

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 5:43 pm on Monday, March 3, 2014. Mayor Bonnie Butler opened the meeting in accordance with the "Open Public Meeting Act" Chapter 231, P.L. 1975 having been duly advertised and a copy posted in the office of the Township Clerk.

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

ROLL CALL OF COMMITTEE MEMBERS PRESENT: Bonnie Butler, Jeff DeAngelis, Jacob Pence, Joe Flynn, Mike Toretta (joined the meeting at 6:02 pm), (5) Present.

Present were: Denise L. Becton, Municipal Clerk, Anthony Ardito, Auditor, Raymond Read, OEM

Auditor Ardito addressed the committee that deferred school tax is running out. At this time we have \$554,000 left, this year we only needed \$150,000. Deferred school tax has been maintaining surplus to be used in subsequent budgets. The town will need to cut \$200,000 of expenses over the next 3 years by 2016 to "right sized" the town. We are under the 2% levy cap by \$11,000. The \$1,285,000 Bond Anticipation Note for Building/Fire Pumper/Paver issued in 2011 requires a principal payment of \$108,500 and increasing the Capital Improvement Fund by \$50,000. The committee reviewed various line items, reducing Roads Salaries and Wages and Operating Expenses by 10 – 20%. The DPW will do an analysis of time, materials and equipment, to service open space in lieu of taking this cost out of the DPW budget, allowing this road expense to be charged to Open Space Trust to maintain open space as per our Open Space Ordinance. We will be in line for the April 7th meeting to introduce the 2014 municipal budget, accordingly.

After a quick recess at 6:51 pm the meeting continued at 7:11 pm, additional present were: Kevin Benbrook, Municipal Attorney, Mike Finelli, Municipal Engineer, Roger Bulava, Recycling Coordinator, Jim Onembo, Zoning/Code Enforcement, Ron Read, DPW Foreman.

ROLL CALL OF COMMITTEE MEMBERS PRESENT: Bonnie Butler, Jeff DeAngelis, Jacob Pence, Joe Flynn, Mike Toretta, (5) Present

CONSENT AGENDA:

Minutes:

The Regular Meeting Minutes and Executive Meeting Minutes of January 6, 2014 and the On-Site 50/50 Raffle #2014-1, Franklin Township PTA, to be held on March 28, 2014 from 6-9:00 pm. were accepted on motion by Jeff DeAngelis, and seconded by Mike Toretta, Unanimous Vote.

NEW BUSINESS:

Proclamations/Resolutions:

PROCLAMATION

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

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

WHEREAS, NEA's **Read Across America**, a national celebration of reading, will be conducted on March 1, 2014, which would have been the 110th birthday of Theodor Seuss Geisel, better known as Dr.

Seuss; and

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

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Committee calls on the citizens of the Township of Franklin assure that every child is in a safe place reading together with a caring adult on March 1, 2014;

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

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

I, Denise L. Becton, Municipal Clerk, for the Township of Franklin, Warren County, NJ, hereby certify that this is a true copy of a Proclamation adopted by the Franklin Township Committee, March 3rd, 2014.

Denise L. Becton, Municipal Clerk

Dated: March 3, 2014

The following Resolution was presented for adoption:

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

RESOLUTION #2014-34

WHEREAS, the provisions of C.63, P.L.1991 (The Supplemental Municipal Property Tax Relief Act) under Section 13 required municipalities whose school tax year is on a fiscal basis to defer twenty-five (25) per cent of the maximum allowable amount and anticipate it into their budget over a four (4) year period beginning in budget year 1991, and ending in budget year 1994 as additional Municipal surplus to offset the REGIONAL property tax levy for REGIONAL purposes; and,

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin that election be made to defer school taxes as of December 31, 2013, and be reflected in the Annual Financial Statement for the year 2013 as follows:

	FY 13-14 <u>REGIONAL SCHOOL LEVY</u>	<u>MAXIMUM AMOUNT OF DEFER TAX</u>
REGIONAL SCHOOL TAX	\$3,906,105.00	\$1,953,052.50
TOTAL MAXIMUM DEFER TAX 12/31/13		1,953,052.50

LESS – DEFERRED SCHOOL TAX 12/31/12	1,308,589.98
INCREASE IN MAXIMUM DEFER TAX ALLOWABLE FOR CALENDAR YEAR 2013	\$644,462.52
ACTUAL ADDITIONAL AMOUNT DEFERRED AT 12/31/13	\$150,000.00

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a regular meeting held on March 3, 2014.

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

SEAL:

Denise L. Becton, Township Clerk

On motion by Mike Toretta and seconded by Jacob Pence the aforementioned **Resolution 2014-34** be adopted as read.

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

Dated: March 3, 2014

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 March 3, 2014.

Denise L. Becton, RMC/CMR

The following Resolution was presented for adoption:

**Franklin Township
Warren County, State of New Jersey
Resolution 2014-35**

**A Resolution Authorizing Payment In Lieu of Medical Benefits for Year
February 1, 2014 – July 31, 2014**

WHEREAS, Franklin Township fulltime regular employees received medical and benefits through the Oxford Health Benefits Plan;

WHEREAS, Franklin Township employees contribute partially towards payment of their benefits and the majority of benefits are paid by Franklin Township;

WHEREAS, Denise L. Becton, has waived the benefit package since February 1, 2014 due to spouse providing same benefits;

WHEREAS, Denise L. Becton, Municipal Clerk has requested to be compensated for such benefits in the amount of \$940.00 for February 1, 2014-July 31, 2014 benefit period;

WHEREAS, the Township Committee approves this request and recommends it be paid during the 3rd quarter of 2014 for this benefit period and the request should continue to be made on a yearly basis for consideration if still desired.

NOW, THEREFORE BE IT RESOLVED, Franklin Township Committee grants the \$940.00 payment in lieu of health benefits to Denise L. Becton.

On motion by Jeff DeAngelis and seconded by Joe Flynn the aforementioned **Resolution 2014-35** be adopted as read.

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

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 March 3, 2014.

Denise L. Becton
Municipal Clerk

The following Resolution was presented for adoption:

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

**RESOLUTION – 2014-36
BUDGET TRANSFER**

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

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

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

CURRENT FUND (Appropriation Reserves)

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Building and Grounds OE	\$2,021.97	
Legal OE		\$ 456.96
Road Maintenance OE		\$1,565.01
<hr/>		
TOTALS	\$2,021.97	\$2,021.97

On motion by Jacob Pence and seconded by Jeff DeAngelis the aforementioned **Resolution 2014-36** be adopted as read.

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

Dated: March 3, 2014

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 March 3, 2014.

Denise L. Becton, RMC/CMR

The following Resolution was presented for adoption:

RESOLUTION 2014-37

RESOLUTION AUTHORIZING DISBURSEMENT OF OPEN SPACE FUNDS FOR GREEN ACRES ACQUISITION

WHEREAS, the Township entered into a Contract to purchase property identified as Block 35, Lots 1 and 1.01 in the sum of \$160,000.00; and

WHEREAS, the purchase price is being funded in part by the County of Warren and in part by the State of New Jersey, Department of Environmental Protection, Green Acres Program; and

WHEREAS, the County has funded its portion of the purchase price, Green Acres has not yet funded its portion of the purchase price, and the Township does not wish to further delay closing of title and transfer of Deed.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, that the funds necessary to complete the acquisition of the property shall be advanced from the Township’s Open Space Trust Fund, and be it

FURTHER RESOLVED, that upon receipt of the Green Acres portion of the purchase price, said funds shall be deposited in the Open Space account, as reimbursement for the funds advanced, less any acquisition costs such as survey, title, environmental investigation and appraisals that were paid by the Township from budget line items other than the Open Space Trust Fund, and which may be reimbursed by Green Acres.

Dated: March 3, 2014

On motion by Mike Toretta and seconded by Bonnie Butler the aforementioned **Resolution 2014-37** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained	
Jeff DeAngelis	X			
Jacob Pence			X	
Joe Flynn	X			
Michael Toretta	X			
Mayor Bonnie Butler	X			
		(4) Yes	(0) No	(1) Abstained Motion Carried

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 March 3, 2014.

Denise L. Becton, RMC/CMR

The following Resolution was presented for adoption:

**WARREN COUNTY
MUTUAL AID AND ASSISTANCE AGREEMENT
BETWEEN PARTICIPATING MUNICIPALITIES AND AGENCIES**

RESOLUTION 2014-38

**AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT
WITH PARTICIPATING UNITS**

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, fire departments, EMS organizations and Fire Districts are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD- 5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App. N.J.S.A.9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act,"

N.J.A.C. 52: 14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" NJ.A.C. 5:75A et. seq., and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality to enter into a mutual aid and assistance agreement with the County of Warren and other municipalities including, but not limited to, municipal police, fire departments and EMS organizations to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Franklin Township Committee of the Township of Franklin, County of Warren and State of New Jersey as follows:
B. That the Fire Department, Rescue Squad and Office of Emergency Management of the Township of Franklin, County of Warren are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Franklin Township Committee.

C. That the Township of Franklin is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Warren County Department of Public Safety, Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

Dated: March 3, 2014

On motion by Mike Toretta and seconded by Jacob Pence the aforementioned **Resolution 2014-38** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jeff DeAngelis	X		
Jacob Pence	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 the foregoing to be a true copy of a Resolution adopted by the Franklin Township Committee at a meeting held on March 3, 2014.

Denise L. Becton, RMC/CMR

The following Resolution was presented for adoption:

RESOLUTION 2014-39

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,

Jeff DeAngelis 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. Jeff DeAngelis
(Fund Commissioner)
2. Denise L. Becton
(Alternate Fund Commissioner)
3. Public Alliance Insurance Coverage Fund

On motion by Jacob Pence and seconded by Joe Flynn the aforementioned **Resolution 2014-39** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jacob Pence	X		
Jeff DeAngelis	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 March 3, 2014.

Denise L. Becton, Municipal Clerk

The following Resolution was presented for adoption:

Resolution 2014-40

WHEREAS, The Assistant Treasurer, has brought to the attention of the township committee, said old escrow that the original applicant is unable to be located;

WHEREAS, in order for escrow monies to be released the applicant needs to be located as well as current contact information, and

WHEREAS, since the applicant has not been located,

BE IT RESOLVED, that by the Mayor and Committee authorize the Assistant Treasurer to release the following escrow as follow to the state accordingly:

Nabozny (County Square Assoc.) #50006 opened in May, 1988 escrow balance of \$40.78

NOW THEREFORE BE IT RESOLVED, escrow monies will be escheated to the state for disbursement of above escrow monies.

On motion by Jeff DeAngelis and seconded by Jacob Pence the aforementioned **Resolution 2014-40** be adopted as read.

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

Dated: March 3, 2014

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, March 3, 2014.

Denise L. Becton, RMC/CMR
Municipal Clerk

REPORT/UPDATE:

New Jersey State Police – not present

DISCUSSIONS/APPROVALS/EXECUTIONS:

Community Center Update – Eddy Patient submitted a Report for 2013, pertaining to Financials, Revenue, Issues and Proposals. Further discussion to ensue with Mr. Patient, who will be present, at the April 7th meeting.

Execution of Contract - Asbury Graphite Mills Sidewalk Agreements – Two (2) agreements were entertained this evening, one with the County of Warren and the other directly with the Mill.

On motion by Mike Toretta and seconded by Jeff DeAngelis the aforementioned Agreements be executed accordingly as submitted.

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

Notice of Presentation/Acceptance - PNC Bank, N.A. purchased BAN at a 0.97% interest rate; (Total Principal Amount \$1,176,500, dated February 19, 2014, maturing February 18, 2015, submitted to the Mayor and Committee in order to meet reporting requirements of the Local Bond Law.

On motion by Joe Flynn and seconded by Mike Toretta the BAN to be accepted by the Committee by Unanimous Vote.

OLD BUSINESS:

Public Hearing and Consideration of:

Final Reading and Adoption of Ordinance 2014-1 (An ordinance authorizing the salaries of employees and committee for the year 2014 in the Township of Franklin, County of Warren, New Jersey)

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

No Public Comments

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

Ordinance 2014-1

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

On motion by Committeeperson Jacob Pence and seconded by Committeeperson Joe Flynn the aforementioned **Ordinance 2014-1** be adopted.

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

Public Hearing and Consideration of:

Final Reading and Adoption of Ordinance 2014-2 (An ordinance to exceed the municipal budget appropriation limits and to establish a cap back for the year 2014 in the Township of Franklin, County of Warren, New Jersey)

On motion by Mike Toretta and seconded by Joe Flynn to open the Public Hearing.

No Public Comments

On motion by Mike Toretta and seconded by Joe Flynn to close the Public Hearing.

ORDINANCE 2014-2

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

On motion by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2014-2** be adopted.

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

Public Hearing and Consideration of:

Final Reading and Adoption of Ordinance 2014-3 (An ordinance supplementing and amending Chapter 55 Construction Code, Uniform; Permits Section 55-5 Fees)

On motion by Joe Flynn and seconded by Mike Toretta to open the Public Hearing.

No Public Comments

On motion by Joe Flynn and seconded by Mike Toretta to close the Public Hearing.

ORDINANCE 2014-3

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 55 CONSTRUCTION CODE, UNIFORM; PERMITS SECTION 55-5 FEES

On motion by Committeeperson Joe Flynn and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2014-3** be adopted.

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

REPORTS/UPDATES:

Attorney Report – Report on File

Attorney Benbrook briefed the committee as to some of the items on his report. The township’s spending plan has been approved by COAH, can now pay the county for rehab. Looks like we have finally closed out our Verizon account and do not owe them any money. Aaron Cela our new Open Space Advisor may come to a township meeting to further discuss the township’s intentions with the Brandywine property. Musconetcong Watershed Association’s Deed of Easement has been recorded. Mayor Butler would like for the Attorney to follow up with Washington Boro and Township as to the DPW Shared Paving Equipment, as we still have not heard from them, since the last meeting.

Engineer Report – Report on File

Mr. Finelli briefed the committee as to his report submitted below:

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.
- The various outstanding issues (NJDEP permits, Highlands exemption, SHPO requests, etc.) were discussed in some detail at the October 7, 2013 Committee meeting. Subsequent to that discussion, Mayor Butler came to our office for a meeting on October 16, 2013 to discuss all of these issues in more detail in an effort to determine the best path forward for both the Township and the project. Both myself and Donna Becker, P.E., of our office (who has been very involved with the permitting process for the project), were in attendance at the meeting with Mayor Butler. A definitive path was not determined at that meeting, but our office subsequently forwarded a bullet-point memo to Mayor Butler for her use in composing a letter and contacting upper level State Legislative representatives to hopefully and potentially facilitate the permitting hurdles presently facing both the Township and the project. As of the date of this report, I am unaware if Mayor Butler has had an opportunity to develop and forward said letter to the Legislative representatives in question. Until there is some conclusion drawn relative to the overall permitting "situation" and path forward for this project, we are not proceeding with any additional work at this time.
- Based upon the issues stated above, we proceeded to submit an updated grant reimbursement request to the NJDEP. This grant request will include costs incurred to date by the Township from both our office and Hunter Research (Jim Lee) for their work relative to the site investigation and SHPO approval. Our office has submitted the required documentation (engineer's report and voucher) to the NJDEP for reimbursement. The reimbursement package was sent to the NJDEP via cover letter from our office dated November 6, 2013.
- As per the recent permitting issues raised by Mr. Catuna, NJDEP, as previously referenced, our office has not been working on this project over the past few months. Additionally, it appears that some of the previously reported downstream impacts appear to have been mitigated to a certain degree. Based upon the two (2) above-referenced issues, we are all collectively trying to determine the best path forward for this project should the Township decide to continue to pursue same. I have spoken recently with Mayor Butler regarding this project and we both feel that a site inspection during the next torrential storm event would be appropriate to examine the existing conditions and current runoff patterns. Subsequent to that inspection, I believe we will be in a much better position to determine what path for this project is in the best interest of Franklin Township.

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.
- As previously referenced, a request for additional funding was submitted in May, 2013. No action on that grant application has been made to date. However, as per recent conversations with the NJDEP, we have been told that the 2013 grant applications previously submitted will be reconsidered for additional funding in 2014. At this point, we are “on hold” pending the final decision of the NJDEP relative to our previous grant application request. I will continue to keep the Committee apprised regarding this matter.

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.

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.
- The roadway striping has been completed. The required pavement testing has also been completed and all of the pavement testing results were satisfactory and in compliance with NJDOT specifications. After our office notified the NJDOT of the completion of the construction phase of the project, a mandatory final inspection was conducted by the NJDOT. We were recently notified that the NJDOT has taken exception with two (2) features associated with the project. The features in question include: 1.) the lack of compliant inlet grates on a number of existing inlets (it is important to note that these particular inlet grates are located well beyond the “grant section” of Good Springs Road, but are out of State Stormwater Regulatory compliance and therefore must be upgraded) and 2.) the existing concrete post and cable guiderail which is very old and out of compliance with NJDOT guiderail standards. Our office has been coordinating the retrofit of these two (2) items with the DPW in an effort to bring the project to completion and to secure final DOT approval.
- As previously discussed and subsequently authorized by the Township Committee, our office was directed to wait until 2014 for solicitation of quotes for the required guiderail upgrades per the 2014 Co-Op pricing (we were instructed by the NJDOT that the 2014 prices were significantly less than the 2013 prices and it would be prudent to wait until 2014). Minor plan edits, as requested by the NJDOT, were developed to reflect the new and upgraded guiderail sections and limits. This information was forwarded to the NJDOT for their approval. Subsequent to receipt of the NJDOT’s approval, our office will then proceed with ordering the required guiderail thru the Morris County Co-Op. Once the guiderail is installed, we will be in a position to move forward to secure project close-out approval from the NJDOT allowing the Township to receive their final grant reimbursement due for this project.
- At this juncture, we continue to move forward with compiling and submitting all the required NJDOT post-construction “paperwork” associated and required for this project. 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.

2014 NJDOT TRUST FUND GRANT PROGRAM
(No change since last month’s report)

- 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 has completed our review of the 30% complete design plans and have submitted our comments to the EPA’s consultants, CH2MHill. We have previously forwarded a fee

estimate associated with the costs to be incurred by the Township for our services as the municipality's engineering consultant to Mayor Butler for her review and approval. The fee estimate was approved by the Township Committee at the November 4, 2013 meeting and was sent by the Township to the EPA.

- A Fire Hydrant ordinance, as prepared by Township Attorney Benbrook, was adopted by the Committee 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. Township Attorney Benbrook has indicated that a copy of the Township's Fire Hydrant Ordinance has been previously forwarded to the EPA for their records and information.
- The matter of mandatory connections was discussed at some length at the October 7, 2013 Committee meeting and the consensus of the Committee seemed to be that the Township did not want to proceed with the development and adoption of an ordinance to mandate new water service connections. It is my understanding that the Township's position on this matter has been relayed to the EPA for their information.
- The location of a potential staging area for use by the EPA's contractor was discussed at the November 4, 2013 Committee meeting. The Township Committee agreed that they would offer a portion of the "Brandywine property" along Asbury-Broadway Road to the EPA for use as a staging area. It is my understanding that Mayor Butler has previously relayed this information to the EPA.

The EPA raised some questions and requested some clarification regarding the original fee estimate letter sent to them by the Township in November, 2013. Our office, via letter dated December 20, 2013, responded to the EPA in an effort to clarify our original fee estimates and answer other miscellaneous questions that were raised. As of the date of this report, we have not received any response from the EPA regarding their approval of the Township's request for engineering fee reimbursement.

Roger Bulava – Recycling

Mr. Bulava updated committee as to a one day presentation at the Franklin Township School to be scheduled. Spring Clean Up looking to have it on June 14th. Don Jon our Electronic Recycling vendor is no longer doing this, looking into other available vendors.

Jim Onembo – Code Enforcement/Zoning

Mr. Onembo updated the committee as to Mercantile Licenses, only 3-4 businesses outstanding. Some sidewalks in town addressed due to snow not being shoveled. We inherited 2 additional Group Homes, one on Willow Grove and the other on Third Street. Asbury Willows, possible purchase with multi-use. Also addressing cars and garbage cans in the street on days after a storm, makes it difficult to clear roadway with plow. Our Snow Ordinance was posted in our webpage to educate our residents, but need additional wording to address garbage cans.

DPW REPORT – Report on File

Mr. Read addressed the committee as to increase the Snow Emergency and Day Laborer Rate to \$18.00 per hour. Also would like to see the Part-Time Snow Plow Drivers paid every two weeks in lieu of every month.

Open Space Report:

No one present at meeting.

Franklin Township Youth Association:

No one present at meeting. However, Mayor Butler informed that she met with the new Youth Association President, Jim Slessinger concerning the soccer fields being seeded as well as the school field that will also need dirt and the mound reconstructed. Volunteers are available to help with this. Also, use of herbicides addressed, if not licensed our DPW can not perform this function.

Rescue Squad – Chief Karen Chiu

Ms. Chiu commented that the cookbooks are now for sale at \$10 a piece. A thank you to the DPW for clearing the squad’s parking lot in the past storms. Mayor Butler handed Ms. Chiu an ongoing EZ Pass invoice we keep getting for one of the town owned ambulances. Ms. Chiu advised that when they go to a trauma center, they just mail a letter on their letterhead advising that this was an emergency transport and not deliberate then summons is wiped out of their system.

OEM REPORT – Raymond Read – Report on File

Mr. Read advised the committee that our EOP (Emergency Operations Plan) is in the process of being approved. NJSP and OEM links have been put on our website. Our town is now registered with Nixel to receive notifications from our OEM, free of charge. 221 municipalities already registered. A check for \$1218.22 was received from FEMA for Hurricane Sandy Efforts and soon to be closed out, funds deposited into MRNA. Declared 1 State of Emergency and 3 Snow Emergencies.

Township Committee Reports:

Joe Flynn

Nothing further to report

Jacob Pence

Nothing further to report.

Jeff DeAngelis

Nothing further to report.

Michael Toretta

Nothing further to report.

Bonnie Butler, Mayor

Nothing further to report.

OPEN PUBLIC SESSION

Ms. Chiu, Squad Chief addressed the generator grant money. OEM Read advised that Warren County has an agent to assist the towns, then the money gets put together, all should be finalized by April. Mr. Read advised Ms. Chiu not to purchase a generator until all is complete.

Mark Blaszk – Snow removal in development on the “S” curve, plows didn’t get close enough to curbs, in areas, down to one lane, and hard for school buses, as well, per Ms. Chiu. Also the yellow line needs to be repainted in the development.

Committeeman DeAngelis – will work with our IT person, Jean Paul Reece as to windows XP (replacing of municipal computers) and get the cost of operating for budget.

EXECUTIVE SESSION

BE IT RESOLVED, on this 3rd day of March, 2014, by the Township Committee of the Township of Franklin and pursuant to N.J.S.A. 10:4-1, that the Township Committee shall discuss the following matter in executive session

PERSONNEL/CONTRACTNEGOTIATIONS

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

THEREFORE, be it resolved on this 3rd, day of March, 2014 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 8:17 pm.

On Motion by Jacob Pence and seconded by Mike Toretta to exit to executive session at 8:17 p.m. Unanimous Vote.

On motion by Jeff DeAngelis and seconded by Jacob Pence to return to the regular session at 8:40 p.m. Unanimous Vote.

MOTION FOR PAYMENT OF BILL LIST:

On motion by Joe Flynn and seconded by Jacob Pence, and hearing no objection, to pay bills as per bill lists submitted by the Chief Financial Officer.

Roll Call:	Yes	No	Absent/Abstained	
Michael Toretta	X			
Joe Flynn	X			
Jacob Pence	X			
Jeff DeAngelis	X			
Mayor, Bonnie Butler	X	(5) Yes	(0) No (0) Absent	Motion carried

MOTION FOR ADJOURNMENT:

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

Roll Call:	Yes	No	Absent	Abstained
Michael Toretta	X			
Joe Flynn	X			
Jacob Pence	X			
Jeff DeAngelis	X			
Mayor, Bonnie Butler	X	(5) Yes	(0) No (0) Absent	Motion carried

Respectfully submitted,

Denise L. Becton
Municipal Clerk