

## **REGULAR MEETING**

The Franklin Township Committee held its regular monthly meeting at approximately 7:07 pm on Monday, December 1, 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, Mike Toretta, Jacob Pence. (3) Present (2) Absent

**ABSENT:** Joe Flynn (joined meeting at 7:24 pm), Jeff DeAngelis (joined meeting at 7:11 pm)

Present were: Denise L. Becton, Municipal Clerk, Mike Finelli, Municipal Engineer, Kevin Benbrook, Esq., Raymond Read, OEM/911 Coordinator, Jim Onembo, Zoning & Code Enforcement Official, Roger Bulava, Recycling Coordinator.

### **CONSENT AGENDA:**

#### **Minutes:**

Regular Meeting Minutes and Executive Session Meeting Minutes of November 3, 2014 and Budget Workshop Meeting Minutes of November 17, 2014 were accepted on motion by Mike Toretta, and seconded by Jacob Pence; (3) Yes and (2) Absent; Mr. DeAngelis and Mr. Mr. Flynn. Motion Carried.

### **NEW BUSINESS:**

#### **New Jersey State Police –**

No representative present

### **RESOLUTIONS**

The following Proclamation was presented :

#### **American Education Week Proclamation**

**Whereas**, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility and equality; and

**Whereas**, schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders, and elected officials in a common enterprise.

**Now, Therefore**, I, Bonnie Butler, serving as Mayor of Franklin Township, Warren County, New Jersey, do hereby proclaim November 17 – 21, 2014 as the 93rd annual observance of American Education Week.

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 memorialized Proclamation adopted by the Franklin Township Committee, December 1<sup>st</sup>, 2014.

Denise L. Becton, Municipal Clerk

The following Resolution was presented for first reading and adoption:

**RESOLUTION 2014-70**

**APPOINTMENT OF MUNICIPAL COURT JUDGE**

**WHEREAS**, there exists a need for a Municipal Court Judge, to perform duties of the Franklin Township Municipal Court, located in Columbia, New Jersey; and

**WHEREAS**, Franklin Township will be sharing a Municipal Court with the Township of Knowlton; and

**WHEREAS**, the appointment is required at the expiration of a three year term,

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Franklin, County of Warren, State of New Jersey, to approve the appointment of Judge Dominick Santini, Esquire, be appointed for the term January 1, 2015 through December 31, 2017 for the Franklin Township Municipal Court.

On motion by Bonnie Butler and seconded by Mike Toretta to approve **Resolution 2014-70** be adopted as read. Introduced and Approved on December 1, 2014.

| Roll Call Vote   | Yes | No | Absent/Abstained |
|--|-----|----|------------------|
| Bonnie Butler  | X   |    |                  |
| Joe Flynn  |     |    | X                |
| Jeff DeAngelis   |     |    | X                |
| Michael Toretta  | X   |    |                  |
| Jacob Pence  |     |    | X                |
| (2) Yes (0) No (2) Absent (1) Abstained Motion Carried |     |    |                  |

The following Resolution was presented for first reading and adoption :

**RESOLUTION 2014-71**

**HEALTH BENEFITS  
EMPLOYEE REIMBURSEMENT FOR PRESCRIPTION DRUGS**

**WHEREAS**, the new Health Insurance Policy increased significantly, effective August 1<sup>st</sup>, 2014, the Township Committee has agreed to reimburse, already covered full time employees, for out of pocket expenses, for prescription drugs;

**WHEREAS**, each employee shall submit a monthly voucher, not to exceed \$150.00, for reimbursement of prescription drugs,

**AND THEREFORE**, this out of pocket expense, shall be retroactive, effective August 1, 2014 and continue until July 31, 2015,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, hereby agrees to reimburse, already covered full time employees, for the significant increase for prescription drugs, out of pocket expenses due to the new Health Insurance Policy.

On Motion by Jacob Pence and seconded by Mike Toretta the aforementioned **Resolution 2014-71** be adopted as read.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b>         | <b>Absent/Abstained</b> |
|-----------------------|------------|-------------------|-------------------------|
| Jeffrey DeAngelis     |            |                   | X                       |
| Joe Flynn             |            |                   | X                       |
| Jacob Pence           | X          |                   |                         |
| Michael Toretta       | X          |                   |                         |
| Mayor Bonnie Butler   | X          | (3)Yes (2) Absent | Motion carried          |

The following Resolution was presented for first reading and adoption :

#### **RESOLUTION 2014-72**

#### **AUTHORIZATION OF OPEN SPACE TRUST FUND MONIES FOR USE BY THE FTYA TO MAINTAIN AND REPAIR MUNICIPAL ATHLETIC FIELDS**

**WHEREAS**, the Franklin Township Youth Association has brought to the attention of the township committee the urgency to repair and maintain municipal athletic fields,

**WHEREAS**, the township committee finds it appropriate that these expenses fall within Category 2A of the Open Space Trust Fund Ordinance 99-6 for development of recreational properties,

**AND THEREFORE**, this expense shall be available to the FTYA for their use to repair and maintain municipal athletic fields in 2015, effective January 1, 2015 through December 31, 2015,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, hereby agrees to authorize the Chief Financial Officer to release up to \$26,000 for the above purposes.

On Motion by Jacob Pence and seconded by Bonnie Butler the aforementioned **Resolution 2014-72** be adopted as read.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b>                       | <b>Absent/Abstained</b> |
|-----------------------|------------|---------------------------------|-------------------------|
| Jeffrey DeAngelis     |            |                                 | X                       |
| Joe Flynn             |            |                                 | X                       |
| Jacob Pence           | X          |                                 |                         |
| Michael Toretta       | X          |                                 |                         |
| Mayor Bonnie Butler   | X          | (3)Yes (1) Absent (1) Abstained | Motion carried          |

The following Resolution was presented for first reading and adoption :

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

#### **RESOLUTION – 2014-73 BUDGET TRANSFER**

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

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

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

**CURRENT FUND**

| <u>Account:</u>           | <u>From:</u>       | <u>To:</u>         |
|---------------------------|--------------------|--------------------|
| Solid Waste Collection OE | \$ 6,500.00        |                    |
| Engineering OE            | \$10,000.00        |                    |
| Administration OE         | \$ 5,000.00        |                    |
| Buildings & Grounds OE    |                    | \$ 6,500.00        |
| Roads and Streets SW      |                    | \$ 15,000.00       |
| <b>TOTALS</b>             | <b>\$21,500.00</b> | <b>\$21,500.00</b> |

On Motion by Mike Toretta and seconded by Jacob Pence the aforementioned **Resolution 2014-73** be adopted as read.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b>     | <b>Absent/Abstained</b>      |
|-----------------------|------------|---------------|------------------------------|
| Jeffrey DeAngelis     | X          |               |                              |
| Joe Flynn             |            |               | X                            |
| Jacob Pence           | X          |               |                              |
| Michael Toretta       | X          |               |                              |
| Mayor Bonnie Butler   | X          | (4)Yes (0) No | (1) Absent    Motion carried |

**DISCUSSIONS/APPROVALS/EXECUTIONS:**

**Warren County Economic Development Advisory Committee**

The Warren County Board of Chosen Freeholders requests the township to establish an Economic Development Advisory Committee within our township to coordinate with the Warren County Economic Development Advisory Council. At this time no one has been able to commit to the time to dedicate to this.

**Access and Cooperation Agreement to 9 Bryan Road, Block 16, Lot 21-Proposed Monitoring Well Installation**

Attorney Benbrook has received the amended agreement and at this time finds no exception for the mayor and municipal clerk to execute this agreement. Sam Santini, in attendance at this meeting, has had no past problems with the wells with his crops.

On Motion by Jacob Pence and seconded by Mike Toretta that the aforementioned agreement with Environ be executed accordingly.

| <b>Roll Call Vote</b> | <b>Yes</b> | <b>No</b>     | <b>Absent/Abstained</b>      |
|-----------------------|------------|---------------|------------------------------|
| Jeffrey DeAngelis     | X          |               |                              |
| Joe Flynn             |            |               | X                            |
| Jacob Pence           | X          |               |                              |
| Michael Toretta       | X          |               |                              |
| Mayor Bonnie Butler   | X          | (4)Yes (0) No | (1) Absent    Motion carried |

OLD BUSINESS:

PUBLIC HEARING:

TOWNSHIP OF FRANKLIN  
COUNTY OF WARREN  
STATE OF NEW JERSEY

ORDINANCE 2014-8

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, WARREN COUNTY,  
NEW JERSEY BY AUTHORIZING THE TOWNSHIP AND VOLUNTEER  
EMERGENCY SERVICES TO CLEAN UP OR ABATE DISCHARGES OF  
HAZARDOUS SUBSTANCES AND TO OBTAIN REIMBURSEMENT FOR  
TIME AND MATERIALS EXPENDED IN CLEANING UP OR ABATING  
ANY SUCH DISCHARGES

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

No Public Comments

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

On motion by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2014-8** be adopted.

| Roll Call Vote  | Yes | No      | Absent/Abstain |                                |
|-----------------|-----|---------|----------------|--------------------------------|
| Bonnie Butler   | X   |         |                |                                |
| Joe Flynn       |     |         | X              |                                |
| Jeff DeAngelis  | X   |         |                |                                |
| Michael Toretta | X   |         |                |                                |
| Jacob Pence     | X   | (4) Yes | ( ) No         | (1) Absent      Motion carried |

REPORTS/UPDATES:

**Attorney Report – Report on File**

Attorney Benbrook updated the committee as to the Comcast Franchise Renewal. Attorney is waiting to hear from Charles Smith for a draft ordinance and to review free services contributing to the township’s overall wellbeing. Also, the attorney and Committeeman Pence reviewed the property on Beidleman Road, this is a con-conforming undersized lot located in the RC Zone and would probably need a use variance to build a house on it. The easiest and cheapest way would be to offer this property to contiguous property owners if they would be interested if not auction it off. The attorney and Committeeman Pence will look into this property further whether this property is on a private road vs. an abandoned road and whether the lot would be buildable or not.

**Engineer Report – Report on File (see below)**

Mr. Finelli briefed the committee as to the report, submitted below. Quick update as to the Good Springs Road Project, pushing this off until next year. Further discussion to ensue next year. Mayor Butler updated the committee as to personally meeting Cindy Randazzo of the NJDEP last week, when she stopped into the municipal building. Mayor Butler and Committeeman Toretta briefed Ms. Randazzo, as to the Third Street Flood Control Project. They both feel confident that they made some positive progress to finalizing this.

### 1. Good Springs Road, Section II

(No change since last month's Report.)

- At the May Township Committee Meeting, the Committee awarded the contract for the guiderail work to Ficor, Inc. in conjunction with the Township's attempt to both complete the project and close out the grant in order to secure the final reimbursement due the Township. The guiderail was installed on 6/11/14.
- Our office has moved forward with the close-out of the grant through the NJDOT. The final close-out documents were sent to the NJDOT on 7/3/14. The Township is now in a position secure their final reimbursement in the amount of \$ 43,849.64. Please note that our grant reimbursement amount increased by approximately \$5,600 as a result of the installation of the guiderail.
- The final approved and fully executed Change Orders were received from the NJDOT by our office on 7/30/14. Copies were forwarded to the Township for their records. At this point, the Project is 100% officially done and closed out. The Township should receive their final reimbursement check of \$43,849.64 in the very near future, if they haven't already.

### 2. 2014 NJDOT Trust Fund Program: Good Springs Road, Section III

- I am pleased to report that the Township was successful in receiving another grant through this program. Notice was recently received that the Township was awarded a grant in the amount of \$115,000.00 for the final section of Good Springs Road.
- The project was discussed at the July 7, 2014 Committee Meeting where the Committee authorized our office to proceed with the development of plans and specs with the hope of having the project constructed in 2014. We have completed all of the Field Survey Work, developed the Project Base Maps, and have completed the Construction Plans and Project Bid Specifications. All of the required information (Plans, Specs, Engineer's Estimate, Engineer's Certification, etc.) has been forwarded to the NJDOT.
- As you are aware, this Project will be constructed via the Morris County Co-Op. Schifano Paving is the Paving Contractor through the Morris County Co-Op in 2014. We have called them and have asked to be placed on their schedule. A "walk through" was conducted with Schifano on Wednesday, October 8, 2014. At that time, Schifano indicated that their schedule was such that the paving would occur during the last week of October (at the earliest), or either the first or second week of November (at the latest).
- Schifano's paving schedule and Driveway Treatment Extras were discussed at some length at the November 3, 2014 TC Meeting. Based upon both the time of year and the potential for a new Co-Op Paving Contractor in 2015, the Township Committee decided to hold off on proceeding with the Project in 2014. I notified Schifano and the DOT of same and they both understood and accepted the Township's decision. As per our Grant Agreement with the NJDOT, we have until December, 2015 to award a Contract on this Project. I will assume that we will want to get this work completed in the spring of 2015. I am sure we will continue to speak about this Project in the next few months leading up to spring, 2015.

### 3. 2015 NJDOT Trust Fund Grant Program Applications

(No change since last month's Report.)

- Our Office has received a copy of a letter from the NJDOT regarding the FY 2015 State Aid Programs. One of the Programs again being offered is the traditional "Municipal Aid Program". This is the Program which the Township has had much success and has utilized for the paving of numerous Municipal Roadways over the past number of years. This year's Application(s) are due on or before October 14, 2014, and must be submitted via SAGE. Last year, the Township submitted two Applications: one for Good Springs Road, Section III, and one for Maple Avenue.

- At the September 8, 2014 Township Committee Meeting, the Committee authorized our Office to prepare a Grant Application for Maple Avenue through the 2015 Trust Fund Program. We had prepared a Resolution (#2014-61) which was forwarded to Denise and was approved at the October 6, 2014 Committee Meeting.
- The Application for Maple Avenue was submitted to the DOT on October 9, 2014, in advance of the October 14, 2014 deadline. At this juncture there is no date established as to when the Grant Award Notices would be published by the NJDOT.

#### 4. Township Wastewater Management Plan (WMP).

(No change since last month's Report.)

We have been advised in a June 16, 2014 email from NJDEP that there are three (3) options with regard to the most recent grant allotment received for \$19,000 via correspondence from the NJDEP dated, 2/12/14.

a. Don't accept the grant and don't do any additional work and see what comes out of the new Waster Management Planning Act regulations.

b. Submit a new scope of work which includes a request for funding for septic density zoning.

c. Complete septic density zoning without funding from the State.

- This matter was discussed at the July 7, 2014 TC Meeting, and the Committee decided to choose Option "a" as outlined above. Based upon that decision, our office, via letter dated July 15, 2014 notified the NJDEP of the Township's decision. A copy of this letter was provided to the Township for their information and records.

#### 5. Third St. Drainage/Flood Control Grant Project

- This project was discussed at the July 7, 2014 TC Meeting, specific to the Township rendering a decision on moving forward with the Project or not based primarily upon the DEP's site inspection from last year and the various regulatory and permitting issues they have raised. It was agreed that Committeeman Jacob Pence, Mayor Butler and our office would meet "off-line" to review the Project in greater detail. The purpose was to evaluate the best path forward for the Township as it relates to this Grant, the various regulatory hurdles we are facing, and the need to improve the drainage conditions in this area. This meeting occurred on July 11, 2014. Mayor Butler updated the Committee in more detail regarding this project at the August 4, 2014 Committee Meeting. After the discussion, it was determined that Mayor Butler would continue to follow up on this Project with State Level Elected Officials and/or the Attorney General's Office. I am sure that Mayor Butler will provide an update at the appropriate time.
- I received a call from Mayor Butler, who advised me that Cindy Randazzo, NJDEP, had recently stopped in the Municipal Building while she was "making her rounds" to various Municipalities in the State. Mayor Butler happened to be at the Municipal Building, and it is my understanding that Mayor Butler talked to Ms. Randazzo about this Project, and the Permitting obstacles and issues that have been confronting this Project over the past year or more. I would look to Mayor Butler for an update on any course of action that Ms. Randazzo may have discussed with Mayor Butler.

#### **Roger Bulava – Recycling**

Mr. Bulava briefed the committee as to a road side clean up done by the Boy Scouts and the Explorers, if successful, when applying for the Clean Communities grant, the township will match the grant monies.

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

Mr. Onembo briefed the committee that he will be attending the Highlands Exempt Training on December 12<sup>th</sup>, Engineer Finelli also attending. Attorney Benbrook will review the draft ordinance.

The Health Department has visited Rossini’s Market as to their garbage and rancid meat. Paper Alleys need to be clean up in the New Village area. Attorney Benbrook will look into 2 properties that may be donated to the township. The Cherrybrook building purchase, looks positive to go through and there is still interest in the property out by Rt. 78. Also, looking into an issue with bamboo on Buttermilk Bridge road, just reported today.

**DPW REPORT –**

Mr. Read not in attendance at this meeting, no report filed.

**Open Space Report:**

No one present

**New Jersey State Police:**

A trooper arrived and opened the floor to the committee and public present for any concerns, hearing no concerns. The municipal clerk will reach out to Debbie Hirt of the NJDEP looking for an update on the Rt. 57 bridge reconstruction project.

**Rescue Squad – Chief Karen Chiu**

Chief Chiu invited all to attend the tree lighting ceremony Friday, December 5<sup>th</sup> at 6:00 pm and noted that the fire department put the lights on the tree this afternoon.

**OEM REPORT – Raymond Read**

Mr. Read updated the committee that the Generator Grant is still a work in progress. The fire department was extremely busy over the Thanksgiving holiday. A concern was raised as to private bridges, located in our township, as to who is responsible to inspect and maintain them. After responding to a fire call on Halfway House Road.

**TOWNSHIP COMMITTEE REPORTS:**

**Jeff DeAngelis**

Committeeman DeAngelis informed the committee as to the Emergency Services Accident and Disability Policy, an increase of \$3 for next year.

On motion by Bonnie Butler and seconded by Joe Flynn, to authorize Committeeman DeAngelis to renew this policy accordingly.

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

**Jacob Pence**

Nothing further to report.

**Michael Toretta**

Nothing further to report.

**Joe Flynn**

Nothing further to report.



**Bonnie Butler, Mayor**

Mayor Butler would like to request from the Chief Financial Officer, prior to February 15<sup>th</sup>, 2015, grant reimbursement status for the DEP, DOT, EPA and the Highlands. The township committee agreed to this letter.

**OPEN PUBLIC SESSION**

Jim Onembo – Mr. Onembo inquired as to possibly using some Open Space funds for a running track on the Smith Field property across from the Franklin Township School. This would satisfy some recreational needs in the township as well as a gravel lot to alleviate for over flow parking at the school, as needed. Committeeman Pence will take this to the Open Space meeting for further discussion.

Jim Schlessinger, FTYA – Mr. Schlessinger informed the committee as to nothing new this month.

Karen Chiu – Ms. Chiu inquired as to where we are at on the Third Street Drainage project.

**EXECUTIVE SESSION**

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

**Contract Negotiations**

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

THEREFORE, be it resolved on this 1st, day of December, 2014 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 7:59 pm.

On Motion by Jeff DeAngelis and seconded by Jacob Pence to exit to executive session at 7:59 p.m. Unanimous Vote.

On motion by Jacob Pence and seconded Mike Toretta to return to the regular session at 8:05 p.m. Unanimous Vote.

**MOTION FOR PAYMENT OF BILL LIST:**

On motion by Jeff DeAngelis and seconded by Jacob Pence, and hearing no objection, to pay bills as per bill lists submitted by the Chief Financial Officer, excluding the invoice from Finelli Consulting Engineers, \$60.00 of this check should be cut from the Open Space Account in lieu of the entire bill being paid out of the General Account.

| <b>Roll Call:</b>    | <b>Yes</b> | <b>No</b>                 | <b>Absent/Abstained</b> |
|----------------------|------------|---------------------------|-------------------------|
| 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 8:07 pm.

| <b>Roll Call:</b>    | <b>Yes</b> | <b>No</b>                 | <b>Absent/Abstained</b> |
|----------------------|------------|---------------------------|-------------------------|
| 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