

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting and called to order at approximately 7:05 pm on Monday, December 7, 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: Joe Flynn, Mike Toretta, Mayor Bonnie Butler; (3) Present.

Absent: Jeff DeAngelis, Jacob Pence; (2) Absent

Present were: Mike Finelli, Municipal Engineer, Kevin Benbrook, Municipal Attorney, Jim Onembo, Zoning & Code Enforcement, Roger Bulava, Recycling Coordinator, Sonny Read, OEM/Fire Chief, Ron Read, DPW Foreman, Denise L. Becton, Municipal Clerk.

Report/Update – New Jersey State Police

Trooper informed that prior to the opening of the meeting, he addressed a concern on Good Springs Road. Mayor Butler informed she has received complaints to speeding on Bloomsbury Road. Karen Chiu noted on Rt. 57 motorists are passing the school bus while picking up children and a police presence at the Franklin Township School is always welcome.

CONSENT AGENDA:

1. MINUTES

- a. Regular Meeting Minutes of November 2, 2015 and Budget Workshop Meeting Minutes of November 16, 2015

2. RESOLUTIONS

- a. **Proclamation;** American Education Week
- b. **Resolution 2015-78;** Health Benefits (employee reimbursement for prescription drugs)
- c. **Resolution 2015-79;** Tax Refund Block 51.03 Lot 13, Corelogic Tax Services \$3935.05
- d. **Resolution 2015-83;** Tax Refund Block 4 Lot 1, US BankCust for PC6, LLC Sterling National bid at tax sale
- e. **Resolution 2015-84;** Tax Refund Block 47 Lot 7.01, Francisco Dominguez
- f. **Resolution 2015-88;** Tax Refund Block 34 Lot 7, Brandon Lewis

3. RAFFLES

- a. **On-Site 50/50 Cash Raffle & On-Site Tricky Tray –** Huntington’s Disease Society NJ Chapter, March 16, 2016, at The Willows, 2:00 pm

The above Minutes and Resolutions and Raffle were accepted on motion by Joe Flynn, and seconded by Mike Toretta, Joe Flynn abstained from minutes only not in attendance at the November 2nd meeting.

Roll Call Vote:	Yes	No	Absent/Abstained
Joe Flynn	X (abstained from minutes only)		
Jeff DeAngelis			X
Jacob Pence			X
Michael Toretta	X		
Mayor Bonnie Butler	X	(3) Yes (0) No (2) Absent	Motion carried

RESOLUTIONS: The following were presented for adoption

RESOLUTION 2015-78

**HEALTH BENEFITS
EMPLOYEE REIMBURSEMENT FOR PRESCRIPTION DRUGS**

WHEREAS, the new Health Insurance Policy increased significantly, effective August 1st, 2015, 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, 2015 and continue until July 31, 2016,

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 Joe Flynn and seconded by Mike Toretta the aforementioned **Resolution 2015-78** 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 (2) Absent	Motion carried

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, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

Dated: December 7, 2015

RESOLUTION NO. 2015-79

WHEREAS, double tax payment was made by the mortgage company on Block 51.03 Lot 13 for the fourth quarter of 2015, and

WHEREAS, this has caused an overpayment on Block 51.03 Lot 13, and

WHEREAS, the mortgage company has requested a refund check be issued to them,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 3935.05 to Corelogic Tax Services, Attn: Recoveries Dept., POB 961230, Fort Worth, TX 76161.

On Motion by Joe Flynn and seconded by Mike Toretta the aforementioned **Resolution 2015-79** 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 (2) Absent	Motion carried

I, **Denise L. Becton**, certify this to be a true copy of a Resolution by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

Dated: December 7, 2015

RESOLUTION NO. 2015-83

WHEREAS, US BankCust for PC6,LLC Sterling National bid at Tax Sale on Block 4 Lot 1 and won and,

WHEREAS, the property owner has paid this lien within 10 days,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to cancel the lien and refund the tax amount of \$6,247.77 plus the premium paid of \$4,000.00 for a total refund of 10,247.77 to US BankCust for PC6, LLC Sterling National, US bank Global Corp. Trust Services, Tax Lien Services Group, 50 South 16th Street - Suite 2050, Philadelphia, PA 19102.

On Motion by Joe Flynn and seconded by Mike Toretta the aforementioned **Resolution 2015-83** 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 (2) Absent	Motion carried

CERIFICATION

I, **Denise L. Becton**, certify this to be a true copy of a Resolution by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

RESOLUTION NO. 2015-84

WHEREAS, overpayment of taxes was made by the mortgage company on Block 47 Lot 7.01 for the fourth quarter of 2015, and

WHEREAS, this has caused an overpayment on Block 47 Lot 7.01, and

WHEREAS, the property owner have requested a refund check be issued to him,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 2,428.23 to Francisco Dominguez, 95 Buttermilk Bridge Road, Washington, NJ 07882.

On Motion by Joe Flynn and seconded by Mike Toretta the aforementioned **Resolution 2015-84** 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 (2) Absent	Motion carried

CERIFICATION

I, **Denise L. Becton**, certify this to be a true copy of a Resolution by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

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

**RESOLUTION – 2015-85
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>
Road OE	\$9,000.00	
Admin OE	\$7,985.27	
Animal Account OE	\$5,000.00	
Construction OE	\$500.00	
Group Insurance	\$4,500.00	
Tax Collector OE		\$185.27
Roads and Streets SW		\$22,500.00
Legal OE		\$4,300.00
TOTALS	\$26,985.27	\$26,985.27

On Motion by Mike Toretta and seconded by Joe Flynn the aforementioned **Resolution 2015-85** 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 (2) Absent		Motion carried

CERIFICATION

I, Denise L. Becton, certify this to be a true copy of a Resolution by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

NEW BUSINESS:

First Reading/Introduction of Resolution

RESOLUTION OF THE TOWNSHIP OF FRANKLIN
Warren County, New Jersey

RESOLUTION NO. 2015-80

Title or Subject: Resolution of Award, 2016 Pierce Mini Pumper Fire Truck

Be It Resolved, that on December 7, 2015 the Township Committee of the Township of Franklin adopted **Resolution 2015-80** to award a contract for the furnishing of a 2016 Pierce Mini Pumper Fire Truck.

Be It Further Resolved, that the Township Committee of the Township of Franklin does hereby award the project, under State Contract, to Pierce Manufacturing, Inc., Fire and Safety Services, LTD from 200 Ryan Street, South Plainfield, NJ, 07080 for a total bid price of \$199,598.05, as listed and outlined within their completed project bid specification dated October 27, 2015. Resolution and Written Contract are on file and available for public inspection in the office of the Municipal Clerk. Contract Duration 60 days from issuance of notice to proceed.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF FRANKLIN**

Denise L. Becton, RMC/CMR
Municipal Clerk

Bonnie Butler, Mayor

Date of Adoption: December 7, 2015

On motion by Bonnie Butler and seconded by Joe Flynn the aforementioned **Resolution 2015-80** be adopted as read.

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

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

Certification

I, Denise L. Becton, Municipal Clerk of the Township of Franklin, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Franklin on December 7, 2015.

Denise L. Becton, RMC/CMR
Municipal Clerk

Resolutions 2015-81 and 2015-82 - Resolutions authorizing professional appraisers to be appointed to estimate the fair market value of the farm properties owned by Lisa Myers and Mike Toretta.

Resolutions were not entertained this month, due to a lack of quorum, as Committeeperson Mike Toretta must recuse himself from any/all discussion/vote. These resolutions will be placed on the January 4, 2016 agenda.

Discussion/Approval – Moncada Developer’s Agreement

Attorney Benbrook informed that this agreement has been reviewed and meets the standard form of agreement.

Authorization for the mayor and clerk to execute the Developer’s Agreement accordingly.

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 (2) Absent	Motion carried

First Reading/Introduction of Resolution

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

RESOLUTION – 2015-85
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>
Road OE	\$9,000.00	
Admin OE	\$7,985.27	
Animal Account OE	\$5,000.00	
Construction OE	\$500.00	
Group Insurance	\$4,500.00	
Tax Collector OE		\$185.27
Roads and Streets SW		\$22,500.00
Legal OE		\$4,300.00
TOTALS	\$26,985.27	\$26,985.27

On Motion by Mike Toretta and seconded by Joe Flynn the aforementioned **Resolution 2015-85** 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 (2) Absent	Motion carried

CERIFICATION

I, Denise L. Becton, certify this to be a true copy of a Resolution by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

First Reading/Introduction of Resolution

Township of Franklin
Municipal Building
2093 Route 57, PO Box 547
Broadway, NJ 08808-0547

Resolution 2015-86

**RESOLUTION GRANTING APPROVAL OF THE
PURCHASE OF A DEVELOPMENT EASEMENT BY THE
COUNTY OF WARREN ON THE O'DOWD SOUTH FARM
BLOCK 18 LOT 3 & BLOCK 19 LOT 1 IN GREENWICH
TOWNSHIP AND BLOCK 41 LOT 1 AND BLOCK 42 LOT 1
IN FRANKLIN TOWNSHIP CONSISTING OF
APPROXIMATELY 121.54 (3%+) ACRES**

WHEREAS, the Township Committee of Franklin has determined that the property known as the O'Dowd South Farm, owned by O'Dowd Associates and is under contract for purchase with the County of Warren located on Block 18 Lot 3 and Block 19 Lot 1 in Greenwich Township and Block 41 Lot 1 and Block 42 Lot 1 in Franklin Township, consisting of approximately 121.54 (3%+) acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on February 24, 2014 it was determined by the State Agriculture Development Committee (SADC) that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on November 13, 2014 the State Agricultural Development Committee has certified a development easement value of \$6,500 per acre based on zoning

and environmental regulations in place as of 1/1/04 and \$6,000 per acre based on zoning and environmental regulations in place as of the current valuation date of May 7, 2014 with an estimated total value of \$790,010; and

WHEREAS, the property is part of the approved Warren County Planning Incentive Grant Application and is funded by the Warren County Open Space, Farmland, Recreation and Historic Preservation Trust Fund; and

WHEREAS, the tract would encourage the survivability of production agriculture in Franklin and Greenwich Townships, and said tract falls within a predetermined County Agricultural Development Area and is in the Southeast Project Area and property is located in the Highlands Planning Area; and

WHEREAS, on December 17, 2015, the Greenwich Township Committee is expected to vote by resolution to approve the owner's application for sale of the development easement, but is not participating financially in the easement purchase; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agricultural Development Committee and the SADC is expected to grant final approval for funding amount on said application at its February 25, 2016 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 17, 2015, the Warren County Agriculture Development Board is expected to approve the funding for the development easement on the above described property based on an easement value of \$6,500 per acre as certified by the State Agricultural Development Committee (SADC). Cost to be shared with no cost share contribution by Franklin Township as follows: SADC \$4,150 per acre, Warren County \$2,350 per acre; and

WHEREAS, the Township Committee of Franklin's approval includes the following conditions that are expected to be approved by the WCADB at its December 17, 2015 meeting:

- a. Two existing barns and four silos on premises
- b. No existing agriculture labor housing on premises
- c. One non-severable exception of one acre around existing residence restricted to one residential unit
- d. No Residual Dwelling Site Opportunities (RDSO's)
- e. No preexisting non-agricultural uses on premises
- f. Utility and access easements to be determined by title search
- g. No proposed trails
- h. SADC funding from Base grant, competitive round or both
- i. Warren County is requesting SADC funding for a 3% buffer on the final surveyed acreage

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Franklin as follows:

The Township Committee of Franklin hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above and will not be participating in cost share.

On Motion by Mike Toretta and seconded by Joe Flynn the aforementioned **Resolution 2015-86** 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 (2) Absent	Motion carried

CERIFICATION

I, Denise L. Becton, certify this to be a true copy of a Resolution by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

First Reading/Introduction of Resolution

Township of Franklin
Municipal Building
2093 Route 57, PO Box 547
Broadway, NJ 08808-0547

Resolution 2015-87

**RESOLUTION GRANTING APPROVAL OF THE
PURCHASE OF A DEVELOPMENT EASEMENT BY THE
COUNTY OF WARREN ON THE O'DOWD EAST FARM
BLOCK 17 LOTS 1 & 2 IN GREENWICH TOWNSHIP AND
BLOCK 40 LOT 1 IN FRANKLIN TOWNSHIP CONSISTING OF
APPROXIMATELY 95.79 (3%+) ACRES**

WHEREAS, the Township Committee of Franklin has determined that the property known as the O'Dowd East Farm, owned by O'Dowd Associates & Brian O'Dowd and is under contract to purchase by the County of Warren located on Block 17 Lots 1 & 2 in Greenwich Township and Block 40 Lot 1 in Franklin Township, consisting of approximately 95.79 (3%+) acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on February 24, 2014 it was determined by the State Agriculture Development Committee (SADC) that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on November 13, 2014 the State Agricultural Development Committee has certified a development easement value of \$6,300 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$5,800 per acre based on zoning and environmental regulations in place as of the current valuation date of May 7, 2014 with an estimated total value of \$603,477; and

WHEREAS, the property is part of the approved Warren County Planning Incentive Grant Application and is funded by the Warren County Open Space, Farmland, Recreation and Historic Preservation Trust Fund; and

WHEREAS, the tract would encourage the survivability of production agriculture in Franklin and Greenwich Townships, and said tract falls within a predetermined County Agricultural Development Area and is in the Southeast Project Area and property is located in the Highlands Planning Area; and

WHEREAS, on December 17, 2015, the Greenwich Township Committee is expected to vote by resolution to approve the owner's application for sale of the development easement, but is not participating financially in the easement purchase; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agricultural Development Committee and the SADC is expected to grant final approval for funding amount on said application at its February 25, 2016 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 17, 2015, the Warren County Agriculture Development Board is expected to approve the funding for the development easement on the above described property based on an easement value of \$6,300 per acre as certified by the State

Agricultural Development Committee (SADC). Cost to be shared with no cost share contribution by Franklin Township as follows: SADC \$4,050 per acre, Warren County \$2,250 per acre; and

WHEREAS, the Township Committee of Franklin’s approval includes the following conditions that are expected to be approved by the WCADB at its December 17, 2015 meeting:

- a. No existing buildings on premises
- b. No existing agriculture labor housing on premises
- c. One non-severable exception of one acre for future single family residence restricted to one residential unit
- d. No Residual Dwelling Site Opportunities (RDSO’s)
- e. No preexisting non-agricultural uses on premises
- f. Utility and access easements to be determined by title search
- g. No proposed trails
- h. SADC funding from Base grant, competitive round or both
- i. Warren County is requesting SADC funding for a 3% buffer on the final surveyed acreage

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Franklin as follows:

The Township Committee of Franklin hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above and will not be participating in cost share.

On Motion by Mike Toretta and seconded by Joe Flynn the aforementioned **Resolution 2015-87** 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 (2) Absent	Motion carried

CERIFICATION

I, Denise L. Becton, certify this to be a true copy of a Resolution by the Franklin Township Committee at a regularly scheduled meeting held on **Monday, December 7, 2015**.

Denise L. Becton, RMC/CMR
Municipal Clerk

OLD BUSINESS:

Public Hearing –

ORDINANCE 2015-9

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN
CREATING A NEW CHAPTER 97 OF THE CODE OF THE TOWNSHIP OF FRANKLIN
ENTITLED, “MAINTENANCE
OF VACANT/ABANDONED PROPERTIES”**

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

No Public Comments – Jim Onembo commented we need to implement a procedure as to who will be notifying the properties of foreclosure/abandonment and collecting the fees associated with this ordinance. Attorney Benbrook will look into this.

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

On motion by Committeeperson Mike Toretta and seconded by Committeeperson Bonnie Butler the aforementioned **Ordinance 2015-9** 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	(3) Yes	(0) No	(2) Absent Motion carried

REPORTS/UPDATES:

Attorney Report – Report on File

Attorney Benbrook reviewed his report submitted. A discussion ensued as to the Affordable Housing Declaratory Judgement Action, and the recent events after Attorney Benbrook filed the motion with Judge Miller, granting our motion and our protection has been extended thru March 31, 2016.

On motion by Committeeperson Bonnie Butler and seconded by Committeeperson Joe Flynn to authorize Engineer Finelli to proceed with the Property Evaluation/Concept Plan and eventually contact Jim Kyle to connect our CFO.

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

Attorney Benbrook was contacted by the Attorney for the Estate of Anthony Lipari as to donating parcels, 2485 Rt. 57 Block 37 Lot No. 12-19 and 32 Thatcher Avenue Block 37 Lot No. 20-29. Once these parcels come off the tax roles, could possibly be used as potential recreation or COAH.

Engineer Report – Report Below

Engineer Finelli reviewed his report with the committee, below.

1. 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 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. 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.
 - Our Office has been coordinating with the NJDOT, and we have received confirmation that the Project is construction ready. We have been coordinating with Tilcon (the 2015 Co-Op Paving Contractor) to establish a schedule for the Project. As of the date of this Report, we have not received a firm commitment date for the start of construction, but, we believe that construction will commence very soon.
 - Tilcon has advised our Office that they will not be performing any of the milling of the Driveway transitions or Roadway connections. Therefore, based upon the fact that some of this work is required and certainly desirable, we solicited price quotes from three local and smaller paving companies. We received quotes from two contractors, with the low quote from C.H. Paving in the amount of \$11,500. At the June 1, 2015 Committee Meeting, the Committee awarded a Contract to C.H. Paving for the milling and driveway transition work at the Project. C.H. Paving's work commenced on June 15, 2015. After only a few hours of work on the Project, Charlie Hicks (C.H. Paving) met with Doug Leisy, our Inspector, and a discussion ensued relative to the work being completed by C.H. Paving that Doug was not satisfied with, and did not meet the Project Specification relative to various parameters. C.H. Paving opted to "pull off the job" at that point. Very little work had been accomplished by the time C.H. Paving left the Project site. At that juncture, we reached out for a few other Contractors and got additional quotes for the work in question. K&A Paving submitted a revised quote for \$13,350. Chris Nemeth from All Image Inc. submitted a quote for \$11,200. After speaking with Township Attorney Benbrook, and based upon all of the factors involved with the Project and the work in question, I was advised that I could proceed in allowing All Image Inc. to commence work on the Project in advance of the July Township Committee Meeting where a formal Award was made. All Image Inc. commenced work on Monday, June 29th, and their work was completed on July 6th, 2015. Tilcon then proceeded with the Application of the bituminous overlay on July 14th, 2015. Their work was both started and completed on July 14th, 2015.
 - We solicited a proposal for the pavement/core testing which was previously executed by the Twp. The testing results have been received and all results have met the NJDOT requirements.
 - The centerline striping work has also been completed by Denville Line Painting. At this juncture, the only remaining improvement to be installed/constructed is the guiderail. Proposals and costs for the guiderail work were discussed/reviewed at the Aug. 3, 2015 TC meeting and the Guiderail work was awarded to Ficor, Inc. We have been in recent contact with Ficor, and have been advised that all of the materials they were waiting for have now come in, and they will soon be out at the site to complete the guiderail work. They have called for a utility markout. I am hopeful that the guiderail will be completed very soon, which will finally

bring this Project to closure, allowing the Township to apply for their final portion of the Grant amount due the Township.

- Also, the long-awaited “repair” work at the Mountain View Rd. intersection has finally been completed by All Image (paid for by Tilcon). It turned out that a “threatening” call to Tilcon by our Office was what was needed to initiate the required action in authorizing All Image to complete the work in question. In any event, the area has been repaired.
- We will continue to keep the Township apprised of the status of the Project, and its anticipated impending completion.

2. Maple Avenue: 2015 NJDOT Trust Fund Grant Project (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.
- GOOD NEWS!!!! As per a recent notification Letter from the NJDOT, dated 4/10/15, the Township has been awarded a Grant for Phase 1 of Maple Avenue in the amount of \$95,000. The Township Committee authorized our Office to proceed with the Survey and Design Phase of the Project at the June 1, 2015 TC Meeting. We have completed the majority of the Survey work, and have developed the base mapping for the Project and have commenced with the initial phases of the Project Design. This Project and the budget shortfall (versus the Grant amount of \$95,000) was discussed at length at the July 6, 2015 TC Meeting. Various options were presented and evaluated. The Township Committee decided that the best decision, at this time, and most economically viable alternative was to reduce the length of the Project from approximately 2/3 of a mile to approximately 1/2 of a mile (it is important to note that the entire length of Maple Avenue is approximately 1-1/3 miles; therefore, the reason for trying to “improve” 2/3 of a mile, which would be approximately half of the length of the entire roadway). In order to do so, a scope modification must be submitted to the NJDOT and approved.
- Our office recently received an approval on the Scope Modification from the NJDOT. As per the discussion from the 9/14/15 TC Meeting, there was some “debate” on whether or not to attempt to have the Project constructed in 2015, or, wait until 2016, and evaluate the ability to have the DPW do some of the work, so as to allow the balance of work to be constructed through the Co-Op, and potentially have less of a shortfall vs. the Grant Amount (\$95,000.). Committeeman Toretta and Mayor Butler have previously inspected the road to examine the existing conditions, and evaluate the potential for the DPW to do some of the Roadway widening and drainage work. Based upon that inspection and discussions with both the DPW and our Office, it was determined that the Project would not go “out to bid” in 2015, but we would wait until the spring of 2016 to commence with the work in question, with the hope that the DPW will have a greater role in some of the construction/improvement aspects of the Project. It is important to note that the Township’s timeline and schedule for this Project, per the Grant Agreement with the DOT, does not require a Contract Award until December, 2016. Therefore, we still have ample time to move forward with this Project.

- I will continue to update the Township Committee regarding the status of the Project and the timeline for the construction of the proposed improvements.

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.

- 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.
 - Submit a new scope of work which includes a request for funding for septic density zoning.
 - 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 associated issues.
- The project deadline was previously extended to 8-31-2015. 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.
- Our Office forwarded a letter dated May 29, 2015, to Mr. John Moyle, DEP, requesting an extension to the Grant Agreement. A copy of this letter was sent to all Township Committee Members. Mayor Butler previously requested that we send this letter to the DEP for the purpose of hopefully maintaining the Grant Funding for this Project until such time that the Project is permanently "shelved".
- There has been much discussion recently regarding this project(and the requested extension) between the NJDEP, our office and Mayor Butler. In conclusion and summary, it has been agreed that a meeting would be held to discuss the viability of the project between the Township and the NJDEP. This meeting was held on Wed., Sept. 30, 2015 @ 10:30 AM at the Township Municipal building. In attendance were: Mayor Butler,

myself, Donna Becker, P.E. (my office), and 4 different representatives from the DEP, including: Historic Preservation Office, Dam Safety, and Land Use. Subsequent to the completion of the Meeting at the Municipal Building, I took everyone out to the site, and gave a "tour" to the DEP reps that had never seen the areas in question.

- I am certain that Mayor Butler and myself will provide the full Committee with a summary and overview of what transpired and what was discussed at the Meeting to allow the full Committee to make a determination on whether or not we will continue to proceed with Project or not. There did appear to be a sincere intent from the DEP reps to try to facilitate the construction of the Project, or a similar Project that would achieve the same goal of Flood Control. The next critical item on the timeline for this Project is a Meeting with the Historic Sites Council in Trenton on October 22, 2015, where I previously authorized by the Committee to attend on behalf of the Township. The purpose of this Meeting was for the Township to give the Council an overview of the Project and its impacts on the Morris Canal.
- Our Office has previously forwarded, via e-mail on 10/26/15, a copy of the Power Point we had developed for our Presentation before the Historic Sites Council. As per our 10/26 e-mail, we explained that the Meeting got cancelled the morning of 10/22/15 while we were en route to Trenton. At this juncture, we are slated to attend the next Meeting, which is scheduled for December 17, 2015.

5. Hazard Mitigation Plan (No change since last month's report)

- 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.
- We received a call from Sonny Read, who requested that our Office assist in the preparation and completion of Worksheet #7. We then moved ahead and completed said Worksheet. Worksheet #7 was submitted to both Tetra Tech and Sonny Read on July 2, 2015.

6. Pohatcong Valley Groundwater Contamination (OU2) Potable Water Main Extension Project (No change since last month's Report.)

- 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.
- As per a prior e-mail from Mayor Butler, the Township has received their initial Reimbursement check from the EPA.
- The EPA was scheduled to conduct an updated Public Information Meeting to interested/impacted Township Residents, which was scheduled for 10/26/15 at the Municipal Building. I am unaware of the turnout for the Meeting.

7. NJDEP 2015 Recreation Trails Grant Application (No change since last month's Report.)

- As authorized at the April 6, 2015 TC Meeting, our Office proceeded in developing a Grant Application through this Program. Gene Weber, PE, from our Office, developed the Grant Application and required supporting documents, which were submitted electronically to the NJDEP on April 23, in advance of the April 30, 2015 deadline. We have received confirmation from the NJDEP that our Application was received, and was being reviewed for "Completeness". As of the date of this Report, no further comments have been received from the DEP regarding our Application submission.
- Copies of the Application Forms, Layout Plan, Cost Estimates, and other supporting Application documents have been forwarded to the Township for your information and records. The Township should be advised that this Grant Program caps the Grant Award amount at \$24,000. This would still create a funding shortfall for the Project, should we be fortunate enough to receive the Grant.
- On July 1, 2015, Gene Weber of our Office was contacted by Brandee Chapman, State Trails Coordinator, NJDEP, regarding the presence of threatened and endangered (T&E) species on the Property. She indicated that the DEP could not continue evaluating our Application until this matter was addressed. Gene Weber spoke with Ms. Chapman, and an Amended Application Form addressing the T&E and critical Wildlife Habitat Areas adjacent to the Pohatcong Creek was forwarded to Ms. Chapman on July 1, 2015. We hope that the amended Application satisfactorily addresses their concerns.
- Our Office is unaware of any timeline associated with the Award announcements through this Program.

8. 2016 NJDOT Trust Fund Grant Program (No change since last month's Report.)

- As previously determined and authorized by the Township Committee, our Office developed one (1) Application for the 2016 Program. That Application was for the second section of Maple Avenue. The required Application and supporting information was submitted, via SAGE, in advance of the October 20, 2015 deadline. A hard copy of the Grant Application was previously forwarded to Denise Becton, Clerk, for the Township's information and records. Resolution #2015-70, adopted by the Township Committee at the October 2, 2015 Committee Meeting, was forwarded the NJDOT Office, as required. I am unaware of any timeline or schedule for the announcement of the Grant recipients through the 2016 Program. I will keep the Committee apprised as soon as I know anything more definitive.

Roger Bulava – Recycling

Mr. Bulava extended a thank you to Jim Onembo and the DPW for their work in ordering and installing the new DPW sign. Also, a new Electronic Recycling vendor approached Mr. Bulava; Abilities of NW NJ, for our annual Spring Clean Up. They supply the manpower, however, we would be limited to items no more than 50 lbs. and 32". Mayor Butler extended a thank you to Roger, Jim Onembo and the DPW as well for their work with the new DPW sign as well. Mayor also commented as to the recent changes with our website, the clerk has been working with our Webmaster, Christie Jacobsen.

Jim Onembo – Code Enforcement/Zoning:

Mr. Onembo informed that Gary Corde and his family will be opening up the Asbury General Store.

DPW – Ron Read, Foreman (report submitted on file)

Roller - Mr. Read provided two quotes for the purchase of a new roller. Both quotes were received from Powerco of Clinton, NJ; one model is a Wacker-Neuson \$15,623 and the other is a Bomag \$17,200. Attorney Benbrook informed that the quotes must come from two separate vendors in order to approve. No action taken.

Salt Building – Due to the purchase price, will have to go out to bid. Committeeperson Toretta will sit down with Mr. Read to gather information to create a spec for Engineer Finelli.

New Dump Truck – Mr. Read forwarded specs to the Attorney and Engineer for their review for the 2017 Dump Truck.

On motion by Committeeperson Bonnie Butler and seconded by Committeeperson Mike Toretta authorizing Engineer Finelli to go out to bid accordingly for the new dump truck.

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

Good Springs Road – Due to a recent automobile accident, a guardrail needs to be repaired/replaced. Attorney Benbrook will handle notification to the driver’s insurance company accordingly once an accident report is received.

Open Space Report: Beth Barry, Chairwoman

No one present

Franklin Township Youth Association: Jim Schlessinger, President

President Schlessinger, nothing formal to report this month.

Rescue Squad – Chief Karen Chiu

Chief Chiu nothing formal to report this month.

Fire – Sonny Read:

Chief Read informed the committee that they have been busy fundraising. One call responded to this past month, lost 6 lengths of large diameter fire hose, not due to the call but years of wear and tear. Cost to replace approximately \$6,000. A voucher will be submitted.

OEM-Sonny Read:

Mr. Read awaiting the approval from FEMA for the generators for the municipal building and municipal garage.

TOWNSHIP COMMITTEE REPORTS:

Jeff DeAngelis

Absent

Jacob Pence

Absent

Michael Toretta

Nothing further to report.

Joe Flynn

Nothing further to report.

Bonnie Butler, Mayor

Mayor Butler informed Ms. Chiu as to garbage and debris left behind in the parking lot after the tree lighting. Also, an estimate was received from Jean Paul Reece for a surveillance camera to be installed at the municipal building \$2,425, this is long overdue and can coordinate this into our current system. Will revisit the cost at our February, 2016 Budget Meeting.

Eddy Patient – Franklin Township Community Center – (report submitted on file)

Mr. Patient updated the committee as to the field off of Edison Road. At this time, in its current state, is not playable; too slanted and rigid. The field, at this time is not recommended to play on, it will need to be leveled and reseeded. Mayor Butler inquired as to how much the field would bring in. Eddy informed that fields are seasonal should bring in \$500-\$1500 over a season depending on the home usage. However, there are more demand for fields in the area. Committeeman Toretta inquired if there is a need for this field for our town usage. Eddy informed that FTYA uses the Asbury Fields at this time for soccer, uncertain if this field could accommodate other sports, however, this additional field would be used if it was playable.

OPEN PUBLIC SESSION – No Public Comments

Foreman Read informed the committee that the Roller quotes discussed earlier, are from two separate vendors. Powerco \$15,623 for model Wacker Neuson and Jesco \$17,200 for model Bomag.

On motion by Bonnie Butler and seconded by Mike Toretta, to approve the purchase of the Powerco quote, Wacker Neuson at \$15,623.

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

MOTION FOR PAYMENT OF BILL LIST:

On motion by Mike Toretta and seconded by Joe Flynn, 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	(3) Yes (0) No	(2) Absent	Motion carried

MOTION FOR ADJOURNMENT:

On motion by Bonnie Butler and seconded by Mike Toretta, hearing no objection, meeting stands adjourned at 8:52 pm.

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

Respectfully submitted,

Denise L. Becton
Municipal Clerk