

REGULAR MEETING

The Franklin Township Committee held its regular monthly meeting at 7:00 pm on Monday, April 4, 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: Jacob Pence, Mike Toretta, Mayor Bonnie Butler, Joe Flynn, joined the meeting at 7:22pm (4) Present

(1) **Absent** Jeff DeAngelis

Present were: Denise L. Becton, Municipal Clerk, Ron Read, DPW Foreman, Raymond Read, OEM, Jim Onembo, Zoning/Code Enforcement, Anthony Ardito, Auditor for Budget Hearing only, Mike Finelli, Municipal Engineer, Attorney Kevin Benbrook, joined the meeting at 7:33 pm.

CONSENT AGENDA:

Minutes:

The Regular Meeting Minutes and Executive Session Meeting Minutes of March 7, 2016.

The minutes were accepted on motion by Mike Toretta, and seconded by Jacob Pence, Unanimous Vote. Joe Flynn and Jeff DeAngelis (2) Absent.

NJSP:

No trooper present.

NEW BUSINESS:

PUBLIC HEARING/ADOPTION 2016 MUNICIPAL BUDGET

Mayor Butler opened the hearing for the **2016 Municipal Budget**, for the Township of Franklin, County of Warren, State of New Jersey. Anthony Ardito was present for any questions. On motion by Jacob Pence and seconded by Mike Toretta to open the public hearing. Municipal Auditor, Ardito advised that there will be a ½ a penny tax increase on the regular municipal budget and a penny tax decrease on the Open Space Budget. This will be a net of a ½ penny decrease on the overall tax payer. A ½ penny equals to roughly \$5 a year on \$100,000 for a \$300,000 home and figures to approximately a \$15 net tax decrease for the municipal portion of your tax bill for Municipal and Open Space. This does not affect the school or county portions as they are still being determined.

Hearing no questions or comments from the public a motion by Bonnie Butler and seconded by Mike Toretta to close the Public Hearing of the 2016 Municipal Budget.

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

**A RESOLUTION
2016-37**

WHEREAS, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

WHEREAS, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

WHEREAS, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Franklin has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Franklin meets the necessary conditions to participate in the program for the 2016 budget year, so now therefore,

BE IT RESOLVED, by the Township Committee of the Township of Franklin that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated;
 - b. Items of appropriation are properly set forth;
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

On motion by Bonnie Butler and seconded by Jacob Pence the aforementioned **Resolution 2016-37** be adopted as read.

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

Motion carried

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held on April 4, 2016.

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

Denise L. Becton
Municipal Clerk

It is hereby certified that the Approved Budget complies with the requirements of the law and approval is given pursuant to N.J.S.A.40A:4-78(b) and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6.

Dated: April 4, 2016

BY: _____
Dawn Stanchina
Chief Financial Officer

On motion by Bonnie Butler and seconded by Jacob Pence to **adopt the 2016 Municipal Budget.**

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

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

The following Resolutions 2016–36 and 2016-40 were presented for adoption:

RESOLUTION NO. 2016-36

WHEREAS, overpayment of taxes was made by the property owner on Block 34 Lot 7 for the first quarter of 2016, and

WHEREAS, this has caused an overpayment on Block 34 Lot 7, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$ 808.35 to Brandon Lewis, 7 Old Farm Road, Stewartsville, NJ 08886.

On Motion by Mike Toretta and seconded by Jacob Pence the aforementioned **Resolution 2016-36** be adopted as read.

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

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held in the Municipal Building, on April 4, 2016.

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

SEAL:

Denise L. Becton, Township Clerk

RESOLUTION NO. 2016-40

WHEREAS, an erroneous payment was made on Block 41 Lot 3.01 for the fourth quarter of 2015, and

WHEREAS, this payment caused an overpayment on Block 41 Lot 3.01, and

WHEREAS, the property owner has 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 \$ 195.86 to Douglas Geisert, 2738 E Locust Drive, Chandler, AZ 86286.

On Motion by Mike Toretta and seconded by Jacob Pence the aforementioned **Resolution 2016-40** 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

CERTIFICATION

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Franklin at a meeting held on April 4, 2016.

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

Denise L. Becton
Municipal Clerk

The following Resolution 2016–38 were presented for adoption:

**GOVERNING BODY CERTIFICATION OF THE ANNUAL
AUDIT FORM OF RESOLUTION**

RESOLUTION 2016-38

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Franklin, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On motion by Mike Toretta and seconded by Jacob Pence the aforesaid **Resolution 2016-38** be adopted as read.

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

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON April 4, 2016.

Denise L. Becton, Municipal Clerk

Dated: April 4, 2016

The following Resolution 2016–39 were presented for adoption:

**TOWNSHIP OF FRANKLIN
WARREN COUNTY, NEW JERSEY
RESOLUTION #2016-39**

**TO AUTHORIZE AND APPROVE SALARIES AND WAGES
FOR CERTAIN EMPLOYEES AND PROFESSIONALS**

WHEREAS, a special circumstance has come about for handling one Warren County Tax Appeal for the Township of Franklin of a current Township Committee Member, residing at residential property Block 34 Lot 7.10; and

WHEREAS, Lydia Schmidt is a qualified Tax Assessor and Martin Allen is a qualified Tax Appeal Attorney to collaborate with the Warren County Taxation Board, to review any and all documentation, appraisals and etc. relating to the property in question and to inspect the property for a conclusion of value; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin, County of Warren that the following named employee be compensated for this special circumstance, until the completion thereof, effective April 4, 2016 unless otherwise noted, in the amounts as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY/SALARY</u>
Lydia Schmidt	Tax Assessor (as needed)	\$25.00 hour + (mileage and expenses)

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Committee of the Township of Franklin, County of Warren that Martin Allen has agreed to be compensated for this special circumstance for the services to be provided at the rate of \$175.00 per hour for services of the Attorney and \$150.00 per hour for associates and \$75.00 per hour for the services of a paralegal which are the same 2016 hourly rates as Richard M. Conley, LLC, our current Special Tax Appeal Attorney.

On Motion by Bonnie Butler and seconded by Mike Toretta the aforementioned **Resolution 2016-39** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained	
Jeffrey DeAngelis			X	
Joe Flynn			X	
Jacob Pence				X
Michael Toretta	X			
Mayor Bonnie Butler	X			
		(2)Yes (0) No	(2) Absent (1) Abstained	Motion carried

Certification

I, Denise L. Becton, Clerk of the Township of Franklin, Warren County, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Franklin on April 4, 2016.

Denise L. Becton, RMC
Municipal Clerk

OLD BUSINESS:

PUBLIC HEARING AND CONSIDERATION OF:

Final Reading and Adoption of Ordinance 2016-4

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

No Public Comments

On motion by Bonnie Butler and seconded by Jacob Pence to close the Public Hearing and adopt.

**TOWNSHIP OF FRANKLIN
ORDINANCE NO. 2016-4**

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

On motion by Committeeperson Mike Toretta and seconded by Committeeperson Jacob Pence the aforementioned **Ordinance 2016-4** be adopted.

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

OPEN PUBLIC SESSION

Nothing to report from the public

REPORTS/UPDATES:

Jim Onembo – Code Enforcement/Zoning

Mr. Onembo advised the he will be back in court with Mr. Hunter of Playmakers, April 13th.

Roger Bulava – Recycling

Mr. Bulava not present

Let the record reflect that Committeeman Flynn joined the meeting at 7:22 pm.

DPW REPORT – Ron Read - Report on File

Mr. Read reported that curbside brush pickup has started today. Pipes have been cut and waiting on mark outs for Maple Avenue. Mr. Read was advised that in order to go out to bid for a salt shed he will need to provide specs.

Franklin Township Youth Association – Jim Schlessinger, President

Mr. Schlessinger reported that a local family in our community, their son is working on an Eagle Scout project to improve and clean up sheds on the school property. Dedication of the sheds will take place this summer.

Rescue Squad – Chief Karen Chiu

Chief Chiu informed of a roadside fund drive on April 23rd.

Fire Department– Chief Raymond Read –

Chief Read reported they had 715 man hours for training and calls. PEOSHA mandatory testing is in the process of being completed at this time.

OEM – Raymond Read –

Mr. Read attended a RA meeting for snowstorm Jonas. April 14th is the Kick Off Meeting at Warren Tech and will meet with DPW Foreman Read for information needed for the application.

Engineer Report – Report on File (submitted below)

Mr. Finelli briefed the committee as to his report submitted below. Mayor Butler received an email in reference to septic density in the Highlands. Engineer Finelli informed that Gene Weber of his office will be attending.

. 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 been completed by Denville Line Painting.
- 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.

- The guide rail work has **finally** been completed by Ficor, Inc. The work was completed the week of March 1, 2016.
- At this juncture, our office continues to gather all necessary supporting documentation and required NJDOT “paperwork” in an effort to submit for final approval from the NJDOT and allow the Township to close out the project and secure the final portion of grant monies due the Township. Until the payments to Ficor and All Image are made, we cannot file our final reimbursement documents with the NJDOT.
- We will continue to keep the Township apprised of the status of the Project as we move forward toward final project close out.

2. Maple Avenue: 2015 NJDOT Trust Fund Grant Project

- 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.

- Our office has recently spoken with the DPW regarding their work along the roadway and the coordination of same with our grant project. Donna Becker of our office recently met with the DPW in the field to review and discuss both the roadway widening and project limits. Our office is presently moving forward with the modified design. As previously discussed, we will be utilizing the Co-Op to do the majority of work for this roadway improvement project. We may be required to secure a design exception from the NJDOT for the western most end of the road (adjacent to the MWA office) as we may not be able to maintain a roadway width of 22 ft. Our office is currently evaluating this matter further. We will continue to examine the existing conditions, which are compromising our ability to widen the road as required.
- Our office is presently in the process of finalizing the design/construction plans in order to submit same to the NJDOT for approval. Once approved by the NJDOT, we will be in a position to proceed forward with the construction phase of the project, which we will be utilizing the Morris County Co-Op.
- 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: (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.
- 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.
- At the February 1, 2016 TC meeting, the Township agreed to consider still moving forward with the project dependent upon the amount of work still outstanding. Mayor Butler was going to further discuss this project with Cindy Randazzo after meeting with Donna Becker of our office to update her on exactly “where we are” with the project at this time. I would look to Mayor Butler for an update on where this project stands and if she was able to contact Ms. Randazzo.

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. 2016 NJDOT Trust Fund Grant Program

- 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.
- The award notices were just made this past week (the week of March 28, 2016) and, unfortunately, Franklin Township did not receive a grant through the 2016 Program.

8. 2017 DPW Dump Truck With Plow And Salt Spreader: (No change since last month's Report.)

- 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.

Let the record reflect that Attorney Benbrook joined the meeting at 7:33 pm.

Open Space Commission

No one present

Attorney Report – Report on File

EXECUTIVE SESSION

BE IT RESOLVED, on this 4th day of April, 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

**Personnel – Building Department
Litigation - COAH**

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 4th, day of April, 2016 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 7:34 pm.

On Motion by Jacob Pence and seconded by Joe Flynn to exit to executive session at 7:34 p.m. Unanimous Vote.

On motion by Joe Flynn and seconded Mike Toretta to return to the regular session at 8:23 p.m. Unanimous Vote.

Attorney Benbrook informed that the township committee was in executive session and addressed two matters; one Construction Office Personnel and a brief discussion on COAH litigation to help avoid a Builders Remedy Lawsuit.

Attorney Benbrook also informed that the Public Hearing for Ordinance 2016-5 will continue at the May 2nd Township Committee Meeting, on motion by Mayor Butler and seconded by Joe Flynn, Unanimous vote. Please be informed that the ordinance will not be re-advertised and anyone with interest in the public hearing should attend the May 2nd meeting.

Township Committee Reports:

Jeff DeAngelis

Absent

Jacob Pence

Nothing further to report.

Michael Toretta

Nothing further to report.

Joe Flynn

Nothing further to report.

Bonnie Butler, Mayor

Mayor Butler advised that another quote was received from Apex for surveillance cameras at the municipal building. Further discussion to ensue at the May meeting.

MOTION FOR PAYMENT OF BILL LIST:

On motion by Jacob Pence 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	(4) Yes (0) No	(1) Absent	Motion carried

MOTION FOR ADJOURNMENT:

On motion by Joe Flynn and seconded by Mike Toretta, hearing no objection, meeting stands adjourned at 8:30 pm.

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

Respectfully submitted,

Denise L. Becton
Municipal Clerk