

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting and called to order at approximately 7:08 pm on Monday, April 6, 2015. 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, Joe Flynn, Jacob Pence, Mike Toretta (4) Present, Committeeman Jeff DeAngelis (joined the meeting at 7:24 pm)

Present were: Denise L. Becton, Municipal Clerk, EM, Kevin Benbrook, Municipal Attorney, Mike Finelli, Municipal Engineer, Roger Bulava, Recycling Coordinator, Ronnie Read, DPW Foreman.

CONSENT AGENDA:

Minutes:

The Regular Meeting Minutes and Executive Session Meeting Minutes of March 2, 2015, were accepted on motion by Jacob Pence, and seconded by Mike Toretta, Unanimous Vote. (1) Jeff DeAngelis, absent

NJSP

A trooper was present at this meeting, hearing no questions or concerns from the township committee and/or public present.

NEW BUSINESS:

The following Resolutions and Proclamation were presented for adoption:

PROCLAMATION:

PROCLAMATION commending Northwest NJ Community Action Partnership, Inc. (NORWESCAP) upon the occasion of celebrating the 50th Anniversary of Community Action

WHEREAS, It is the sense of this Legislative Body to recognize that the quality and character of life in the communities across northwestern New Jersey are reflective of the concerned and dedicated efforts of the organization and individuals that are devoted to the welfare of the community and its citizenry; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to commend NORWESCAP, upon the occasion of celebrating their 50th Anniversary of serving the community.

WHEREAS, Since 1965, Northwest NJ Community Action Partnership, Inc. (NORWESCAP) has been providing invaluable and outstanding service to the citizens; and

WHEREAS, NORWESCAP is one of 23 Community Action Agencies in New Jersey State, and one of over 1,000 nationwide founded on a common purpose: to support low-income households as they develop their abilities to be self-supporting and develop family and community relationships that will sustain self-reliance; and

WHEREAS, Community Action was born out of the Equal Opportunity Act of 1964 that was initiated by President John F. Kennedy and brought to fruition by President Lyndon B. Johnson who, during a memorable State of the Union address 50 years ago, declared unconditional war on poverty; the Economic Opportunity Act was signed into law on August 20, 1964, and not only spurred the birth of

Community Action, but also inspired the introduction of Head Start one year later; and

WHEREAS, NORWESCAP was created through these efforts and;

WHEREAS, Half a century later, NORWESCAP operates fifteen major programs: has grown to 270 full and part-time employees and more than 30,000 individuals are served each year through a multitude of anti-poverty services; and

WHEREAS, NORWESCAP is a community leader; its positive action changes people's lives, embodies the spirit of hope, improves communities, and makes New Jersey a better place in which to live; and

WHEREAS, It is the sense of this Legislative Body that when organizations and individuals of such noble aims and accomplishments are brought to our attention, they should be recognized and applauded by all the citizens of New Jersey; now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to commend the Northwest NJ Community Action Partnership, Inc. (NORWESCAP), upon the occasion of celebrating the 50th Anniversary of Community Action; and be it further

RESOLVED, that a copy of this Resolution, suitably endorsed, be transmitted to Northwest NJ Community Action Partnership of Phillipsburg, Inc.

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, April 6th, 2015.

Denise L. Becton, Municipal Clerk

Dated: April 6, 2015

RESOLUTION:

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

RESOLUTION 2015-36

**RESOLUTION AUTHORIZING THE MAYOR TO AMEND APPOINTMENTS TO THE OPEN
SPACE COMMISSION**

WHEREAS, the Franklin Township Committee has deemed it necessary to appoint the following members to the Open Space Commission that shall be appointed by the Mayor of the Township of Franklin.

Brad Sigler- Alt #2	1 yr.	exp. 12/15
Richard Herzer (unexpired term)	3 yr.	exp. 12/15
Bill Rymon	1 yr.	exp. 12/15

On Motion by Mike Toretta and seconded by Bonnie Butler the aforementioned **Resolution 2015-36** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jeffrey DeAngelis			X
Joe Flynn	X		
Jacob Pence			X
Michael Toretta	X		
Mayor Bonnie Butler	X	(3) Yes (0) No	(1) Absent (1) Abstained Motion carried

CERTIFICATION

I, **Denise L. Becton**, certify this to be a true copy of a Resolution memorialized by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, April 6, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

FIRST READING/INTRODUCTION OF:

ORDINANCE 2015-7

Franklin Township

ORDINANCE #2015-7

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN FRANKLIN TOWNSHIP, NEW JERSEY.

BE IT ORDAINED BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, AND STATE OF NEW JERSEY, THAT CHAPTER A160 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED, "CABLE TELEVISION FRANCHISE," BE AND HEREBY IS REPLACED IN ITS ENTIRETY WITH A NEW FRANCHISE ORDINANCE AS FOLLOWS:

SECTION I.

**CHAPTER A160
CABLE TELEVISION FRANCHISE**

A160-1 PURPOSE OF THE ORDINANCE

The municipality hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the municipality, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Municipality of a cable television and communications system.

A160-2 DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Town" or "Municipality" is the Franklin Township, County of Warren, State of New Jersey.

- b. "Company" is the grantee of rights under this Ordinance and is known as Comcast of Comcast of Northwest New Jersey, LLC
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Municipality currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

A160-3 STATEMENT OF FINDINGS

Public hearings conducted by the municipality, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the public, and the municipality, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

A160-4 DURATION OF FRANCHISE

The non-exclusive Municipal Consent granted herein shall expire 15 years from the date of expiration of the previous Certificate of Approval issued by the Board.

In the event that the Municipality shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Municipality shall have the right to petition the OCTV, pursuant to N.J.S.A. 48:5A-47, for appropriate action, including modification and/or termination of the Certificate of Approval; provided however, that the Municipality shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

A160-5 FRANCHISE FEE

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Municipality or any higher amount required by the Act or otherwise allowable by law, whichever is greater.

A160-6 FRANCHISE TERRITORY

The consent granted under this Ordinance to the renewal of the franchise shall apply to the entirety of the Municipality and any property subsequently annexed hereto.

A160-7 EXTENSION OF SERVICE

The Company shall be required to proffer service to any residence or business along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. The Company's Line Extension Policy, as set forth in the Company's Application, shall govern any extension of plant beyond the Primary Service Area.

A160-8 CONSTRUCTION REQUIREMENTS

Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work.

Relocation: If at any time during the period of this consent, the Municipality shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Municipality, shall remove, re-lay or relocate its equipment, at the expense of the Company.

Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the municipality so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

A160-9 CUSTOMER SERVICE

In providing services to its customers, the Company shall comply with N.J.A.C. 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service and shall be prepared to report on it to the municipality upon written request of the Municipality Administrator or Clerk.

- a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.
- b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.
- c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association (NCTA).
- d. Nothing herein shall impair the right of any subscriber or the Municipality to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is permitted under law.

A160-10 MUNICIPAL COMPLAINT OFFICER

The Office of Cable Television is hereby designed as the Complaint Officer for the Municipality pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5. The Municipality shall have the right to request copies of records and reports pertaining to complaints by Municipality customers from the OCTV.

A160-11 LOCAL OFFICE

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. Such a business office shall have a publicly listed toll-free telephone number and be open during standard business hours, and in no event (excepting emergent circumstances) less than 9:00 A.M. to 5:00 P.M., Monday through Friday.

A160-12 PERFORMANCE BONDS

During the life of the franchise the Company shall give to the municipality a bond in the amount of twenty-five thousand (\$25,000.00) dollars. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

A160-13 SUBSCRIBER RATES

The rates of the Company shall be subject to regulation as permitted by federal and state law.

A610-14 PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS

- a. The Company shall continue to provide residents with a system-wide public access channel maintained by the Company. Qualified individuals and organizations may utilize public access for the purpose of cablecasting non-commercial access programming in conformance with the Company's published public access rules.
- b. The Company shall continue to provide a system-wide leased access channel maintained by the Company for the purpose of cablecasting commercial access programming in conformance with the Company's guideline and applicable state and federal statutes and regulations.
- c. The Company shall take any steps that are necessary to ensure that the signals originated on the access channels are carried without material degradation, and with a signal whose quality is equal to that of the other standard channels that the Company transmits.
- d. The Communications Act of 1934, as amended (47 U.S.C. §543(b)(4)), allows the Company to itemize and/or identify the amount on the monthly bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, educational, and governmental channels, or the use of such channels or any other services required under the franchise. The Company reserves its external cost, pass-through rights to the extent permitted by law.

A160-15 COMMITMENTS BY THE COMPANY

- a. The Company shall provide standard installation and basic cable television service on one (1) outlet at no cost to each school in the Municipality, public and private, elementary, intermediate and secondary, provided the school is within 200 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials and equipment, plus labor basis by the Municipality. Monthly service charges shall be waived on all additional outlets, except for equipment.
- b. The Company shall provide standard installation and basic cable television service at no cost on one (1) outlet to the Municipal Building and one outlet in each police, fire, emergency management facility and public library in the Municipality, including the following facilities: Department Public Works, 172 Asbury-Broadway Road; Rescue Squad, 25 Asbury Road; Fire Stations, 2176 Rt. 57; New Village 37 Second Street; and Asbury, 410 Old Main Road, provided each facility is located within 200 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials and equipment, plus labor basis by the Municipality. Monthly service charges shall be waived on all additional outlets, except for equipment.
- c. Within 6 months of the issuance of a renewal Certificate of Approval (COA) from the Board, the Company shall provide to the Municipality a one-time grant for local access related needs in the amount of \$20,000.

A160-16 EMERGENCY USES

The Company will comply with the Emergency Alert System (“EAS”) rules in accordance with applicable state and federal statutes and regulations.

The Company shall in no way be held liable for any injury suffered by the municipality or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television system as contemplated herein.

A160-17 LIABILITY INSURANCE

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of \$1,000,000 covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of \$5,000,000.

A160-18 INCORPORATION OF THE APPLICATION

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with applicable State or Federal law.

A160-19 COMPETITIVE EQUITY

Should the Municipality grant a franchise to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. 14:17-6.7.

A160-20 THIRD PARTY BENEFICIARIES

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

A160-21 EFFECTIVE DATE

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

SECTION II.

Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION III.

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

SECTION IV.

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

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Franklin in the County of Warren and State of New Jersey, held on April 6, 2015, and will be further considered for final passage after public hearing thereon at a regular meeting of said Township Council on May 4, 2015.

Dated: _____

Denise L. Becton, Clerk

On motion by Committeeperson Jacob Pence and seconded by Committeeperson Joe Flynn the aforementioned **Ordinance 2015-7** be adopted at first reading. Final reading and adoption to take place on May 4, 2015 at 7:00 p.m.

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

On motion by Committeeperson
by Committeeperson
ordinance be adopted at final reading.

and seconded
the aforementioned

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

CERTIFICATION

I, Denise L. Becton, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on April 6, 2015. Second reading, public hearing will be held on May 4, 2015 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Becton, RMC/CMR

Introduction of Resolutions 2015-37 – 40

2015 Municipal Budget (By Title Only)

RESOLUTION 2015-37:

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

RESOLUTION #2015-37

WHEREAS, the 2015 Local Municipal Budget was introduced on the 6th day of April, 2015; and,

WHEREAS, during the fiscal year 2015 the Township of Franklin has been allocated a state grant for various programs in the amount of \$131,016.00

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2015 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:**"

Recycling Tonnage Grant – Prior Year	\$ 1,563.00
Clean Communities Program – Prior Year	10,657.00
NJDOT Grant - Good Springs Road Section II	115,000.00
Municipal Alliance on Alcoholism & Drug Abuse	<u>3,796.00</u>
	<u>\$ 131,016.00</u>

On Motion by Joe Flynn and seconded by Jacob Pence the aforementioned **Resolution 2015-37** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Jeffrey DeAngelis			X
Joe Flynn	X		
Jacob Pence	X		
Michael Toretta	X		
Mayor Bonnie Butler	X		

(4)Yes (0) No (1) Absent Motion carried

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held in the Municipal Building, on April 6, 2015.

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

SEAL:

Denise L. Becton, Township Clerk

RESOLUTION 2015-38:

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

RESOLUTION-#2015-38

WHEREAS, the Township of Franklin is holding a meeting on April 6, 2015, for the purpose of introducing the 2015 Municipal Budget and conducting other matters; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin, Warren County, New Jersey, that the Township of Franklin hereby petitions the Director of the Division of Local Government Services that the 2015 Local Municipal Budget be introduced and approved on April 6, 2015.

2015 FRANKLIN TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 763,650.00
Total Miscellaneous revenue	486,456.00
Receipts from Delinquent Taxes	180,000.00
Local Property Taxes	<u>944,368.00</u>
Total General Revenues	<u>\$2,374,474.00</u>
Total Operations	
Salaries and Wages	\$ 473,712.00
Other Expenses	666,505.00
Capital Improvements	280,000.00
Statutory Expenditures	91,048.00
Debt Service	236,600.00
Reserve for Delinquent Taxes	<u>626,609.00</u>
Total 2015 Municipal Budget	<u>\$2,374,474.00</u>
2015 Municipal Tax Rate	0.228
Motion:	

On Motion by Joe Flynn and seconded by Jacob Pence the aforementioned **Resolution 2015-38** be adopted as read.

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

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a regular meeting held April 6, 2015, at the Municipal Building, Broadway, New Jersey.

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

SEAL:

Denise L. Becton, Township Clerk

RESOLUTION 2015-39:

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

RESOLUTION-#2015-39

WHEREAS, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 13 of the fiscal year; and,

WHEREAS, the Township of Franklin has delayed the introduction of the 2015 Municipal Budget past the statutory deadline; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Franklin, Warren County, New Jersey, that the Township of Franklin hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2015 Franklin Township Municipal Budget; and,

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

On Motion by Joe Flynn and seconded by Jacob Pence the aforementioned **Resolution 2015-39** be adopted as read.

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

Motion carried

CERTIFICATION

I, Denise L. Becton, Clerk of the Township of Franklin, County of Warren do hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Franklin Township Committee at a meeting of said Township Committee held on April 6, 2015.

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

SEAL:

Denise L. Becton, Township Clerk

DISCUSSIONS/APPROVALS/EXECUTIONS:

Dog Census – Further discussion will be at the May meeting, clerk will contact neighboring municipalities as to how they proceed with the census and the salary paid.

Recreational Trails Program Grants –Mr. Finelli reviewed the paperwork received advising the committee there is a deadline of April 30th, 2015 for submission of applications. Mr. Finelli will put the paperwork together, for the walking path, only, for the Smith Property, already drawn up, across from the Franklin School. Mayor Butler and Committeeman Toretta have volunteered to be on the subcommittee to approve the application prior to the engineer submitting it.

Spring Clean Up Quotes – Request for quotes were faxed out to 4 sanitation contractors; only one quote was received from Sanico as follows:

Cost per packer truck of trash	\$560.00/load
Cost per container of trash	\$205.00/pickup
Cost per container of metal waste	no charge
(Sanico to keep metal salvage money)	
Disposal Prices, in state disposal cost of trash	\$62.00/ton

Two (2) Electronic Recycling Quotes were received as follows:

Newtech Recycling, Inc	\$350
Samr	\$1000

On motion by Mike Toretta and seconded by Jeff DeAngelis to approve Sanico’s quote for the 2015 Spring Clean Up and Newtech for the Electronics Recycling as submitted, authorizing the mayor and clerk to execute the contract with Sanico.

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

SOCIAL AFFAIR PERMIT – –An application was received from the Warren County Whiffle Ball (WCWB) to be held at the Franklin Township Fire Station in Asbury, NJ on August 8th from 10:00 am – 9:00 pm.

On motion by Bonnie Butler and seconded by Mike Toretta to approve the Social Affair Permit as submitted authorizing the municipal clerk to execute the permit accordingly.

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

OLD BUSINESS

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2015-3

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

**TOWNSHIP OF FRANKLIN
ORDINANCE NO. 2015-3**

AN ORDINANCE AUTHORIZING THE APPLICATIONS FOR CHARITABLE SOLICITATION PERMITS FOR FRANKLIN TOWNSHIP FIRE DEPARTMENT AND FRANKLIN TOWNSHIP RESCUE SQUAD’S “COIN DROP” EVENTS FOR THE YEAR 2015 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, NEW JERSEY

On motion by Committeeperson Jacob Pence and seconded by Committeeperson Joe Flynn the aforementioned ordinance be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain
Jacob Pence	X		
Joe Flynn	X		
Jeff DeAngelis	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 2015-4

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 NO. 2015-4

AN ORDINANCE AMENDING CHAPTER 90 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO ADD PROVISIONS FOR HIGHLANDS ACT EXEMPTION DETERMINATIONS

On motion by Committeeperson Joe Flynn and seconded by Committeeperson Mike Toretta the aforementioned ordinance be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain
Jacob Pence	X		
Joe Flynn	X		
Jeff DeAngelis	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 2015-5

On motion by Mike Toretta and seconded by Bonnie Butler to open the Public Hearing.

No Public Comments

On motion by Mike Toretta and seconded by Bonnie Butler to close the Public Hearing

ORDINANCE NO. 2015-5

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND AND PROPERTY NO LONGER NEEDED FOR PUBLIC USE

On motion by Committeeperson Mike Toretta and seconded by Committeeperson Jeff DeAngelis the aforementioned ordinance be adopted at final reading.

Roll Call Vote	Yes	No	Absent/Abstain
Jacob Pence	X		
Joe Flynn	X		
Jeff DeAngelis	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 2015-6

On motion by Jacob Pence and seconded by Jeff DeAngelis to open the Public Hearing.

No Public Comments

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

ORDINANCE NO. 2015-6

AN ORDINANCE AMENDING CHAPTER 90 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO UPDATE PUBLIC NOTICE AND SUBMISSION REQUIREMENTS AND INCORPORATE HIGHLANDS COUNCIL CALL-UP PROVISIONS FOR APPLICATIONS FOR DEVELOPMENT IN THE HIGHLANDS PRESERVATION AREA

On motion by Committeeperson Jacob Pence and seconded by Committeeperson Mike Toretta the aforementioned ordinance be adopted at final reading.

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

REPORTS/UPDATES:

Attorney Report – Report on File

Attorney Benbrook updated the committee as to the Supreme Court abolishing COAH and reassumed jurisdiction over Affordable Housing. After speaking with Jim Kyle our township planner, they agree that a declaratory judgement giving the township protection from a builder’s remedy lawsuit. Mayor Butler and Committeeman Pence as well as Sam Santini and Sudha Khantor from our Land Use Board will be the subcommittee for the planner and attorney to work with in preparing the next plan.

Engineer Report –

Mr. Finelli briefed the committee as his report below:

1. 2014 NJDOT Trust Fund Program: Good Springs Road, Section III

(No change since last month's Report.)

- 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 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.
- As per my prior e-mail to the Township Committee, dated January 23, 2015, funding for this Project is available and has been encumbered by the DOT for this Project, so there are no issues with the Project moving forward in 2015.

2. 2015 NJDOT Trust Fund Grant Program Applications

- 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.
- I have recently been alerted to the fact that the award notices through the 2015 Grant Program are going to be announced in the very near future (within the next couple weeks). As of the date of this Report, no award notices have been made available.

3. 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.

4. Third St. Drainage/Flood Control Grant Project

(No change since last month's Report.)

- 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
- The project deadline was previously extended to 8-31-2015. Therefore, we will need to make some decisions on the project in the next few months. The last voucher submitted for reimbursement was for services provided through October 31, 2013. The Hunter Research bill and their fees were included in that reimbursement voucher. We have billed \$1,135.64 since then (over the past 15+ months). We could make an application for another reimbursement, but it would only amount to approx. \$850. It would take us a couple hours to get all the paperwork together for Dawn.

5. 2015 Hazard Mitigation Plan

- I attended a Meeting on behalf of the Township for this Project on 1/22/15, which was held at the Warren County Technical School. Sonny Read was also in attendance on behalf of the Township. There was much information disseminated through the County's Consultant on this Project, Tetra Tech. Assuming the Township wishes to be a part of this Project (which I strongly encourage), there is quite a bit of work to do in order to complete the required worksheets that are part of the first phase of work that the Township must supply to the County and Tetra Tech.
- A Meeting was held at the Municipal Building between Sonny Read (OEM), Mayor Butler, Denise Becton, Ron Read, and myself on February 13th, 2015. The various required Worksheets (six in total) were reviewed, and a number of them were completed at the Meeting. Sonny Read is the Point of Contract for the Township on this Project, and has been coordinating with the other various involved parties, including our Office, relative to the Worksheets which we are responsible to complete. Our Office recently sent two completed Worksheets to Sonny Read for his use and for submission to Tetra Tech in conjunction with the Township's HMP Plan and submittal requirements at this time.
- Our Office attended a follow-up Meeting on March 20th, during which Tetra Tech reviewed the status of the Municipalities HMP worksheets submitted to date. Franklin Township has performed well in developing and submitting all of the required Worksheets, both from a Completeness standpoint, and on a timely basis. It is my understanding that Sonny Read has received the next two Worksheets (#7 & #8). I am sure that Sonny R. will update the Township Committee at the next TC Meeting.

6. Pohatcong Valley Groundwater Contamination (OU2) Potable Water Main Extension Project

- As prompted by Mayor Butler, our Office has been in recent contact with Theresa Hwilka, EPA, regarding the Township applying for and securing reimbursement for the Township's expenses/fees associated with this Project to date. Although there has not been much work conducted recently, this Project dates back to 2012, and the Township has not applied, nor secured any reimbursement on this Project to date. Dawson Bloom of our Office has made contact with Ms. Hwilka, who has provided both a Form and instructions relative to the Township providing the EPA with the required supporting information to apply for reimbursement. I would recommend that the Township move forward towards developing the

information necessary to make the required submission to the EPA to secure the Township's appropriate reimbursement for this Project. Authorization for this work was provided at the March 2, 2015 TC meeting.

- Our Office recently compiled all the information, including the EPA Task Breakdown Spreadsheet, and supporting Vouchers for submittal to the EPA for Reimbursement. We submitted this information to Dawn Stanchina for her use in submitting the Reimbursement request to the EPA. The amount of funds expended totaled \$9,332.01. I spoke with Mayor Butler at the LUB meeting on 4/1/15 and she indicated that the Twp. had just received an e-mail from Theresa Hwilka, EPA, which indicated that their review of our submission was both complete and satisfactory and that the Twp. would be receiving their reimbursement check ASAP. GOOD NEWS!!

Jim Onembo – Code Enforcement/Zoning – not present

Roger Bulava – Recycling

Mr. Bulava updated the committee as to the Solid Waste Advisory Meeting. The freeholders passed the upgrade of the recycling center to a Class B/C, accepting tree trunks/wood chips, etc. Sunday, April 26th at the Oxford Burner 8am-12pm Hazardous Waste/Electronics Recycling and May 15th 8am-noon Paper Shredding Event at the county garage.

DPW REPORT – Report on File

Foreman Read inquired as to the joint paving equipment with Washington Borough and Washington Township. Attorney Benbrook advised that this agreement has expired and to keep ahold of the paver until we get this reconciled. Mr. Read also advised that the brush pile has become large and he cannot burn this, it will need to be disposed of in another manner. Curbside brush pick up started today. The sidewalks across from the school need to be repaired whose responsibility is this the townships or the county's? They are the township's responsibility to maintain and repair, per the mayor. Mr. Read will obtain quotes.

Two (2) quotes for a repeater system as follows were obtained:

M&W Communications, Inc.	\$5,715.00
Northeast Communications, Inc.	\$4,523.50

Road sweeping will be done, should cost approximately \$12,000 to sweep the township roads. Maple Avenue was repaired fixing numerous, pot holes, costing approximately \$6,000. Mayor Butler reminded Mr. Read to keep track of the time spent, materials, etc., to maintain open space fields, as this money will be put back into the DPW budget from Open Space monies. Mayor Butler advised the committee that they might want to seriously consider Bonding for the necessary repairs on our township roads, also, we have a fire truck on its last leg. Committeeman DeAngelis commented that it is hard to make a decision without looking at the past five (5) years, as this will affect his decision. Attorney Benbrook will reach out to discuss the bonding issue with our newly appointed bond counsel, to include, replacing windows in the municipal office, paving township roads, purchase a salt shed, purchase a new fire truck and a new DPW truck.

Open Space Report: No one present

Franklin Township Youth Association:

Mr. Schlessinger updated the committee as to the work being done on the fields at the Franklin Township School and behind the fire station in Asbury. The fields will be offline for the spring but will be in full swing for the fall season. Mr. Schlessinger also inquired as to the money the youth association allocated from the Open Space Fund for the repair/maintenance of these fields, can this be used in 2016, if not all used in 2015. Mayor Butler informed to try to use the funds in 2015.

Rescue Squad – Chief Karen Chiu

Chief Chiu informed that the squad will be holding a Car Wash on April 19th.

OEM REPORT – Raymond Read – not present

Deputy OEM Becton informed that Mr. Read is working on the Hazard Mitigation Plan. Chief Chiu questioned if we have heard anything new with the Generator Grant. Mayor Butler advised that this is still not completed by the agency giving the grants, the Township has done its part.

Franklin Township Community Center – Eddy Patient – not present – no report filed

TOWNSHIP COMMITTEE REPORTS:

Jeff DeAngelis

Committeeman DeAngelis updated the committee as to the Email Migration, transition went smoothly. Mayor Butler will follow up with our tax collector as to implementing a tax on line service for residents to pay their taxes.

Jacob Pence

Nothing further to report

Michael Toretta

Nothing further to report.

Joe Flynn

Committeeman Flynn informed that the Historical Commission has started to display some items in the glass case at the back of our meeting room. They will display items on a rotating basis. Fred Kinney, Amy Perkins and Brenda Higgins have all put their time and efforts in this case, invite all to take time to take a look at it.

Bonnie Butler, Mayor

Mayor Butler advised that she will be able to attend the next Rt. 57 Scenic By Way Meeting.

OPEN PUBLIC SESSION

Ron Lacaillade of 49 Maple Avenue addressed the committee in regards to the road condition of Maple Avenue. However, Engineer Finelli has addressed most of their concerns, with his earlier report as to a 2014 Grant that has been applied for to repair this road. The road is heaved in the area of the Leyburn property and there are drainage issues, does the grant address these matters as well? Another concern is at the corner of Maple Avenue and Old Main Street to a site impediment with the Watershed Association shrubs. Resident was told that the County has jurisdiction on Old Main St.

Karen Chiu – inquired as to the Halfway House Road Bridge Project.

MOTION FOR PAYMENT OF BILL LIST:

On motion by Jacob Pence and seconded by Jeff DeAngelis, 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 Mike Toretta and seconded by Joe Flynn, hearing no objection, meeting stands adjourned at 8:31 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