

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 6:00 pm on Monday, February 1, 2016. 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: Jeff DeAngelis, Joe Flynn, Jacob Pence, Mike Toretta, Mayor Bonnie Butler, (5) Present.

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

Auditor Ardito addressed the committee advising that the surplus is extremely strong coming in at \$871,116. \$55,000 in excess payroll has returned a \$58,000 in canceled tax overpayments. The town has generated \$744,739 in surplus; \$763,650 anticipated as revenue. The township committee’s consensus is to increase the municipal tax by ½ cent via surplus decrease the Open Space Tax by 1 cent, which is a ½ penny net decrease plus \$10 decrease in taxes. This equates to \$10 a year decrease for a \$200,000 home. The committee is now in a position to introduce the budget on March 7th and adopt April 7th. At this time, the committee took a brief recess at 7:06 pm, on motion by Mayor Butler and seconded by Jacob Pence, unanimous vote.

At 7:37 pm, the regular session of this meeting commenced, on motion by Jacob Pence and seconded by Mike Toretta, unanimous vote. Additional present at regular session meeting were: Kevin Benbrook, Municipal Attorney, Mike Finelli, Municipal Engineer, Jim Onembo, Zoning/Code Enforcement, Raymond Read, OEM/911/Fire Chief.

CONSENT AGENDA:

Minutes:

The Regular Meeting Minutes and Executive Session Meeting Minutes of January 4, 2016, were accepted on motion by Mike Toretta, and seconded by Jacob Pence, Unanimous Vote, Mike Toretta abstained from the Executive Session Minutes Only.

NJSP

No trooper present at this meeting this evening.

NEW BUSINESS:

The following Resolutions 2016–28, 29 and 32 were presented for adoption:

Let the record reflect that Mr. Toretta recused himself from the Dais at 7:35pm for the discussion/vote of Resolutions 2016-28 and 2016-29.

RESOLUTION 2016-28

TOWNSHIP OF FRANKLIN/WARREN COUNTY, STATE OF NJ

PROFESSIONAL SERVICES RESOLUTION

REAL ESTATE APPRAISER-LANDMARK I APPRAISAL, LLC

WHEREAS, there exists a need for a professional appraiser to be appointed to estimate the fair market value of the farm properties owned by Lisa Myers, and Mike Toretta; and

WHEREAS, the township has provided funds for expenditures dealing with such

professional services; and

WHEREAS, the price for the appraisal will not exceed \$1,750.00; and

WHEREAS, the firm of Landmark, licensed professional in the State of New Jersey, agrees to provide such services pursuant to its October 29, 2015 proposal, attached hereto and incorporated herein by reference, which the Township of Franklin deems fair and equitable for said professional services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids and the agreement must be available for public inspection; and

WHEREAS, Landmark agrees to incorporate into the agreement the mandatory language of subsection 304(a) of the Regulations promulgated by the State Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and the contractor agrees to comply with the terms, provisions and obligations of said section 3 A; and

WHEREAS, adequate funds for the contract are available in account number (Open Space Account),

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

1. The mayor and clerk of the Township of Franklin are hereby authorized and directed to execute a duplicate of this resolution, which shall act as the authority and agreement between the Township of Franklin and Landmark for its retention as appraiser for the township in connection with preservation of the Myers-Toretta Farm II property.

2. The services rendered by the contractor shall be as described in the October 29, 2015 proposal and in accordance with a professional services contract, copies of which are on file in the municipal clerk's office.

3. The contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A: 11-5(1)(A) of the Local Public Contracts Law because the contractor is an appraisal firm comprised of individuals licensed in the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services, which are expressly exempt from the local public contracts bidding requirements.

4. The contractor shall execute an Affirmative Action Affidavit, to be completed by firms with less than 50 employees in the form prescribed by the State of New Jersey attesting to its compliance with P.L. 1975, c.127 and the rules and regulations pursuant thereto; and the affidavit shall be attached to the professional services contract.

5. The contractor shall attach its New Jersey Business Registration certificate to the professional services contract.

6. The contractor shall complete and submit a Business Entity Disclosure Certification which certifies that Landmark has not made any reportable contributions to a political or candidate committee in the Township of Franklin in the previous year, and that the contract will refrain from making any reportable contributions through the term of the contract. The disclosure shall be attached to the professional services contract.

7. A notice of this action shall be printed once in The Star Gazette.

8. Copies of this Resolution shall be forwarded to the contractor, the Township Attorney and the Township Treasurer/CFO.

On motion by Bonnie Butler and seconded by Jacob Pence the aforementioned **Resolution 2016-28** be adopted as read. Let the record reflect that Mike Toretta removed himself from the Dais and sat in the public section while discussion and vote occurred.

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

(0) Yes (4) No (0) Absent **Motion NOT 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 NOT adopted by the Township Committee of the Township of Franklin on February 1, 2016.

Denise L. Becton, RMC/CMR
Municipal Clerk

RESOLUTION 2016-29

TOWNSHIP OF FRANKLIN/WARREN COUNTY, STATE OF NJ

PROFESSIONAL SERVICES RESOLUTION

REAL ESTATE APPRAISER-JOSHUA D. MACKOFF, LLC

WHEREAS, there exists a need for a professional appraiser to be appointed to estimate the fair market value of the farm properties owned by Lisa Myers, and Mike Toretta; and

WHEREAS, the township has provided funds for expenditures dealing with such professional services; and

WHEREAS, the price for the appraisal will not exceed \$2,000.00; and

WHEREAS, the firm of Mackoff, licensed professional in the State of New Jersey, agrees to provide such services pursuant to its October 26, 2015 proposal, attached hereto and incorporated herein by reference, which the Township of Franklin deems fair and equitable for said professional services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids and the agreement must be available for public inspection; and

WHEREAS, XXXX agrees to incorporate into the agreement the mandatory language of subsection 304(a) of the Regulations promulgated by the State Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and the contractor agrees to comply with the terms, provisions and obligations of said section 3 A; and

WHEREAS, adequate funds for the contract are available in Open Space Account,

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

1. The mayor and clerk of the Township of Franklin are hereby authorized and directed to execute a duplicate of this resolution, which shall act as the authority and agreement between the Township of Franklin and Mackoff for its retention as appraiser for the township in connection with preservation of the Myers-Toretta Farm II property.
2. The services rendered by the contractor shall be as described in the October 26, 2015 proposal and in accordance with a professional services contract, copies of which are on file in the municipal clerk's office.
3. The contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A: 11-5(1)(A) of the Local Public Contracts Law because the contractor is an appraisal firm comprised of individuals licensed in the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services, which are expressly exempt from the local public contracts bidding requirements.
4. The contractor shall execute an Affirmative Action Affidavit, to be completed by

firms with less than 50 employees in the form prescribed by the State of New Jersey attesting to its compliance with P.L. 1975, c.127 and the rules and regulations pursuant thereto; and the affidavit shall be attached to the professional services contract.

5. The contractor shall attach its New Jersey Business Registration certificate to the professional services contract.

6. The contractor shall complete and submit a Business Entity Disclosure Certification which certifies that Mackoff has not made any reportable contributions to a political or candidate committee in the Township of Franklin in the previous year, and that the contract will refrain from making any reportable contributions through the term of the contract. The disclosure shall be attached to the professional services contract.

7. A notice of this action shall be printed once in The Star Gazette.

8. Copies of this Resolution shall be forwarded to the contractor, the Township Attorney and the Township Treasurer/CFO.

On motion by Bonnie Butler and seconded by Jacob Pence the aforementioned **Resolution 2016-29** be adopted as read. Let the record reflect that Mike Toretta removed himself from the Dais and sat in the public section while discussion and vote occurred.

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

(0) Yes (4) No (0) Absent **Motion NOT 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 NOT adopted by the Township Committee of the Township of Franklin on February 1, 2016.

Denise L. Becton, RMC/CMR
Municipal Clerk

Mr. Toretta questioned as to when the township committee decided not to fund Farmland Preservation anymore with Municipal Funds. Per Mayor Butler, since his farm came up for Farmland Preservation and in the future the township committee will decide whether or not they will consider to fund, on a case by case consideration. Mayor Butler also informed Beth Barry, chairwoman for the Opens Space/Recreational Commission that the commission recommends to the township committee but the purse strings reside at the township committee.

TOWNSHIP OF FRANKLIN WARREN COUNTY, STATE OF NEW JERSEY

RESOLUTION – 2016-32 BUDGET TRANSFER – APPROPRIATION RESERVES

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

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

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

CURRENT FUND – APPROPRIATION RESERVES

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Engineering OE		\$8,904.33
General Admin OE		\$4,710.68
Legal OE		\$24.59
Buildings and Grounds OE		\$153.11
Roads S&W	\$209.00	
Insurance Premiums OE	\$2,959.00	
Construction S&W	\$5,466.44	
Historical Sites OE	\$1,932.00	
Road – OE	\$3,226.27	
<hr/>		
TOTALS	\$13,792.71	\$13,792.71

Date of Adoption: February 1, 2016

On motion by Jeff DeAngelis and seconded by Joe Flynn the aforementioned **Resolution 2016-32** 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		

(5) Yes (0) No (0) Abstained 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 February 1, 2016.

Denise L. Becton, RMC/CMR
Municipal Clerk

DISCUSSIONS/APPROVALS/EXECUTIONS:

Franklin Township Community Center – Senior Use- Walking in the Center

Seniors have shown an interest to use the gym to walk indoors at the center. Eddie provided the committee with a registration form for review that he uses with another group. Municipal Clerk will ask Eddie to clean up this form, for our use with the seniors to walk in the center and also to create a sign in/out sheet and forward to our attorney for review/approval.

Committeeman DeAngelis will provide information for on-line tax payments and surveillance cameras for the municipal building at our next meeting.

OLD BUSINESS

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2016-1

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

No Public Comments

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

Ordinance 2016-1

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

On motion by Committeeperson Joe Flynn and seconded by Committeeperson Mike Toretta the aforementioned **Ordinance 2016-1** be adopted.

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

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2016-2

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

No Public Comments

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

**ORDINANCE 2016-2
CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

On motion by Committeeperson 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 2016-3

On motion by Joe Flynn and seconded by Jeff DeAngelis to open the Public Hearing.

No Public Comments

On motion by Joe Flynn and seconded by Jeff DeAngelis to close the Public Hearing and adopt.

ORDINANCE 2016-3

BOND ORDINANCE RESTATING BOND ORDINANCE 2015-8 PROVIDING AN APPROPRIATION OF \$998,000 FOR VARIOUS CAPITAL IMPROVEMENTS FOR AND BY THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF WARREN, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$948,100 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

On motion by Committeeperson Joe Flynn 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

REPORTS/UPDATES:

Attorney Report – Report on File

Attorney Benbrook updated the committee as to the Affordable Housing Declaratory Judgement Action, will discuss further with our Planner, Jim Kyle as to the numbers. Mr. Benbrook also updated the committee as to the donated Lipari Land, after speaking with our Tax Assessor she has advised that we would need to cancel the taxes for 2016 and we would only be responsible for the school and county portion.

Engineer Report – No Formal Report submitted this month

Mr. Finelli briefed the committee as to the Third Street Drainage Project, if the township committee would like for Mr. Finelli to proceed with the project an extension on the grant would have to be approved. The consensus of the committee is for Mr. Finelli to continue with his efforts, Mayor Butler will speak additionally with Mr. Finelli and the mayor will reach out to Cindy Randazzo of the DEP.

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. Ficor has continually been unable to complete the work, whether that be from a "materials shortfall" standpoint, or from an "equipment breakdown" standpoint. Recent discussions with Ficor have indicated that they are still intending on doing the work and, weather permitting, are hoping to be out in the very near future. My patience with Ficor is wearing very thin at this point. I remain 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.

- The long-awaited “repair” work at the Mountain View Rd. intersection has 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.

- 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

- 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.

- Mayor Butler and I provided the Committee with a summary and overview of what transpired and what was discussed at the 9/30/15 Meeting. 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 was 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. We (Donna Becker and myself) attended the re-scheduled Meeting of the Historic Sites Council, on December 17, 2015. I will provide the Township Committee with a detailed update of our Presentation to the Historic Sites Council at the February 1, 2016 Meeting. Subsequent to my Historic Sites Council Presentation summary, we will need to make a decision on whether or not we continue moving forward with the Project.

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.

9) 2017 DPW Dump Truck With Plow And Salt Spreader

- Our Office prepared a Bid Specification for the proposed new DPW Dump Truck. The Bid Opening occurred on December 30, 2015. One Bid was received from Opdyke's Sales and Service, in the amount of \$155,887. Please refer to separate correspondence from our Office, dated January 4, 2016, regarding this matter entitled "Award Recommendation".
- Our Office forwarded a "Notice of Contract Award" on January 6, 2016 to Opdyke's Sales & Service. I will assume at this juncture that all the necessary paperwork and associated Contract documents are in the process of being

executed. Ron Read is now handling this matter/Contract directly with Bob Opdyke from Opdyke Sales & Service.

A brief discussion ensued as to an ongoing problem with tractor trailers on Lime Kiln Road, not being able to make it over the bridge, turning around and damaging properties. A sign to deter trucks over a certain length not to travel Lime Kiln Road has been requested. After referring this to our County Engineer, signs would have to be posted on Bloomsbury Road, which is a county road. The County Engineer advises in order to initiate a weight limit on Lime Kiln Road an ordinance would have to be created.

On motion by Jeff DeAngelis and seconded by Joe Flynn to authorize the professionals to create a 5-ton weight limit on Lime Kiln Road, Unanimous Vote.

Jim Onembo – Code Enforcement/Zoning

Mr. Onembo updated the committee to the following activities in town:

1. National Guard Helicopter will be landing at Warren County Technical School, date not set at this time, Sonny has already spoken with the gentleman from the school and will confirm the date. The fire department will standby.
2. Broadway Automotive is on the Land Use Board Agenda for next month as to the limit of vehicles on their site.
3. The newly adopted Ordinance pertaining to Abandoned and Foreclosed Properties, once notices are received the clerk is to mail out the form and a copy of this ordinance, questions should be handled by the Zoning Officer and/or township attorney. Initial \$500 registration fee is to be given to the CFO to be deposited in the General Fund, per the attorney.

The clerk will handle ordering new lights for the outside of the building, replacing the old and inefficient ones out front now.

Beth Barry – Open Space Commission

Mrs. Barry would like to schedule a workshop meeting with the township committee to help the commission better understand the township committee's direction with the commission and use of the Open Space Trust Fund. Mayor Butler and Committeeman DeAngelis will attend the next OSC meeting March 28th to help clarify what the township committee would like the Open Space Commission to focus on.

Roger Bulava – Recycling

Not present at this meeting.

DPW REPORT – Ron Read - Report on File

Not present at this meeting.

Franklin Township Youth Association:

Mr. Schlessinger had nothing further to comment.

Rescue Squad – Chief Karen Chiu

Chief Chiu informed that they have a planned fund raiser on May 21st, Touch a Truck. They will have different apparatus on display to touch and to go in to. This will be held behind their building.

OEM REPORT – Raymond Read – Reports on File

Mr. Read is looking for solar projects that have come across our building department. Shingles are now a big concern and safety to our fire fighters being injured. Mayor Butler will communicate this to our building department once Sonny receives the state statute.

Franklin Township Community Center – Eddy Patient

Not present at this meeting.

Township Committee Reports:

Jeff DeAngelis

Committeeman DeAngelis will be attending the next Rt. 57 Scenic Byway Meeting.

Jacob Pence

Nothing further to report

Michael Toretta

Nothing further to report.

Joe Flynn

Nothing further to report.

Bonnie Butler, Mayor

Nothing further to report.

OPEN PUBLIC SESSION

Jim Hunter approached the committee with an idea as to his location on Route 57 in New Village. A possibility of a Mini Cabella’s; top floor a gun showroom and the bottom floor; will be a retail bait, tackle, hunting, kayak rentals; future camper rentals. Mr. Hunter was approached by Abilities as well. Looking to request a zone change and to amend the permitted uses at this location. The Land Use Board Attorney, Engineer Finelli and Jim Kyle, Planner will discuss this further and advise the township committee accordingly.

EXECUTIVE SESSION

BE IT RESOLVED, on this 1st day of February, 2016, by the Township Committee of the Township of Franklin and pursuant to N.J.S.A. 10:4-1, that the Township Committee shall discuss the following matter in executive session

Contract Negotiations – Jason Petty farming of Brandywine Property

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

THEREFORE, be it resolved on this 1st, day of January, 2016 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 9:21 pm.

On Motion by Jacob Pence and seconded by Joe Flynn to exit to executive session at 9:21 p.m. Unanimous Vote.

On motion by Jacob Pence and seconded Jeff DeAngelis to return to the regular session at 9:29 p.m. Unanimous Vote.

The township committee consensus is to offer a 3 year extension to Jason Petty, with the same conditions from the previous contract. If not acceptable to Mr. Petty, Attorney Benbrook will work with the clerk to get this out to all farmers by the next meeting, for this harvest season.

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 9:30 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