

REGULAR MEETING

The Franklin Township Committee held a meeting with their Auditor, Anthony Ardito at 6:30 pm and their regular monthly meeting at 7:30 pm on Monday, February 7, 2011. Mayor Jeffrey DeAngelis 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.

Present for Budget Meeting were: Mayor Jeffrey DeAngelis, Bonnie Butler, Joe Flynn, Sarah Payne, Michael Toretta, Denise L. Cicerelle, Municipal Clerk, Anthony Ardito, Auditor, Dawn Stanchina, CFO, Ron Read, DPW Foreman.

Following the flag salute Auditor Ardito addressed the committee as to the budget numbers for the 2011 year. Surplus is down \$240,000. We put \$990,000 in last year and only able to put in this year \$923,212. We are way over the 2% Tax Levy by approximately \$380,000. A few approaches that we can take; raise revenues, cut expenditures as well as the recently purchased Sigler Property can put to Open Space Reserve.

At this time, let the record reflect, Committeeperson Joe Flynn joined the meeting at 6:50pm.

Committee discussed cuts to the following line items as follows; Professional Legal Services, Capital Improvement, Parks and Recreation, Gasoline, Capital Improvement, Recreation Equipment. Total Expenses cut \$158,700.

Mayor DeAngelis commented that we need to use our due diligence this year and look at upcoming projects/grants and use the Deferred School Tax. We are close to being in the ballpark where we need to be at \$170,000 rate 17.61cents half penny. An average \$200,000 house would see an increase of approximately \$10.00 a year. Budget intro will be March 7th, Auditor will email a new spreadsheet for review to committee and adoption of Budget will be April 4th.

At this time a **ROLL CALL OF COMMITTEE MEMBERS PRESENT:** Bonnie Butler, Joe Flynn, Jeffrey DeAngelis, Michael Toretta, Sarah Payne. (5) Yes

The Regular Meeting Minutes of January 3, 2011 were accepted on motion by Bonnie Butler, and seconded by Sarah Payne, all in favor. Special Meeting Minutes of January 11, 2011 were accepted on motion by Bonnie Butler, and seconded by Joe Flynn, all in favor.

REPORT/UPDATE:

A representative from the New Jersey State Police was present reporting the following statistics for last month. 4 (911) Calls, 10 Accidents, 38 Community Policing, 3 Fires, 17 Medical Assists, 12 Motor Vehicle Accidents, 224 Traffic Stops, 75 Property Checks, 1 Well Being Check, 1 Criminal Mischief, 3 Domestic, 1 Harassment, 1 Noise Complaint, 1 Theft. Mayor DeAngelis commented as to correspondence received for a resident of Maple Avenue and a phone call was already made to the barracks as to speeding on this road. If patrol could be stepped up on this road it would be appreciated. Trooper will take this back to his barracks. Addressing no public concerns or questions from the audience.

INTRODUCTION/ADOPTION OF:

PROCLAMATION

WHEREAS, the citizens of Franklin Township stand firmly committed to the promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, Franklin Township has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principal that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UA W, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Committee calls on the citizens of the Township of Franklin assure that every child is in a safe place reading together with a caring adult on March 2, 2011;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA'S Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

The aforementioned **Proclamation** be adopted by unanimous vote.

I, Denise L. Cicerelle, Municipal Clerk, for the Township of Franklin, Warren County, NJ, hereby certify that this is a true copy of a Proclamation adopted by the Franklin Township Committee, February 7th, 2011.

Denise L. Cicerelle, Municipal Clerk

Dated: February 7, 2011

The following **Resolution 2011-41** was presented for First Reading/Adoption

RESOLUTION NO.2011-41

WHEREAS, On December 15, 2010, property taxes on Block 30 Lot 35, was sold at Tax Sale to Franklin Township and

WHEREAS, the property owner has paid off this lien, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to cancel the lien on Block 30 Lot 35.

On motion by Michael Toretta and seconded by Sarah Payne the aforementioned **Resolution 2011-41** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Joe Flynn	X		
Sarah Payne	X		
Michael Toretta	X		
Mayor Jeffrey DeAngelis	X	(5) Yes	(0) No Motion Carried

Dated: February 7, 2011

CERTIFICATION

Certification: I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, February 7, 2011.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2011-42** was presented for First Reading/Adoption

RESOLUTION NO. 2011-42

WHEREAS, Crusader Servicing Corp. holds Tax Sale Certificate # 04-02 and has paid subsequent taxes on Block 51 Lot 1.01 and,

WHEREAS, the property owner has redeemed this lien,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$58,411.21 to Crusader Servicing Corp., 6526 Castor Ave., Philadelphia, PA 19149.

On motion by Bonnie Butler and seconded by Michael Toretta the aforementioned **Resolution 2011-42** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Joe Flynn	X		
Sarah Payne	X		
Michael Toretta	X		
Mayor Jeffrey DeAngelis	X	(5) Yes	(0) No Motion Carried

Dated: February 7, 2011

CERTIFICATION

Certification: I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, February 7, 2011.

Denise L. Cicerelle, RMC/CMR

The following **Resolution 2011-43** was presented for First Reading/Adoption

RESOLUTION NO. 2011-43

WHEREAS, Crusader Servicing Corp. holds Tax Sale Certificate # 07-04 and has paid subsequent taxes on Block 57 Lot 1 and,

WHEREAS, the property owner has redeemed this lien,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the sum of \$37,808.54 to Crusader Servicing Corp., 6526 Castor Ave., Philadelphia, PA 19149.

On motion by Michael Toretta and seconded by Sarah Payne the aforementioned **Resolution 2011-43** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Joe Flynn	X		
Sarah Payne	X		
Michael Toretta	X		
Mayor Jeffrey DeAngelis	X	(5) Yes (0) No	Motion Carried

Dated: February 7, 2011

CERTIFICATION

Certification: I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, February 7, 2011.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2011-44** was presented for First Reading/Adoption

RESOLUTION NO. 2011-44

WHEREAS, James Older holds Tax Sale Certificate # 0815 and has paid subsequent taxes on Block 57 Lot 1 Qfarm and,

WHEREAS, the property owner has redeemed this lien,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee authorize the Tax Collector to refund the amount of \$ \$630.23 to James Older, 87 East Mountain Road, Hillsborough, NJ 08844.

On motion by Michael Toretta and seconded by Bonnie Butler the aforementioned **Resolution 2011-44** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Joe Flynn	X		
Sarah Payne	X		
Michael Toretta	X		
Mayor Jeffrey DeAngelis	X	(5) Yes	(0) No Motion Carried

Dated: February 7, 2011

CERTIFICATION

Certification: I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, February 7, 2011.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2011-45** was presented for First Reading/Adoption

RESOLUTION 2011-45

Resolution of the Township Committee of Franklin Township, Warren County to support the application by the Musconetcong Watershed Association to the Warren County MCCTF for funding for a phased renovation of the Asbury Grist Mill.

WHEREAS, The Musconetcong Watershed Association (MWA) was incorporated as a nonprofit 501(c)3 organization in 1992 to protect and improve the quality of the Musconetcong River Watershed through public education and awareness programs, water quality monitoring, promotion of sustainable land management practices, and community involvement and;

WHEREAS, The organization headquarters, the MWA River Resource Center, located in the village of Asbury was renovated by the MWA and has achieved the U.S. Green Building Council's Platinum LEED award and;

WHEREAS, The adjoining Asbury Grist Mill property and building was also donated to MWA by the Riddle family in 2001 and;

WHEREAS, In 2001 MWA received a \$52,000 Legislative Initiative Grant from the New Jersey State Legislature and undertook architectural and engineering assessments and basic structural repairs of the Asbury Grist Mill and;

WHEREAS, In 2010 the project received \$5,000 from the Leavens Foundation which was used for updated engineering studies.

WHEREAS, Preliminary discussions have led MWA to understand that the project would be a good candidate for a grant from the Warren County Municipal and Charitable Conservancy Trust Fund (MCCTF) in the MCCTF for the spring 2011 round of funding and;

NOW, THEREFORE BE IT RESOLVED that the Franklin Township Committee supports the Musconetcong Watershed Association application to the WARREN COUNTY MUNICIPAL AND CHARITABLE CONSERVANCY TRUST FUND for the phased stabilization and restoration of the Asbury Graphite Mill.

On motion by Michael Toretta and seconded by Sarah Payne the aforementioned **Resolution 2011-45** be adopted as read.

Roll Call Vote	Yes	No	Absent/Abstained
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Bonnie Butler	X	
Joe Flynn	X	
Sarah Payne	X	
Michael Toretta	X	
Mayor Jeffrey DeAngelis	X	(5) Yes (0) No Motion Carried

Dated: February 7, 2011

CERTIFICATION

Certification: I, Denise L. Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Franklin Township Committee on Monday, February 7, 2011.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2011-46** was presented for First Reading/Adoption

**RESOLUTION OF THE TOWNSHIP OF FRANKLIN
Warren County, New Jersey**

RESOLUTION NO. 2011-46

Title or Subject: Resolution of Award, Installation of Dump Truck Accessories

Be It Resolved, that on February 7, 2011 the Township Committee of the Township of Franklin adopted **Resolution 2011-46** award a contract for various items to complete the Installation of Dump Truck Accessories with a total project award in the amount of \$27,885.00.

Be It Further Resolved, that the Township Committee of the Township of Franklin does hereby award the contract to Trius, Inc., from 5409 Industrial Road, Farmingdale, NJ 07727, for a total bid price of \$27,885.00, as listed and outlined within their completed project bid specification which was opened and read on October 28, 2010. 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. Cicerelle, RMC/CMR
Municipal Clerk*

Jeffrey DeAngelis, Mayor

Date of Adoption: February 7, 2011

On motion by Sarah Payne and seconded by Michael Toretta the aforementioned **Resolution 2011-46** adopted as read.

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

Certification

I, Denise L. Cicerelle, 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 7, 2011.

Denise L. Cicerelle, RMC/CMR
Municipal Clerk

The following **Resolution 2011-47** was presented for First Reading/Adoption

RESOLUTION # 2011-47

**RESOLUTION OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN
AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A FEDERAL AID CHANGE ORDER 2
FOR THE PROJECT ASBURY HISTORIC DISTRICT SIDEWALK
FEDERAL PROJECT NUMBER FS-B00S(949)**

WHEREAS, the Township of Franklin previously received a State Transportation Improvement Grant, Federal Aid Agreement Number 2009-DT-BLA1-17 for the construction of sidewalks on Asbury Road, and

WHEREAS, bid item #8 Slate Sidewalk Removal and Resetting which was reduced as a result of the extensive damage to the existing slate and reconstruction of the damaged areas with Tinted Concrete Sidewalk, 4” Thick from approximately Station 153+70 to Station 154+50 on sheet #5 of the project plans, and

WHEREAS, the area of the walkways to be replaced is located within the road right-of-way of 66’, and

WHEREAS, the replacement of the slate sidewalks with tinted concrete sidewalks has the support of the individual property owners where the slate sidewalks are to be replaced, and

WHEREAS, a Federal Change Order is required to authorize a reduction in the contract price by the reduction of the quantity for bid item #8 Slate Sidewalk Removal and Resetting, and

WHEREAS, the Township of Franklin has requested the execution of Federal Aid Change Order No 2 to reduce the overall contract price by a reduction in the contract quantity of bid item #8 Slate Sidewalk Removal and Resetting, and

WHEREAS, the replacement of the slate walkways with tinted concrete sidewalk could be considered inherently beneficial by providing for safe pedestrian transportation, and

WHEREAS, the change order is conditioned upon the execution of a Federal Aid Change Order;

NOW THEREFORE BE IT RESOLVED, that the Township of Franklin endorses the above-referenced Federal Aid Change Order No 2 to reduce the contract quantity of bid item #8 Slate Sidewalk Removal and Resetting in the Township of Franklin, and

FURTHER BE IT RESOLVED, the Mayor and Committee endorse Federal Change Order No 2 and hereby authorize the mayor to execute same.

On motion by Bonnie Butler and seconded by Joe Flynn the aforementioned **Resolution 2011-47** adopted as read.

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

CERTIFICATION

I, Denise Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Franklin Township Committee at its meeting held on Monday, February 7, 2011.

Denise L. Cicerelle, RMC
Municipal Clerk

The following **Resolution 2011-48** was presented for First Reading/Adoption

RESOLUTION # 2011-48

**RESOLUTION OF THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN
AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A FEDERAL AID CHANGE ORDER 1
FOR THE PROJECT ASBURY/BRYAN ROAD SRTS
FEDERAL PROJECT NUMBER STP-C00S (049)**

WHEREAS, the Township of Franklin previously received a Safe Routes to Schools Grant, Federal Aid Agreement Number 2010-DT-BLA1-26 for the construction of sidewalks on Asbury Road and Bryan Road, and

WHEREAS, there is a need to increase the following bid items; #1 9"x18" Concrete Vertical Curb; #2 Concrete Sidewalk, Reinforced, 4" Thick; #3 Concrete Driveway, 6" Thick; #10 Large Deciduous Tree, 2" to 2½" Caliper B&B and Removal of Sidewalk to cover the replacement of additional existing damaged concrete sidewalks that required replacement, an additional area of concrete apron construction and additional trees to replace a second tree removed on the project, and

WHEREAS, the area of the above-referenced concrete work and trees are located within the road right-of-way of 66', and

WHEREAS, the replacement of the additional concrete sidewalks and aprons has the support of the individual property owners where the sidewalks and aprons are to be replaced, and

WHEREAS, a Federal Change Order is required to authorize additional funding to increase the contract quantities and increased cost associated with additional concrete sidewalks, aprons and trees, and

WHEREAS, the Township of Franklin is requesting execution of Federal Aid Change Order No 1 to adjust the contract quantities and increased cost associated with additional concrete sidewalks, aprons and trees, and

WHEREAS, the replacement of the additional concrete sidewalk, aprons and trees could be considered inherently beneficial by providing for safe pedestrian transportation, and

WHEREAS, the change order is conditioned upon the execution of a Federal Aid Change Order;

NOW THEREFORE BE IT RESOLVED, that the Township of Franklin endorses the above-referenced Federal Aid Change Order No 1 to add contract quantities and the increased costs associated with additional concrete sidewalks, aprons and trees in the Township of Franklin, and

FURTHER BE IT RESOLVED, the Mayor and Committee endorse Federal Change Order No 1 and hereby authorize the mayor to execute same.

On motion by Joe Flynn and seconded by Michael Toretta the aforementioned **Resolution 2011-48** adopted as read.

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

CERTIFICATION

I, Denise Cicerelle, Municipal Clerk of the Township of Franklin, County of Warren and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Franklin Township Committee at its meeting held on Monday, February 7, 2011.

Denise Cicerelle, RMC
Municipal Clerk

FIRST READING/INTRODUCTION OF:

The following **Ordinance 2011-4** was presented for Final Reading/Adoption

ORDINANCE 2011-4

**AN ORDINANCE APPROPRIATING THE SUM OF \$9,000.00
WHICH WILL BE BUDGETED IN THE 2011 CAPITAL
IMPROVEMENT FUND OF THE TOWNSHIP OF
FRANKLIN FOR REPAIRS AND CONSTRUCTION OF SIDEWALKS IN FRANKLIN TOWNSHIP**

WHEREAS, there will be funding appropriated in the Capital Improvement Fund for the 2011 Budget and will within the Capital Improvement Fund of Franklin Township, and

WHEREAS, it is deemed appropriate to make use of \$9,000.00 of the allowable Capital improvements for the construction and repairs of Township sidewalks

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, as follows:

Section 1. The sum of \$9,000.00 presently located in the Capital Improvement Fund is hereby appropriated for a new repairs and construction of Sidewalks in Franklin Township.

Section 2. In connection with the amount authorized in Section 1 hereof, the Township Committee makes the following determinations.

A) The purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Township may lawfully take as a general capital improvement

B) The period of usefulness of the purpose described in Section 1 hereof is not in the limitation of the Local Bond Law and the reasonable life thereof is at least five (5) years.

Section 3. All ordinances or parts of ordinances which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

On motion by Committeeperson Sarah Payne and seconded by Committeeperson Bonnie Butler the aforementioned **Ordinance 2011-4** be adopted at first reading. Final reading and adoption on **March 7th, 2011 at 7:00 p.m.**

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler	X		
Joe Flynn	X		
Sarah Payne	X		
Michael Toretta	X		
Mayor Jeffrey DeAngelis	X	(5) Yes	(0) Absent Motion carried

Dated: February 7, 2011

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

and seconded by
the aforementioned **Ordinance 2011-**

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler			
Joe Flynn			
Sarah Payne			
Michael Toretta			
Jeffrey DeAngelis		() Yes () Absent	Motion carried

CERTIFICATION

I, Denise L. Cicerelle, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on February 7, 2011. Second reading, public hearing will be held on March 7th, 2011 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Cicerelle, RMC/CMR

The following **Ordinance 2011-5** was presented for Final Reading/Adoption

ORDINANCE 2011-5

AN ORDINANCE APPROPRIATING THE SUM OF \$66,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF FRANKLIN FOR NEW DPW DUMP TRUCK EQUIPMENT AND ACCESSORIES

WHEREAS, there are currently funds, raised by the Current Operating and previous, budgets within the Capital Improvement Fund of Franklin Township, and

WHEREAS, it is deemed appropriate to make use of \$66,000.00 of the allowable Capital improvements for the purchase of new Dump Truck and accessories for the Department of Public Works.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey, as follows:

- Section 1. The sum of \$66,000.00 presently located in the Capital Improvement Fund is hereby appropriated for a new Dump Truck and accessories the Department of Public Works.
- Section 2. In connection with the amount authorized in Section 1 hereof, the Township Committee makes the following determinations.

B) The purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Township may lawfully take as a general capital improvement

B) The period of usefulness of the purpose described in Section 1 hereof is not in the limitation of the Local Bond Law and the reasonable life thereof is at least five (5) years.

Section 3. All ordinances or parts of ordinances which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

On motion by Committeeperson Michael Toretta and seconded by Committeeperson Bonnie Butler the aforementioned **Ordinance 2011-5** be adopted at first reading. Final reading and adoption on **March 7th, 2011 at 7:00 p.m.**

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler	X			
Joe Flynn	X			
Sarah Payne	X			
Michael Toretta	X			
Mayor Jeffrey DeAngelis	X	(5) Yes	(0) Absent	Motion carried

Dated: February 7, 2011

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

and seconded by
the aforementioned **Ordinance 2011-**

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler				
Joe Flynn				
Sarah Payne				
Michael Toretta				
Jeffrey DeAngelis		() Yes	() Absent	Motion carried

CERTIFICATION

I, Denise L. Cicerelle, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on February 7, 2011. Second reading, public hearing will be held on March 7th, 2011 at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Cicerelle, RMC/CMR

PUBLIC HEARING AND CONSIDERATION OF:

The following **Ordinance 2011-1** was presented for Final Reading/Adoption

Ordinance 2011-1

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

MOTION: To open Public Hearing for Ordinance 2011-1 by Bonnie Butler, seconded by Joe Flynn.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Sarah Payne	X		
Joe Flynn	X		
Michael Toretta	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes	(0) No (0) Absent Motion Carried

PUBLIC COMMENTS: none

MOTION: To close Public Hearing by Bonnie Butler, seconded by Sarah Payne.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Sarah Payne	X		
Joe Flynn	X		
Michael Toretta	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes	(0) No (0) Absent Motion Carried

The within **Ordinance 2011-1** was moved by Bonnie Butler and seconded by Joe Flynn and upon roll call vote was adopted.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Mike Toretta	X		
Joe Flynn	X		
Sarah Payne	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes	(0) No (0) Absent Motion Carried

Dated: February 7, 2011

The following **Ordinance 2011-2** was presented for Final Reading/Adoption *AS AMENDED*

ORDINANCE 2011-2

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

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to **2.0% unless authorized by ordinance to increase it to 3.5%** over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriations and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Franklin Township Committee of the Township of Franklin in the County of Warren finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Franklin Township Committee hereby determines that a **1.5 % increase in the budget for said year, amounting to \$18,934.50** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Franklin Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Franklin Township Committee of the Township of Franklin, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Franklin shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$44,180.50, and that the CY 2011 municipal budget for the Township of Franklin be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

MOTION: To open Public Hearing for Ordinance 2011-2 by Sarah Payne, seconded by Joe Flynn.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Sarah Payne	X		
Joe Flynn	X		
Michael Toretta	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes	(0) No (0) Absent Motion Carried

PUBLIC COMMENTS: none

MOTION: To close Public Hearing by Bonnie Butler, seconded by Joe Flynn.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Sarah Payne	X		
Joe Flynn	X		
Michael Toretta	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes	(0) No (0) Absent Motion Carried

The within **Ordinance 2011-2** was moved by Bonnie Butler and seconded by Joe Flynn and upon roll call vote was adopted **AS AMENDED**.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Mike Toretta	X		
Joe Flynn	X		
Sarah Payne	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes	(0) No (0) Absent Motion Carried

Dated: February 7, 2011

The following **Ordinance 2011-3** was presented for Final Reading/Adoption

**TOWNSHIP OF FRANKLIN
ORDINANCE NO. 2011-3**

AN ORDINANCE AUTHORIZING THE APPLICATIONS FOR CHARITABLE SOLICITATION PERMITS FOR FRANKLIN FIRE COMPANY AND FRANKLIN TOWNSHIP RESCUE SQUAD'S "COIN DROP" EVENTS FOR THE YEAR 2011 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF WARREN, NEW JERSEY

MOTION: To open Public Hearing for Ordinance 2011-3 by Sarah Payne, seconded by Michael Toretta.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Sarah Payne	X		
Joe Flynn	X		
Michael Toretta	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes (0) No	(0) Absent Motion Carried

PUBLIC COMMENTS: none

MOTION: To close Public Hearing by Bonnie Butler, seconded by Michael Toretta.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Sarah Payne	X		
Joe Flynn	X		
Michael Toretta	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes (0) No	(0) Absent Motion Carried

The within **Ordinance 2011-3** was moved by Joe Flynn and seconded by Sarah Payne and upon roll call vote was adopted.

Roll Call Vote	Yes	No	Absent/Abstained
Bonnie Butler	X		
Mike Toretta	X		
Joe Flynn	X		
Sarah Payne	X		
Jeffrey DeAngelis, Mayor	X		
		(5) Yes (0) No	(0) Absent Motion Carried

Dated: February 7, 2011

REPORTS/UPDATES:

Engineer –

Engineer Duvneck passed out to committee for review Franklin Recreation Fields, Grading and Utility Plan and an Estimate of Quantities and Costs. Committeeperson Flynn was quite concerned that the numbers, previously discussed, are now doubled. A meeting will be set up with Greg from Finelli's Office to address concerns.

THIRD STREET DRAINAGE PROBLEMS

(No change since last month's report)

- As authorized by the Committee, our office sent a Highlands Applicability Determination (HAD) application to the Highlands Council to receive formal authorization to construct the project. Unfortunately, the Township's HAD application was denied by the Highlands Council as it did not meet the requirements to be classified as one of the Qualified Exemptions.
- Our office previously prepared and submitted a "Pre-Application" package for review by the NJDEP. Nevitt Duvneck attended a meeting on October 4, 2007 with various NJDEP representatives including John Moyle, Division of Dam Safety and Lou Cattuna, Land Use Regulation. Nevitt Duvneck will continue to

coordinate with both John Moyle and Lou Cattuna. We were notified by Lou Cattuna that in order for the project to proceed forward, an application to SHPO must be made in order to receive a "Project Authorization."

- Our office submitted the required SHPO application (refer to separate correspondence dated December 13, 2007). Our office then forwarded a follow-up correspondence to the Warren County Morris Canal Committee in answer to questions they raised in their review of the project.
- On December 22, 2008, our office contacted the Warren County Morris Canal Committee Chairman, Dave Detrick as well as, Greg Sipple to coordinate a field meeting to review the scope of work and discuss any concerns they may have regarding the project. As previously reported, we are optimistic that the project can move forward into the design phase once the required property is secured by the Township.
- On January 13, 2009, our office met with the Warren County Morris Canal Committee to discuss the project. Subsequently, we received a correspondence from the Committee which supports the project to utilize the canal as a detention structure. The next phase would involve negotiations with the property owner, the Chiu's, to purchase the canal property or seek an easement on the property for the construction work necessary to develop the proposed detention basin. In the past, we have had only marginal success in discussing the project with the Chiu's.
- The Township recently executed an extension to the original grant agreement for an additional period of three (3) years to expire on August 31, 2012.
- Nevitt Duveneck and I previously met with Mayor Blaszkowski to review a number of current Municipal projects including this project. It is our understanding that Mayor Blaszkowski will be following up on this matter in an effort to meet with Mr. Chiu to discuss acquiring the necessary parcel of property to allow this project to move forward.
- Mayor Blaszkowski met with Mr. Chiu and had a fruitful discussion regarding the project. It appears Mr. Chiu is not interested in selling the canal bed however he would be receptive to granting a drainage easement on the canal.
- On April 23, 2010, Mayor Blaszkowski and Nevitt Duveneck met at the canal at the Thatcher Avenue crossing and performed a site inspection of the existing conditions and reviewed the limits of the proposed improvements. The Mayor will now continue his negotiations with Mr. Chiu to secure a drainage easement which will allow for the construction and maintenance, if necessary, while putting us in a position to move forward with the design work for the project.
- Our office has performed the necessary deed research for the affected parcels in conjunction with the preparation of a drainage easement along the canal associated with the proposed stormwater management improvements. Our intention is to field-stake the proposed limits of the easement in an effort to provide Mr. Chiu with a visual perspective of the area in question which should allow for his execution of the drainage easement.
- Mayor Blaszkowski has received authorization from Mr. Chiu regarding the field work required by our office to perform the stake-out of the easement area. A meeting held on October 28, 2010 to review the limits of the proposed easement with Mayor Blaszkowski, Nevitt and Mr. Chiu. The meeting was very successful and it appears that Mr. Chiu is in general agreement with the project and will be cooperative with the Township regarding the securing and acquisition of this easement area.
- It is our understanding that the Committee has requested that a drainage easement agreement be executed by Mr. Chiu before authorizing our office to begin the survey and design work for the project. Once an agreement has been signed, we would look to the Committee for authorization to commence with the design work associated with the project.

TOWNSHIP WASTEWATER MANAGEMENT PLAN

- Our office received a copy of a letter, dated September 24, 2008, from the NJDEP, Division of Watershed Management, to Mayor Butler regarding this matter. In summary, based upon the County's decision not to assume the wastewater management planning responsibilities, the Township is now the lead entity for the wastewater management planning responsibilities for the Township. Per the recently adopted and amended Water Quality Management Planning Rules (NJAC 7:15), the municipality is responsible to submit a WMP within one (1) year from the date of the adoption of the rules which would be July 7, 2009. As previously discussed by me at recent Township Committee meetings, if a "new" Township-specific WMP would not be submitted, the Township would be subject to the withdrawal of any wastewater service area designations.
- As per the NJDEP's September 24, 2008 letter to the municipality, the NJDEP is requesting a letter from the Township which would indicate the Township's intended course of direction and WMP responsibilities. This matter has been discussed at the last few Township Committee Meetings. I attended a Highlands Council Information Session meeting on January 22, 2009 regarding Plan Conformance. At that meeting, there was an

indication from Eileen Swan, Highlands Council that a potential extension may be granted by the NJDEP to the July, 2009 submission deadline for Municipalities (within Warren County) that lie within the Highlands and have supplied a "Notice of Intent to Conform." We have since received confirmation that there will be extensions granted to Highlands municipalities within Warren County. The Township has now formally requested an extension from the NJDEP, via a correspondence from our office dated June 1, 2009.

- The NJDEP has amended their requirements for Warren County municipalities relative to the submission of a "complete" WMP. We have spoken with numerous NJDEP personnel regarding the NJDEP's requirements for WMP submissions in Warren County/Highlands municipalities. The NJDEP will be accepting an "interim" WMP which is a much abbreviated and more concise WMP submission.
- Our office will keep the Committee updated as we proceed forward in developing the "interim" WMP. Prior to any submission of an "interim" WMP to the NJDEP, the Township Committee will need to approve same.
- Very recently, Administrative Order #2010-03 was signed by Mr. Bob Martin, NJDEP Commissioner, which extended the deadline for submitting a WMP until April 7, 2011. Until then, it is our understanding that all current wastewater service area designations will remain effective. Our office has communicated directly with our NJDEP representative, Mr. Neal Ferrari, on this project, who suggested that it would still be prudent for the Township to proceed forward with their revised/amended/updated WMP and submit same to the NJDEP in the near future to expedite the processing of same.
- The NJDEP has made available a \$10,000 grant for each municipality who decides to proceed and submit an "interim" plan. Our office, with assistance from both Denise Cicerelle and Dawn Stanchina, has previously developed and submitted (August, 2009) the grant application.
- Our office received a copy of an Agreement from the NJDEP on October 28, 2009 which has been executed by the Township in conjunction with the \$10,000 grant referenced above. The grant agreement was signed and executed by Mayor Butler and Denise Cicerelle. The agreement will enable the Township to secure the \$10,000 grant from the NJDEP for the work associated with the development of this interim WMP.
- Our office previously submitted Township WMP mapping and some other supporting information to the NJDEP in an effort to allow the grant monies to be released by the State. We secured Mayor Blaszk's signature on the grant agreement form and submitted same to the NJDEP for purposes of securing the grant monies in order for the Township to be reimbursed for the expenses incurred to date. It is my understanding that the Township has received approximately \$6,500 of the grant funds available towards this project. I have recently been speaking with Theresa Botini, NJDEP Grant representative, and Dawn Stanchina, regarding additional reimbursements that are due the Township for this project. We previously forwarded additional documentation to Ms. Botini for the Township to secure any additional monies which are available through this grant and have been coordinating with Dawn Stanchina, CFO, regarding same.

SAFE ROUTES TO SCHOOLS GRANT APPLICATION (SRTS)

- Confirmation was received by the Township that they were successful in receiving funding in the amount of \$74,000 for the project. According to the grant guidelines, the project requires project authorization (design plan approval) by the NJDOT within two (2) years of the date of the grant award.
- The construction on the project has been completed. Our office has prepared Voucher 2 (Final) and Change Order Number 1 with a payment due to the contractor in the amount of \$51,110.11 for the project. This voucher will be forwarded to the Township Committee under separate cover.
- Our office is completing the final NJDOT and FHWA documents to close out the project.

TOWNSHIP RECREATIONAL FIELDS COMPLEX

- The original concept plan had been finalized with the overall layout securing approval from the Township Recreation Subcommittee. On January 12, 2009, Greg VandeRydt from our office, along with Malia Corde and Mark Blaszk, presented the plan via a PowerPoint presentation to the public at a public information session which was attended by approximately 50± citizens. The plan was generally well received and, we believe at this juncture, the funding mechanism(s) and sources are being evaluated and pursued.
- The wetlands have been delineated by our wetlands consultant and we have developed the plan which accompanied the previously filed Letter of Interpretation (LOI) application to the NJDEP. Our office is in receipt of an approved NJDEP LOI for the project dated December 1, 2009.
- Greg VandeRydt of our office originally met with Mayor Blaszk and Committeeman Flynn to discuss revisions to Phase I of the proposed recreational complex. Some field layout and location changes resulting in an amended Phase I plan was then developed by our office.

- Our office previously performed the necessary field survey work to allow us to develop the topography of a 10-acre portion slated for the development of the initial recreational facilities (Phase I) off of Asbury-Broadway Road. In the Spring of 2010, our office field staked the area in question to limit the planting of crops within the area slated for development.
- On August 25, 2010, Greg VandeRydt of our office met with Mark Blaszk, Joe Flynn, Alan Kochanski and George Buniak to discuss modifications to the Phase I layout. The layout was modified to eliminate the upper parking area and to rotate one of the proposed baseball fields. Also, the paved walking path was extended to Bryan Road from the proposed fields. A revised layout and cost estimate were recently provided to Mayor Blaszk and Committeeman Flynn who distributed same at the September 13, 2010 Committee meeting.
- At the November 1, 2010 Township Committee Meeting, the Township Committee authorized our office to proceed with the development of Construction Plans and Project Specifications for Phase I of the new Township Recreational Fields Complex to be constructed on the "Smith" property. On November 19, 2010, Greg VandeRydt met with Mayor Blaszk to finalize the layout of the project. Our office continues to work on completing the construction plans and will then proceed immediately towards the development of project bid specifications. At this juncture, Greg VandeRydt is coordinating this project with Committeeman Flynn. We will continue to keep the Committee apprised as we move forward and as we get closer to having the project in a position to go "out to bid."

HIGHLANDS PLAN CONFORMANCE

- Nevitt Duveneck, Joe Nalio and I attended an informational session at the Highlands Council office in Chester, NJ on January 22, 2009. The purpose of this meeting/informational session was to advise various professionals (engineers, planners and attorneys) about the Plan Conformance process, the timeline and the Grant program associated with same. Our office will be working with Chuck McGroarty, P.P. towards the development of the various planning modules which constitute the Highlands Plan Conformance process. The intent of this program is to have all involved municipalities be in a position to make a better "informed" decision relative to whether or not they choose to "opt in" to the Highlands Regional Master Plan (HRMP) for the areas within the Planning Area of the HRMP.
- It is my understanding that Planner McGroarty has made application(s) to the Highlands for the grants associated with the Plan Conformance process. The total for this grant program is \$50,000 with a maximum upset amount of \$100,000. This grant amount would be inclusive of all seven (7) modules required in conjunction with the plan conformance process. Confirmation should be made regarding the submission of these grant applications to the Highlands Council prior to the Township incurring any additional costs. The Township should be aware that receipt of these grant monies from the Highlands does NOT obligate the Township to "opt in" to the HRMP.
- It is our understanding that Chuck McGroarty, P.P., completed the balance of the Highlands Plan Conformance process and the compilation and submission of all required documents and completed Modules and forwarded same to the Highlands Council. At this juncture, we are waiting for the Highlands Council to review and provide comment on our Module 7 submission and the Township's Petition for Plan Conformance. Our office is in receipt of a recent correspondence from the Highlands Councils indicating that our submission was determined to be administratively complete.
- A special joint meeting of the Township Committee and Land Use Board was held on August 11, 2010 where a presentation to both bodies was made and a public hearing on the Housing Element was conducted. It is my understanding that the approved Housing Element and Fair Share Plan, as developed by Planner McGroarty, has since been submitted to COAH for their review and consideration.
- Recently, the Township received comments from the Highlands Council on the Township's Plan Conformance Petition submitted in December, 2009. Chuck McGroarty was in the process of addressing comments received from the Highlands Council. His progress work was forwarded to our office in mid-December, 2010. Subsequent to the receipt of Mr. McGroarty's progress work, our office contacted the Highlands Council to secure a 60-day extension for a re-submittal of the applicable plan conformance modules and supporting documentation. The Township has a deadline for the re-submittal of this Highlands Conformance documentation of February 28, 2011. Our office is in the process of evaluating the status of this information and will be coordinating same with Jim Kyle, P.P., Township Planner, and will continue to keep the Township Committee apprised as the project moves forward.

2010 TRANSPORTATION ENHANCEMENT APPLICATION

- The Township was originally awarded a \$76,000 grant for the project and it is being funded through the American Recovery and Reinvestment Act (ARRA) through the federal government. Subsequently, the amount of the grant award was increased to \$104,770 to correspond to the additional estimated costs associated with this project.
- Additionally, as required, we met on site with the employees from the State Historic Preservation Office (SHPO), NJDOT and the Chair and Vice Chair of the Township Historic Commission to receive their input on the project. All of their respective comments have been incorporated into the construction plans as required by the NJDOT.

- After review by the NJDOT's consultant, Greenman-Pedersen (GPI), we received final approval and "Authorization" from the NJDOT for the project.
- The project was advertised and we attended the initial bid opening for the project on April 22, 2010. Unfortunately, even though there were four (4) bid specifications picked up, no bids were submitted for the project.
- Our office re-advertised the project and we attended a second bid opening on June 3, 2010 for the project. Our office has previously prepared and forwarded a contract award recommendation correspondence, dated June 7, 2010, which was discussed at the June Township Committee Meeting.
- The Township delayed awarding the project anticipating that the project could be expanded to include additional bid items as a result of the large difference between the amount of the low bid (\$62,604.00) versus the grant award (\$104,770) for the project. Our office contacted the NJDOT Local Aid Office to inquire about the possibility of expanding the scope of work and we were informed that under this type of grant (Federally Funded) the scope of work cannot be expanded or altered. We previously e-mailed the Township Committee with this information based upon our discussions with Cheryl Edwards, NJDOT. Therefore, the project must remain as designed and bid.
- The Township awarded the project to A & A Curbing, Inc. at the July 2010 Committee Meeting. The project contracts have now been executed and the performance bond has been submitted by the contractor. On September 1, 2010, a preconstruction meeting for the project was held. The obligatory ARRA signs were installed on September 29, 2010.
- In advance of the start of the construction work, our office became aware that there were many walkways that access individual homes that would need to be replaced in conjunction with the replacement of sidewalks serving the various properties. Therefore, we requested and just received authorization for a Federal Aid Change Order to increase the amount of tinted concrete sidewalk by 120 square yards yielding an increase in the contract of \$6,000.00. This Federal Change Order requires that a supporting Resolution is passed by the municipality to authorize the execution of same by the Mayor. Resolution 2010-88 was approved by the Committee at the October 4, 2010 meeting.
- Construction on the project is now 100% complete and the Township has received the requisite Maintenance Bond for the project. We would like to note that our office was quite pleased with the workmanship and performance from the contractor on this project.
 - Our office is completing the final NJDOT and FHWA documents to close out the project.

TRAFFIC SPEED LIMIT ORDINANCE
(No change since last month's report)

- Our office was working with Attorney Tipton towards the preparation of a revised Speed Limit Ordinance. The Township Committee should determine whether they would like to continue to proceed forward with this project, as Attorney Benbrook will now need to get involved with this effort and ordinance development.

2011 NJDOT MUNICIPAL AID GRANT APPLICATIONS

- Our office is in receipt of a notification that the Municipal Trust Fund Grant program, administered through the NJDOT, has been reinstated. This year's applications are due to be submitted to the NJDOT on or before August 13, 2010. The Township has historically been very successful in receiving grant awards through this program.
- At the July Committee meeting, our office received authorization to prepare the 2011 NJDOT applications for the Township. Our office has completed the preparation of two (2) separate grant applications thru this year's program. The number one (1) priority is Good Springs Road and the second (2) priority is Wolverton Road.
- This year's applications were submitted electronically (via the SAGE system) prior to the August 13, 2010 deadline. As of the date of this report, no announcements relative to the Grant recipients has been made by the NJDOT. We were recently advised by the NJDOT Local Aid office that the grant award notices through the 2011 Trust Fund program were to be forthcoming.
- The NJDOT just announced the Municipal Grant Award recipients. Unfortunately, Franklin Township was not successful in receiving a grant allocation for 2011.

TOWNSHIP DPW MASON DUMP TRUCK SPECIFICATION

- Our office previously met with Ron Read to discuss the specific equipment, options and the logistics associated with the required public bidding for the new Township Mason Dump Truck.
- Our office has been coordinating with Ron Read relative to the bidding process for the purchase of this vehicle. We believe that it would be prudent and in the best interest of the Township to proceed with the purchasing of this vehicle in the following fashion: First, the truck chassis should be ordered through either the State Bid or the Morris County Cooperative Pricing Council (MCCPC); Second, the Township would then bid the truck body, plow and salt

spreader separately. This process allows time for the bidding of the truck accessories while the truck chassis is being constructed and delivered. At the September 13, 2010 meeting, the Committee authorized our office to proceed with the ordering of the truck chassis as outlined herein.

- Our office has coordinated with the MCCPC vendor Flemington Truck to get a revised quote per MCCPC pricing and we have met with Ron Read and Denise Cicerelle to begin the process of issuing a Purchase Order for the truck which will have a delivery term of three (3) months.
- Our office was present for a bid opening for the dump truck accessories (ie: dump body, plow and salt spreader) on Tuesday, February 1, 2011 where two (2) bids were received. Please refer to separate correspondence for our recommendation of award of the contract.

HALFWAY HOUSE ROAD FAILURE

- Deputy Mayor Butler made our office aware of a roadway failure on a section of Halfway House Road. The Halfway House Road failure is similar in scope to the damage to Millbrook Road where the adjacent steep slopes are “slipping” towards the nearby brook and causing subsistence of one lane of the roadway. However the length of the damaged area on Halfway House Road is approximately 20% of the length of the Millbrook Road failure. If the area is not stabilized, the integrity of Halfway House Road will be compromised and this situation could potentially worsen to the point that one lane of the roadway could be lost. As you will recall, the Township was successful in securing NJDOT Discretionary Funds Grant to repair the damage to Millbrook Road. Nevitt has contacted the Region I NJDOT representative regarding the possibility of applying for a Discretionary Funds Grant to complete this work. We will continue to coordinate with our representative regarding submission of a viable application for this work. At the October 4, 2010 meeting, the Township Committee authorized our office to develop and submit a discretionary funds grant application.
- Our office prepared the grant application and the Township passed a supporting resolution at the January 11, 2011 Committee meeting.
- Our office sent the application to the NJDOT on February 3, 2011.

WILLOW GROVE ROAD DRAINAGE EASEMENT

(No change since last month’s report)

- Our office previously negotiated a drainage easement for a small section of “upper” Willow Grove Road for a new proposed cross drain to eliminate a drainage problem that has existed for a long period of time. Our office then assisted the DPW with infield design and installation of this new storm drainage after receiving a verbal agreement with Ludwig Bohler, owner of the property, listed as Rock Ridge Corporation.
- The drainage easement and supporting language was previously developed by Attorney Tipton’s office and has been approved by Mr. Bohler. The Township took action at the December meeting to execute the drainage easement. It should now be in a position to be recorded with the County.

Roger Bulava – Recycling

Tentative Hazardous Waste Recycling is May 5th. Mr. Bulava also attended a meeting as to Electronic’s Recycling, this information will be placed on the township’s website.

Jim Onembo – Code Enforcement/Zoning

Working on snow removal, constant battle along Rt. 57 clearing sidewalks in front of homes. Mercantile Licenses are still being renewed for 2011. Construction is slow. Mayor DeAngelis questioned as to how we facilitate as a township driveways being plowed out across the road. Mr. Onembo advised that this is a violation of our ordinance and would deal directly with that person with a verbal warning for the first offense. Mr. Onembo would just need and address and/or name of violator to investigate. Road Foreman Read, is also aware of this problem, and will notify Mr. Onembo as the DPW comes across same. Mayor DeAngelis also addressed the putting up of snow fence in the township. Engineer Duveneck commented that this is normally done by the State, County or our Township Road Department, since there is nothing specific in our codebooks as to this addressed. Road Foreman Read advised that during the year they monitor roads as to drifting. This year they have had problems with Bryan Road, so next year they will place snow fence where drifting had been a problem.

Jerry Hoser, township resident, voiced his concern, as to the ordinance being in affect in this township for 20 years and has never heard of any fines/summonses being issued to people plowing snow across township roads. This is revenue to the township and also racks up overtime for the road department to clear those roads due to snow being plowed back into the roads. Mayor DeAngelis thanked Mr. Hoser for his concern and attending the meeting, but he has addressed the problem, as promised, and started the ball rolling.

OPEN SPACE REPORT:

Bob Hood thanked the committee for Resolutions adopted this evening.

OEM REPORT:

Mr. Read handed out a report earlier for committee to review, if there are any questions, otherwise, nothing further to report.

ATTORNEY REPORT: Report on File

Mr. Benbrook spoke with Althea Tech as to upcoming projects. Third Street drainage, ordered a deed for this project to move forward. Municipal Building specifications were reviewed and they are quite comprehensive, the architect spent a lot of time, there are a lot of things that were included that are not needed. Response to this project is very good. Salt was ordered this past week and delivered to the road garage.

Committee Reports:

Joe Flynn

We had a walk through of the building, overseen by SSP and the bid opening is scheduled for February 15th at 1pm, for the Renovation Project. 20 Bid Packets have been picked to date. The Grant work for the Direct Install Project is in Trenton and waiting for verification. The Community Center bleachers are in and the batting cage and back boards will be installed sometime next week. The door latch needs to be replaced on the door coming into the community room. Road Foreman Read advised that door needs a new panic bar and has nothing to do with mechanics. Mr. Flynn is also looking into a more defined floor cleaning schedule for the community room.

Michael Toretta

Mr. Toretta commented as to mail delivery at the municipal building would make more sense than for going back and forth to the post office. As well as getting a night drop box for residents who wish to leave their taxes or other correspondence after hours. Clerk will work on this.

Sarah Payne

Land Use Board did not meet this month, nothing to report at this time.

Bonnie Butler

Ms. Butler thanked Mayor and Attorney for their assistance in having salt ordered/delivered this past week. Also a quote was provided for a small tractor, which would be used for clearing snow from sidewalks on Broadway-Asbury Road. Greenwich Township has this very same machine and are very happy with it. We might might to start budgeting for this in the fall due to the budget constraints this year. Uncertain if this small tractor can be utilized for other purposes. The matter as to JCP&L will reconvene once the weather breaks.

Jeffrey DeAngelis, Mayor

Nothing further to report

Open Public Session

Karen Chiu commented that the DPW is doing a good job plowing snow. Also a thank you to our fire department with their help after the squad building flooded due to a pipe burst. All rooms but the kitchen were flooded. The amount of firemen that showed up to help push the water out, equipment used to remove the water and also leaving us with fans to dry the building, can't thank you enough.

Steve Tabert questioned if the public could be privileged to the Recreation Fields quote received this evening by the engineer's office. Mayor DeAngelis advised it was for the amount of \$460,580. Mayor also advised that we are just digesting this at this time, nothing concrete at this time.

Wayne Ferguson wanted to thank the committee for sitting as elected officials and are doing a great job. Also a welcome to Sarah Payne, a great addition to the committee.

Ronnie Read, Road Foreman addressed the committee as to the following:

1. Curbside Brush Pick Up – still doing this year in April and October? Approximately 54 residents place brush and takes approximately 2 weeks to clean up and chip and 3 road department personnel to do this. Read concerned that this clean up gets abused with people putting out whole trees and other items which don't meet their criteria. Mayor DeAngelis advised that if it doesn't meet the criteria, don't pick it up! Also, add to the Municipal Directory that "Cut Edge to Face Road"
2. Sidewalk clearing of snow off of Bryan Road – Mayor advised that road department has to follow the towns ordinance of clearing sidewalks. This would be hard to enforce to our residents if we don't follow the code of the township.
3. A new salt shed – A larger shed is needed to hold more salt. The salt needs to be inside and covered. Engineer Duveneck will work on this with Foreman Read, possible frame work with canvass might suffice. The DPW can build a base with bunker block. Duveneck will collect cost for next meeting.
4. Replace lawnmower

Committeeperson Payne questioned as to the status of a Cell Tower being erected in Franklin Township. Clerk will get to Attorney Benbrook the township owned property off of Beidleman Road for a future site.

Attorney Benbrook will also gather from the Tax Collector the list of Tax Foreclosures, we need to periodically look at this list, still paying taxes on these properties.

EXECUTIVE SESSION

BE IT RESOLVED, on this 7th day of February, 2011, 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/CONTRACT NEGOTIATIONS

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

THEREFORE, be it resolved on this 7th, day of February, 2011 by the Franklin Township Committee, that the matter stated will be discussed in executive session, said session to commence at 9:09 p.m.

On Motion by Michael Toretta and seconded by Joe Flynn to exit to executive session at 8:09 pm.
Unanimous Vote.

On motion by Bonnie Butler and seconded by Sarah Payne to return to the regular session at 9:58 p.m.
Unanimous Vote.

On motion by Bonnie Butler and seconded by Sarah Payne, to authorize Bob Canace of the Land Conservancy to discuss negotiations with landowners of Block 26 Lots 20, 21, 23, 29 and Block 48 Lot 2.

Roll Call:	Yes	No	Absent	Abstained
Michael Toretta				X
Joe Flynn	X			
Bonnie Butler	X			

Sarah Payne X
 Mayor, Jeffrey DeAngelis X (4) Yes (0) No (1) Abstained Motion carried

Mayor DeAngelis informed committee, after speaking with Mary Sullivan of the Franklin Township School, their Summer Fun Program will not be held, due to lack of funds, and they are asking from the township to approve the remainder of the funds appropriated to go toward the Warren Hills Middle School. 40 children from Franklin Township attended the Warren Hills Program last summer.

On motion by Bonnie Butler and seconded by Joe Flynn, to authorize the reallocation of Summer Fun Funds to the Warren Hills Middle School Summer Program.

Roll Call:	Yes	No	Absent	Abstained
Michael Toretta	X			
Joe Flynn	X			
Bonnie Butler	X			
Sarah Payne	X			
Mayor, Jeffrey DeAngelis	X			

(5) Yes (0) No Motion carried

On motion by Joe Flynn and seconded by Michael Toretta, to pay appropriate bills.

Roll Call:	Yes	No	Absent	Abstained
Bonnie Butler	X			
Joe Flynn				X
Michael Toretta	X			
Sarah Payne	X			
Mayor, Jeffrey DeAngelis	X			

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

On motion by Bonnie Butler and seconded by Sarah Payne, hearing no objection, meeting stands adjourned at 10:02 pm.

Roll Call:	Yes	No	Absent	Abstained
Michael Toretta	X			
Joe Flynn	X			
Bonnie Butler	X			
Sarah Payne	X			
Mayor, Jeffrey DeAngelis	X			

(5) Yes (0) No Motion carried

Respectfully submitted,

Denise L. Cicerelle, RMC/CMR
 Municipal Clerk