each grant application were previously sent by our office to Denise for the Township records. Our office is unaware of any specific timeline associated with any award notification through this year’s Trust Fund Grant Program. We do not anticipate that any announcements will be made until early 2014.

#### POTABLE WATER MAIN EXTENSION PROJECT (POHATCONG VALLEY GW CONTAMINATION: OU2)

- As everyone is aware, this project has been moving forward for a number of months. Our office is in the process of reviewing the 30% complete design plans and will be providing a review letter on same to the EPA’s consultants, CH2MHill, in the very near future. In addition, we will be providing the EPA with a fee estimate associated with the costs to be incurred by the Township for our services as the municipality’s engineering consultant so as to allow the EPA to reimburse the Township for any “out-of-pocket” engineering expenses.
- A Fire Hydrant ordinance, as prepared by Township Attorney Benbrook, is scheduled for second reading at the October 7, 2013 Committee meeting. Adoption of this ordinance will allow the project to be designed with hydrants along the length of the water main extension so as to facilitate and significantly improve the Township’s fire protection capabilities in these areas.
- The Township Committee will also need to make a decision on whether or not the Township wishes to develop and ultimately adopt an ordinance which would require/mandate nearby properties to connect to this new potable water main once it is installed.

#### **Roger Bulava – Recycling**

Not present

#### **Jim Onembo – Code Enforcement/Zoning**

Mr. Onembo advised that the Land Use Board will be reviewing the current Solar Ordinance. The LUB would like to retain the current 15 kilowatt limit and have those seeking additional kilowatts ask the LUB for more capacity on a case-by-case basis for residential installations.

#### **DPW REPORT – Report submitted**

Good Springs Road, total completed project \$215,965, \$3000 deducted. Approximately 6 miles of road to strip cost approximately \$3000. Attorney will copy contract for joint paving equipment shared between Franklin Township, Washington Borough and Washington Township, for a meeting with the mayors.

**Open Space** – No representative present

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

**Franklin Township Rescue Squad –**

Chief Chiu nothing to report

**Fire Department/OEM – Chief Sonny Read**

FEMA reimbursements now on a web based program, a representative will meet with him to show how to use the system. Also working on an ordinance for Emergency Contacts with businesses.

**TOWNSHIP COMMITTEE REPORTS:**

**Joe Flynn –**

Nothing to report

**Jacob Pence –**

Nothing to report

**Sarah Payne –**

Nothing to report

**Michael Toretta**

Nothing to report

**Bonnie Butler, Mayor**

Mayor Butler advised of a complaint as to a dog at the soccer field, attorney will review our current ordinance and advise if an amendment is required as well as to signs posted accordingly at the field. Attorney mentioned that he is looking for any response from the township committee or our Community Center Coordinator as to the draft ordinance on facilities use. Mayor also informed that after speaking with a representative from the Department of Interior that the Flexible Spending Account, his interpretation, is this plan just needs to be offered to our employees that have health insurance and are not obligated to purchase it. The mayor will speak with the DCA to get the final word as to this matter.

**OPEN PUBLIC SESSION**

**Joe Rossi –**

A thank you to the committee, throughout this matter addressing the Construction Department, and being treated with respect.

**EXECUTIVE SESSION**

BE IT RESOLVED, on this 7th day of October, 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

**Potential Litigation-Asbury Soccer Fields**

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 7th, day of October, 2013 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 8:15 pm.

On Motion by Joe Flynn and seconded by Sarah Mike Toretta to exit to executive session at 8:15 p.m.  
Unanimous Vote.

On motion by Sarah Payne and seconded Jacob Pence to return to the regular session at 8:33p.m.  
Unanimous Vote. The executive session adjourned without action after the committee concluded, the issue is between the fire company and the FTYA and is not a matter for consideration by the mayor and committee either within or without executive session at this time.

#### **MOTION FOR PAYMENT OF BILL LIST**

On motion by Joe Flynn and seconded by Sarah Payne, to pay the bills as per bill lists submitted by the Chief Financial Officer; PK Environmental bill is to be paid out of Open Space Account.

<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	(5) Yes (0) No (0) Absent	Motion carried

#### **ADJOURNMENT**

On motion by Mike Toretta and seconded by Sarah Payne hearing no objection, meeting stands adjourned at 8:34 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	(5) Yes (0) No (0) Absent	Motion carried

Respectfully submitted,

Denise L. Becton  
Municipal Clerk

