

REGULAR MEETING OF THE TOWNSHIP COUNCIL
TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY
APRIL 8, 2003

The Regular Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, held at 475 DeMott Lane, Somerset, was called to order by the Mayor at 8:07 p.m.

The Mayor read a statement indicating all requirements of P.L. 1975, Chapter 231 (The Open Public Meeting Act) had been met.

The Mayor led the entire assembly in the Pledge of Allegiance.

The invocation was given by Councilman McKenzie.

The Assistant Township Manager called the roll.

Present: Mayor Sumter, Deputy Mayor Grippo, Ms. Barrier, Mr. Chivukula, Ms. Eberle, Mr. Levine, Mr. McKenzie, Mr. Mettler

Absent: Mr. Mazzola.

Also Present: Louis N. Rainone, Esq., Township Attorney, Marc D. Dashfield, Assistant Township Manager/Acting Township Clerk, LaVern Staten Sanders, Deputy Township Clerk

PROCLAMATION – CHILD ABUSE PREVENTION MONTH

Read by Deputy Mayor Grippo

WHEREAS, children are reported abused and neglected in this country each year; including over 39,000 in New Jersey; and

WHEREAS, the effects of child abuse are both inhumane and costly, involving the mental health system, juvenile justice system, law enforcement agencies criminal and civil courts, and educational institutions; and

WHEREAS, as the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS, all citizens should become more aware of the negative effects of child abuse and learn what they can do to support prevention, including becoming involved in supporting parents to raise their children in a safe and nurturing environment;

NOW, THEREFORE, I, MAYOR, WILLIS "RICKEY" SUMTER, on behalf of the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, do hereby proclaim **April as**

"CHILD ABUSE PREVENTION MONTH"

in the Township of Franklin, Somerset County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening our communities and families.

The proclamation was accepted by Lee Traynor and Carole O'Brien.

REGULAR MEETING – APRIL 8, 2003COMMENDATION – ALEXIS SCOTT – WNBA ALL-STAR CERTIFICATE AND MEDAL**Read by Deputy Mayor Grippo**

WHEREAS, The Franklin Township Recreation Department is a member league in the national Jr. NBA/Jr. WNBA Program; and

WHEREAS, as a participant in the league, *ALEXIS SCOTT* was nominated as the local “Girl’s League All Star”; and

WHEREAS, based on this nomination, *ALEXIS SCOTT* was selected from over 1,500 girls to be one of fifteen 2003 Jr. NBA/Jr. WNBA National Finalists from across the nation; and

WHEREAS, according to the Jr. NBA/Jr. WNBA selection committee, “Alexis Scott has distinguished herself as an outstanding player, leader and teammate while participating in a Jr. NBA/ Jr. WNBA member league”,

NOW, THEREFORE, I, WILLIS RICKEY SUMTER, MAYOR of the Township of Franklin in the County of Somerset, State of New Jersey, on behalf of the Township Council and the citizens of the Township of Franklin, do hereby commend

ALEXIS SCOTT

for the honor she has bestowed on her Community, the Franklin Township Recreation Department, her family and friends as a recipient of the designation as

“GIRL’S LEAGUE ALL-STAR”

Commendation, certificate and medal were presented to Alexis Scott by Mayor Sumter, Deputy Mayor Grippo and Sue van Aken of the Franklin Township Recreation Department.

Ms. Scott thanked her coaches Bruce Medley and Sue van Aken for their help and support. Ms. Scott also thanked the Mayor and Council.

6. MINUTES – REGULAR MEETING – 03/11/03; WORK SESSION/REGULAR MEETING – 03/25/03

Because of the need to make a correction to the Regular Meeting Minutes, approval of these Minutes was deferred to the next Council meeting, April 22, 2003.

7. WARRANTS – APRIL 8, 2003**Read by Assistant Township Manager Dashield**

1	Current Fund	912,098.61
5	Operating	63,102.03
6	Water Capital	775.00
4	General Capital	2,982,815.58
15	General Trust	25,258.57
18	Self Insurance Trust Fund	10,400.58
21	Recreation Trust	6,529.76
12	Open Space Trust	3,277.00
2	Grant Fund	5,818.79
17	Workers' Compensation	0
	Unemployment Trust	0
	Employee Payroll Deduction	0
3	Collector Trust	20,891.89
14	Dog Revenue	1,272.70
	Community Foundation	0
22	General Ledger: Current	240,699.34
13	Redevelopment Agency	127.70

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23	Agency	201,770.84
	SUB-TOTAL	\$4,473,838.39
25	Escrow Account	41,274.00
19	Voided Checks	0
20	Adjustments	0
	GRAND TOTAL	<u>\$4,515,112.39</u>

Motion was made by Mr. Chivukula and seconded by Mr. McKenzie to approve the Warrants. Assistant Township Manager Dashield polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler	<u>ABSENT</u>	
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

8. ORDINANCE HEARING – AMEND CODE – CHAPTER 112, DEVELOPMENT – CREATE HBD ZONE (HAMILTON STREET BUSINESS DISTRICT) AND ADOPT REGULATIONS THEREFOR

Assistant Township Manager Dashield read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT – SECTION 112-6, ZONING DISTRICTS, SECTION 112-8, GENERAL REGULATIONS, SECTION 112-9, SUPPLEMENTARY REGULATIONS, SUBSECTION 112-9B, CONDITIONAL USES, SUBSECTION F, PARKING, SUBSECTION G, SIGNS AND SUBSECTION I, LANDSCAPING AND BUFFER REQUIREMENTS (ADD NEW NBH – HAMILTON STREET BUSINESS DISTRICT ZONE AND PROVIDE REGULATIONS FOR SAME)". The Assistant Township Manager noted that the Township Attorney has approved the Affidavit of Publication and that a public hearing on the ordinance is in order.

Motion was made by Mr. Chivukula and seconded by Mr. McKenzie to open the public hearing; the motion was carried unanimously.

The Mayor then asked for persons desiring to speak to give their names and addresses to the Clerk.

Frank Hasner, the Director of Economic Development, referred Council to a memo outlining the results of the public information meeting held March 24th. As a result of the discussion two amendments are proposed to Township Council for consideration.

Two Amendments:

1. Exclude commercial uses/non-residential uses from the HBD district unless they have frontage on Hamilton Street
2. Change the number of permitted stories form 3 stories to 2 ½ stories.

Ms. Sandra Willis 17 Miller Avenue expressed her thanks for the public meeting on the issue. Ms. Willis also questioned how this plan would impact taxes.

Assistant Manager Dashield indicated that a property is taxed on the assessed value regardless of whether it is in a business district or residential district.

Ms. Towns, 151 Victor Street, thanked Council for the hearing on the ordinance and asked that the amendment be read aloud before Council voted. Council indicated that the amendment will be read aloud.

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Ms. Gloria Giles, 98 Jefferson Road, questioned whether residents will be notified of businesses moving in the area.

Mr. Bob Rake, 1332 Douglas Avenue, raised a number of questions concerning buffer requirements which were answered by Frank Hasner.

Motion was made by Mr. Grippo and seconded by Mr. McKenzie to close the public hearing; motion was carried unanimously.

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler		<u>ABSENT</u>
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

9. ORDINANCE HEARING – CHAPTER 112, DEVELOPMENT – SECTION 112-9, SUPPLEMENTAL REGULATIONS, SUBSECTION I (2) LANDSCAPING REGULATIONS, SCHEDULE 6, LANDSCAPING BUFFER RQUIREMENTS – AMEND M-2 BUFFER REQUIREMENTS

Acting Township Clerk Dashield read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT – SECTION 9, SUPPLEMENTAL REGULATIONS, SUBSECTION I (2), LANDSCAPING REQUIREMENTS, SCHEDULE 6, LANDSCAPING AND BUFFER REQUIREMENTS". Acting Township Clerk Dashield noted that the Township Attorney has approved the Affidavit of Publication and that a public hearing on the ordinance is in order.

Motion was made by Mr. Grippo and seconded by Ms. Barrier to defer the public hearing until May 13, 2003.

The Acting Township Clerk polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler		<u>ABSENT</u>
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

10. ORDINANCE HEARING – BOND ORDINANCE – AMEND ORDINANCE NO. 3256 AND 3293, ACQUISITION OF LANDS FOR OPEN SPACE AND FARMLAND - \$14,400,000.00 – AMEND DESCRIPTION TO ADD BLOCK 135.01/LOTS 23-25 LOCATED AT 56 MILLSTONE ROAD AND BLOCK 507/LOT 27 LOCATED AT CEDAR GROVE ROAD AND WESTON ROAD

Acting Township Clerk Dashield read by title:

“BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3256 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP ON DECEMBER 11, 2001 ENTITLED, “BOND ORDINANCE PROVIDING FOR THE PAYMENT OF THE PURCHASE PRICE FOR THE ACQUISITION OF LANDS FOR OPEN SPACE AND FARMLAND PRESERVATION, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF

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SOMERSET, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$14,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$13,680,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF,” AS AMENDED BY BOND ORDINANCE NUMBER 3293 FINALLY ADOPTED ON JUNE 13, 2002, TO AMEND THE DESCRIPTION THEREOF". Acting Township Clerk Dashield noted that the Township Attorney has approved the Affidavit of Publication and that a public hearing on the ordinance is in order.

Motion was made by Mr. Chivukula and seconded by Mr. Levine to open the public hearing; the motion was carried unanimously.

The Mayor then asked for persons desiring to speak to give their names and addresses to the Clerk.

No one spoke from the public

Motion was made by Mr. Chivukula and seconded by Deputy Mayor Grippo to close the public hearing; motion was carried unanimously.

Motion was made by Mr. Chivukula and seconded by Ms. Eberle to adopt and publish notice of final passage in accordance with law.

The Acting Township Clerk polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler	<u>ABSENT</u>	
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

11. ORDINANCE HEARING – ACQUISITION – BLOCK 135.01/LOTS 23-25, ADD 56 MILLSTONE ROAD AND BLOCK 507/LOT 27 CEDAR GROVE LANE AND WESTON ROAD FOR PURCHASE OPEN SPACE

Acting Township Clerk Dashield read by title:

"AN ORDINANCE TO ACQUIRE BY PRUCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR PARKS AND CONSERVATION PURPOSES BLOCK 135/LOTS 23, 24 AND 25 – 56 MILLSTONE ROAD AND BLOCK 507/LOT 27 – CEDAR GROVE ROAD & WESTON ROAD"". Acting Township Clerk Dashield noted that the Township Attorney has approved the Affidavit of Publication and that a public hearing on the ordinance is in order.

Motion was made by Mr. Chivukula and seconded by Mr. McKenzie to open the public hearing; the motion was carried unanimously.

The Mayor then asked for persons desiring to speak to give their names and addresses to the Clerk.

No one spoke from the Public

Motion was made by Mr. Chivukula and seconded by Mr. Grippo to close the public hearing; motion was carried unanimously.

Motion was made by Mr. Chivukula and seconded by Ms Eberle to adopt and publish notice of final passage in accordance with law.

The Acting Township Clerk polled the Board, the vote being as follows:

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<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler	<u>ABSENT</u>	
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

12. ORDINANCE HEARING – AMEND CODE CHAPTER 127 – FEES – COMMUNITY RESOURCES SUMMER CHILDCARE PROGRAM

Acting Township Clerk Dashield read by title:

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 127, FEES – ADD A NEW ARTICLE VII, COMMUNITY RESOURCES – SECTION 127-12, AVAILABLE FROM THE DEPARTMENT OF COMMUNITY RESOURCES". Acting Township Clerk Dashield noted that the Township Attorney has approved the Affidavit of Publication and that a public hearing on the ordinance is in order.

Motion was made by Mr. Chivukula and seconded by Ms. Barrier to open the public hearing; the motion was carried unanimously.

The Mayor then asked for persons desiring to speak to give their names and addresses to the Clerk.

No one spoke from the public

Motion was made by Mr. Chivukula and seconded by Ms. Barrier to close the public hearing; motion was carried unanimously.

Motion was made by Mr. Chivukula and seconded by Mr. Levine to adopt and publish notice of final passage in accordance with law.

The Acting Township Clerk polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler	<u>ABSENT</u>	
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

13. ORDINANCE HEARING – AMEND CODE – CHAPTER 112, DEVELOPMENT – SECTION 112-9 – SUPPLEMENTARY REGULATIONS – SBUSECTION B, CONDITIONAL USES – PARAGRAPH (5) HOUSES OF WORSHIP

Acting Township Clerk Dashield read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT – SECTION 112-9, SUPPLEMENTARY REGULATIONS – SBUSECTION B, CONDITIONAL USES – PARAGRAPH (5), CHURCHES AND SIMILAR PLACES OF WORSHIP". Acting Township Clerk Dashield noted that the Township Attorney has approved the Affidavit of Publication and that a public hearing on the ordinance is in order.

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Motion was made by Mr. Chivukula and seconded by Ms. Barrier to open the public hearing; the motion was carried unanimously.

The Mayor then asked for persons desiring to speak to give their names and addresses to the Clerk.

Grace Evans, 38 Crown Road, questioned the setback that would be required under this ordinance. She indicated that she would like to see a larger setback for houses of worship. Ms. Evans was particularly concerned with a proposed development of a house of worship behind her community. She asked Council to review the setback requirement to protect her community.

Motion was made by Mr. Chivukula and seconded by Mr. McKenzie to close the public hearing; motion was carried unanimously.

Motion was made by Mr. Grippo and seconded by Ms. Barrier to table the ordinance until May to allow staff to address Ms. Evan’s concerns.

The Acting Township Clerk polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler		<u>ABSENT</u>
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

A motion was made by Mr. Chivukula and seconded by Mr. Levine to move item 14 (Ordinance Introduction - Taxicab) until after item 16 Council Comments). Motion unanimously approved.

PUBLIC DISCUSSION

Motion was made by Deputy Mayor Grippo and seconded by Mr. Levine to open the meeting for public discussion; motion was carried unanimously.

Lacrecia Cortelyou - 1892 Amwell Road –

- Focused her comments on the April 1, 2003 report on the open space maintenance plan and financial report.
- Noted her concerned that the reports be accurate.

John P Grosso – 61 Hollywood Avenue

- Commented that he did not like the new method used during public discussion because it did not allow for interaction with Council.
- Indicated his concern with the traffic at Rutgers Preparatory School.
- Assked if a plan exist to address an attack on the Township.
- Asked if the there were an active search for a Township Clerk

Fred Calderone – 1000 Hamilton Street

- Expressed concern about the recent weight restriction on Church Avenue and how it would impact the businesses on the street.

Assistant Manager Dashield indicated that the ordinance has an exemption for businesses on Churchill Avenue.

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Paul Levine and John DeSantos – 8 Nepote/5 Liard Terrace

- Presented Council with a petition expressing their development’s desire to be included in sanitary sewer area and asked Council to investigate the possibility of inclusion in the sanitary sewer area.

The Council requested that staff assist Msr. Levine and DeSantos in taking the necessary steps to bring this item before Council

Upon a motion made by Mr. Chivukula, seconded by Deputy Mayor Grippo and unanimously agreed, the public portion of the meeting was closed.

16. COUNCIL COMMENTS

Councilwoman Barrier thanked the troops and requested that Council pass a the resolution on the “BIG MAP” presented to Council at the April 1, 2003 worksession.

Mr. Levine indicated that this weekend is the reenactment of the Battle of Bound Brook and encouraged all to attend. Mr. Levine indicated that he would look into the traffic concerns surrounding Rutgers Preparatory School. Mr. Levine also encouraged all to vote in the school board elections.

Mr. Grippo recommended that anyone with questions concerning the redevelopment area should attend the redevelopment meeting on the third Monday of each month. Mr Grippo inquired if anyone was interested in serving on the Emergency Life Support Committee. Mr. Grippo also indicated that on May 5, 2003 Congressmen Rush Holt would be having a Townhall meeting in Franklin Township.

Ms. Eberle thanked the troops and congratulated all involved in the work being done by the Child Abuse Task Force.

Mr. McKenzie expressed his support for the troops.

Mr. Chivukula expressed his thanks to the troops.

14. ORDINANCE INTRODUCTION – AMEND CODE - CHAPTER 218, TAXI CABS – INSURANCE PREREQUISITE TO ISSUANCE – REDUCE INSURANCE COVERAGE AMOUNTS FROM \$500,000 TO \$300,000

Acting Township Clerk Dashield read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 218, TAXICABS – SECTION 24 – INSURANCE PREREQUISITE TO ISSUANCE" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on April 22, 2003.

Ms. Barrier so moved. Mr. Chivukula seconded the motion. Acting Township Clerk Dashield polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler		<u>ABSENT</u>
Mr. Grippo	Mayor Sumter		Mr. Mazzola

Motion was carried.

REGUAR MEETING – APRIL 8, 200317. RESOLUTION - CONSENT AGENDA**Read by Assistant Township Manager Dashield**

The items listed within the Consent Agenda portion of this meeting have been referred to the Township Council for reading and study, are considered routine and will be enacted by one motion of the Township Council with no separate discussion. If separate discussion is required, the item may be removed from the agenda by request of a Township Council member and placed on the regular agenda.

1. Consent Agenda:

A. Tax Title Lien Redemptions:

Joblonski, Trevor – Block 11.01 Lot 60 – Cert # 01-31- \$45.61-134 Coopermine Road
 Abney E. & Fitzgerald D. – Block 34.01 Lot 16.02 – Cert # 01-91 - \$229.18 – 47 Taylor Drive
 Layne, Grace – Block 34.02 Lot 16.03 – Cert # 020014-\$366.07 –95 Fisher Drive
 Gonzalez, M & M – Block 87.06 Lot 5-Cert # 99-66 - \$3,631.08- 1551 Amwell Road
 Gonzalez, M & M – Block 87.06 Lot 5-Cert # 99-66 - \$339.70- 1551 Amwell Road
 Bravo, Noe Reyes – Block 183 Lot 59.01 – Cert # 020094 - \$1,207.39 – 51 Home Street
 Giannotto, Lisa – Block 341 Lot 33 – Cert # 10-140 - \$12,460.54 – 311 West Point Avenue
 Manning Wilma – Block 386.17 Lot 29.74 – Cert # 0210164 - \$1,462.82 – 16 DePalma Court
 Hartgrove Peter & C. – Block 417.01 Lot 31 – Cert# 20168 - \$687.19 – 219 Wilson Road
 Patel Alpesh R.R. – Block 424.04 Lot 139 – Cert # 020173 -\$462.31-349 Smithwild Road

~~B. Budget – Dedication By Rider – Community Resources & Services~~

~~C. Purchase—Communication System Equipment {Vendor and Amount to be inserted}~~

D. Award Bid – Asphalt Zipper Machine, Inc. – Asphalt Milling Machine –\$75,985.00

E. Award Bid – Ford World t/a Condit Truck Center – Dump Truck with Snow Plow– \$75,228.00

F. Extend Contract – Innovative Business Services Inc. – Not to Exceed \$90,000.00 – June 1, 2003 to May 30, 2004

G. Contract – 2003 Municipal Alliance for Prevention of Substance Abuse Grant – \$35,558.00 – Township cash match \$8,890.00/\$26,668.00 in kind match

H. Recind Contract – Urcorp Maintenance – Janitorial Services – Public Safety Building- Community/Senior Center and Public Works Building

I. Authorize Sale at Auction Municipal Owned Personal Property – Various Pieces of Equipment

J. Authorize the Sale of Municipal Owned Personal Property to the Franklin Township Housing Authority –Various

K. Donation of Found Tangible Personal Property – Computer Monitors – African Kind Heart

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- L. Authorize Excused Absence For Councilman Anthony Mazzola – Military Service
- M. Cancel – Land Sale Parcel/Refund Deposit – Block 489/Lots 1-8 – Afred Lattanzio
- N. Amend Developer Agreement Pizzo & Pizzo – Authorize Reimbursement Woodland Water line - \$135,561.78
- O. Authorize the Tax Collector to Substitute Advertising Tax Sale by Mailing Tax Sale Notices and Charge \$25.00 per Mailing.
- P. Professional Services Contract- Prompt Medical Care – Work Related Service Employment examinations and Drug and Alcohol Screening - January 1, 2003 to December 31, 2003
- Q. Professional Services Contract – Gregory Coffey – Municipal Joint Defense Group Assessment – \$1,000.00

A. 03-160 RESOLUTION - TAX TITLE LIEN REDEMPTION - OUTSIDE BUYER

WHEREAS, at a sale of land for delinquent taxes and all liens held by the Collector of Taxes of Franklin Township, Somerset County, various blocks and lots were sold to the following persons; and

WHEREAS, said property and/or liens have been redeemed by the owners thereof, and the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption in the following specific amount

NOW, THEREFORE, BE IT RESOLVED that the amounts covering the certificates of sale, together with all the charges due the said individuals at the time of redemption be and the same are hereby ordered refunded to the said individuals, and the proper officials of the Township of Franklin, Somerset County, New Jersey, are hereby authorized and empowered to execute a voucher to the said individuals in the following amounts:

<u>DATE OF SALE</u>	<u>BLOCK/LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
June 07, 2001	11.01/60	JABLONSKI, TREVOR 134 Coppermine Road Princeton NJ 08540	\$ 45.61
PAID:	March 20, 2003	CERT #01-31	
LIENHOLDER:	Fernwood Funding 92 Main Avenue	Wallington NJ 07057	
June 07, 2001	34.01/16.02 C3410	ABNEY, E. & FITZGERALD D. 47 Taylor Drive Franklin Park NJ 08823	229.18
PAID:	March 10, 2003	CERT #01-91	
LIENHOLDER:	Mooring Tax Asset Group PO Box 281856	Atlanta GA 30384-1856	
June 13, 2002	34.02/16.03 C2515	LAYNE, GRACE 95 Fisher Drive Franklin Park NJ 08823	366.07
PAID:	March 14, 2003	CERT #020014	
LIENHOLDER:	James Pilewski 3 Devon Lane	Warren NJ 07059	
June 10, 1999 June 08, 2000	87.06/5	GONZALEZ, M. & M. 1551 Amwell Road Someset NJ 08873	3,631.08 339.70
PAID:	March 19, 2003	CERT #99-66	
	March 12, 2003	20-53	

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LIENHOLDER: Wachovia CT/M.D. SASSII
123 South Broad Street, PA 1328 Philadelphia PA 19109

June 13, 2002 183/59.01 BRAVO, NOE REYES 1,207.39
51 Home Street
Somerset NJ 08873

PAID: March 18, 2003 CERT #020094
LIENHOLDER: James Older
87 East Mountain Road Hillsborough NJ 08844

June 07, 2001 341/33 GIANNOTTO, LISA 12,460.54
311 West Point Avenue
Somerset NJ 08873

PAID: March 19, 2003 CERT #01-140
LIENHOLDER: Phoenix Funding
191 Glen Road Mountainside NJ 07092

June 13, 2002 386.17/129.74 MANNING, WILMA 1,462.82
16 DePalma Court
Somerset NJ 08873

PAID: March 11, 2003 CERT #020164
LIENHOLDER: Elliot Loeb Keogh Plan
1 Lakeview Road Saratoga Springs NY 12866

June 13, 2002 417.01/31 HARTGROVE, PETER & C. 687.19
219 Wilson Road
Somerset NJ 08873

PAID: March 19, 2003 CERT #020168
LIENHOLDER: James Pilewski
3 Devon Lane Warren NJ 07059

June 13, 2002 424.04/139 PATEL, ALPESH R. R. 462.31
349 Smithwold Road
Somerset NJ 08873

PAID: March 24, 2003 CERT #020173
LIENHOLDER: James Pilewski
3 Devon Lane Warren NJ 07059

B. 03-161 RESOLUTION - WRITTEN CONSENT FROM DCA - FY03 BUDGET INSERTION - UNDER DEDICATION BY RIDER - DONATIONS - COMMUNITY RESOURCE & SERVICES

WHEREAS, NJS 40A:4-39 provides for the anticipation and expenditure of certain items of dedicated revenue which are not subject to reasonably accurate estimates in advance; and

WHEREAS, NJS 40A:4-39 also provides that such anticipation and expenditure of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Township Council of the Township of Franklin in the County of Somerset to anticipate and expend certain dedicated revenue under Donations - Celebration of Public Events;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give written consent to the insertion, under the Dedication by Rider in the Budget for 2003 and subsequent budgets of the following:

Donations - Community Resource & Services; and

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BE IT FURTHER RESOLVED that two (2) certified copies of this resolution be furnished to the Director of the Division of Local Government Services.

C. Removed from Agenda**D. 03-162 RESOLUTION - AWARD BID - ASPHALT ZIPPER, INCORPORATED - ASPHALAT MILLING MACHINE - AN AMOUNT NOT TO EXCEED \$75,985.00**

WHEREAS, a notice to bidders for the receipt of bids for a Asphalt Milling Machine for the Department of Public Works was published in the Courier News on February 20, 2003 for receipt on March 6, 2003; and

WHEREAS, the Chief Financial Officer has certified in writing, hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form;

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bids be awarded:

ASPHALT ZIPPER, INCORPORATED
310 West 700 South
Pleasant Grove UT 84062

Amount not to exceed \$75,985.00; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk be and the same are hereby authorized to enter into a contract with the above listed companies.

E. 03-163 RESOLUTION - AWARD BID - FORD WORLD t/a CONDIT TRUCK CENTER - 5-6cy DUMP TRUCK - AN AMOUNT NOT TO EXCEED \$75,228.00

WHEREAS, a notice to bidders for the receipt of bids for a 5-6cy Dump Truck for the Department of Public Works was published in the Courier News on February 20, 2003 for receipt on March 6, 2003; and

WHEREAS, the Chief Financial Officer has certified in writing, hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form;

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bids be awarded:

FORD WORLD t/a CONDIT TRUCK CENTER
66 Route 206 North
Newton NJ 07960

Amount not to exceed \$75,228.00; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk be and the same are hereby authorized to enter into a contract with the above listed companies.

E. 03-164 RESOLUTION - CONTRACT EXTENSION – IBS - EXTEND CONTRACT FOR ON-CALL DUPLICATING SERVICES – JUNE 1, 2003 TO MAY 30, 2004 - AN AMOUNT NOT TO EXCEED \$90,000.00 ANNUALLY

BE IT AND IT IS HEREBY RESOLVED that the resolution adopted May 28, 2002 awarding bids for on-call duplicating services for all departments for the period June 1, 2002 to May 30, 2003 to:

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**IBS
400F Apgar Drive
Somerset NJ 08873**

the amount not to exceed \$90,000.00

be extended for the period June 1, 2003 to May 30, 2004; and

WHEREAS, the Chief Financial Officer has certified hereon that funds are available and the Township Attorney has reviewed the certification and is satisfied that said certification is in proper form;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk be and the same are hereby authorized to enter into a contract with the above listed company.

G. 03-165 RESOLUTION - GRANT AGREEMENT - SOMERSET COUNTY DEPARTMENT OF HUMAN SERVICES - 2003 FRANKLIN TOWNSHIP MUNICIPAL ALLIANCE FOR PREVENTION OF SUBSTANCE ABUSE - \$35,558.00 GRANT/\$8,890.00 TOWNSHIP CASH MATCH & \$26,668.00 IN-KIND MATCH

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin does hereby authorize the Mayor and Township Clerk to execute on its behalf 2003 Franklin Township Municipal Alliance for Prevention of Substance Abuse Grant Agreement with the Somerset County Department of Human Services in the amount of \$35,558.00 with a \$8,890.00 cash match and \$26,668.00 in-kind by the Township.

H. 03-166 RESOLUTION - RESCIND AGREEMENT – URUCORP MAINTENANCE – JANITORIAL SERVICES

WHEREAS, by resolution adopted September 24, 2002 the Township Council authorized a contract with Urucorp Maintenance for the janitorial services in the Public Safety Building, Community/Senior Center and Public Works Building; and

WHEREAS, there have been numerous complaints from the Division of Buildings and Grounds and the employees who work in these buildings concerning the services provided; and

WHEREAS, On March 4, 2003 Urucorp was sent a letter indicating that the their contract would be rescinded if the services provided were not sufficiently improved and further Urucorp was advised that the termination of the contract would disqualify them for five years from bidding on Township contracts; and

WHEREAS, Urucorp has not made sufficient improvements,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, does hereby rescind the September 24, 2002 resolution and the contract with Urucorp Maintenance for Janitorial Services

I. 03-167 RESOLUTION - AUTHORIZE SALE OF MUNICIPALLY OWNED PERSONAL PROPERTY –VARIOUS ITEMS

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the sale and/or disposal of municipally owned personal property no longer needed for Township use as set forth below:

**Okidata Microline 591
Lanier Court Recorder (2)
Toner Cartridge Epson S051011 (3)
Wednesday, May 20, 2003
10:00 a.m.**

BE IT FURTHER RESOLVED that all items shall be sold by sealed bid submitted prior to the date and time specified above through the Somerset County Equipment Auction; and

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BE IT FURTHER RESOLVED that notice of this sale shall be published in the Legal Newspaper of the Township on May 8, 2003.

J. 03-168 RESOLUTION - AUTHORIZING THE TOWNSHIP OF FRANKLIN TO DISPOSE OF VARIOUS ITEMS OF TANGIBLE PERSONAL PROPERTY – FRANKLIN TOWNSHIP HOUSING AUTHORITY – VARIOUS ITEMS

WHEREAS, the Township of Franklin possesses the following items of tangible personal property, Epson FX850, Monroe Calculator 2125, Monroe Calculator 3140, Monroe Calculator 4140, Panasonic KX-FP105 Fax Machine, Border Patrol portable roller hockey rink short panels, Cannon MP210 calculator and coat rack for 12 coats

WHEREAS, the Township Council has determined that the Township has no need for the above-mentioned tangible personal property and that the tangible property is of little or no value; and

WHEREAS, the Franklin Township Housing Authority desires to obtain the above-mentioned tangible personal property from the Township of Franklin; and

WHEREAS, pursuant to NJSA 40A:11-36 a Municipality may dispose of personal property wherein the value of such property is valued at less than \$3,750.00 at private sale; and

WHEREAS, the Township of Franklin is desirous of transferring the monitors to the African Kind Heart Society for the consideration amount of \$1.00;

NOW, THEREFORE, BE IT RESOLVED this 8th day of April, 2003 by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Township is hereby authorized to prepare and execute any necessary documents regarding the transfer of the above property to the Franklin Township Housing Authority.

K. 03-169 RESOLUTION - AUTHORIZING THE TOWNSHIP OF FRANKLIN TO DISPOSE OF VARIOUS ITEMS OF TANGIBLE PERSONAL PROPERTY - AFRICAN KIND HEART SOCIETY - COLOR VGA COMPUTER MONITORS (45)

WHEREAS, the Township of Franklin possesses various items of tangible personal property, acquired as found property - Color VGA Computer Monitors; and

WHEREAS, the Township Council has determined that the Township has no need for the above-mentioned tangible personal property and that the tangible property is of little or no value; and

WHEREAS, the African Kind Heart Society desires to obtain the above-mentioned tangible personal property from the Township of Franklin; and

WHEREAS, pursuant to NJSA 40A:11-36 a Municipality may dispose of personal property wherein the value of such property is valued at less than \$2,500.00; and

WHEREAS, the value of each monitor is under \$50.00, for a total value of less than \$2,500.00; and

WHEREAS, the Township of Franklin is desirous of transferring the monitors to the African Kind Heart Society for the consideration amount of \$1.00;

NOW, THEREFORE, BE IT RESOLVED this 8th day of April, 2003 by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Township is hereby authorized to prepare and execute any necessary documents regarding the transfer of forty-five (45) found or abandoned monitors to the African Kind Heart Society.

REGUAR MEETING – APRIL 8, 2003**L. 03-170 RESOLUTION - AUTHORIZE EXCUSED ABSENCE – COUNCILMAN ANTHONY MAZZOLA – MILITARY SERVICE-**

WHEREAS, Councilman Anthony Mazzola has been called to Military Services during a time of conflict; and

WHEREAS, this service will require his absence from Township Council meetings, and

WHEREAS, his service in the Military is a excusable absence

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that Councilman Anthony Mazzola shall be excused from council meetings until such time as he is release from such military service.

M. 03-171 CONFIRM RESOLUTION – CANCEL LAND SALE PARCEL/REFUND DEPOSIT – BLOCK 489/LOTS 1-8 – ALFRED LATTANZIO

WHEREAS, by resolution adopted April 12, 1994, the Township Council cancelled the sale of Lots 1-8 in Block 489, sold to Alfred Lattanzio at a sale of Township land held on January 23, 1986 because of the inability of the purchaser to close title in a manner which may be insured by any reputable title Insurance Company in the State of New Jersey within one (1) year of the sale; and

WHEREAS, in addition to the canceling of the sale, the resolution authorized that the deposit paid by said Alfred Lattanzio for said parcel of \$5,000.00 be returned and that copies of this resolution be delivered to the Treasurer authorizing said refund; and

WHEREAS, in February, 2003, the purchaser has advised the Township that his records indicate that the \$5,000.00 deposit was never received by him and the Township Treasurer has confirmed that there is no record of the deposit being returned to the purchaser after the April 1994 resolution;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby confirm the actions taken by resolution on April 12, 1994 and again authorized that the deposit paid by said Alfred Lattanzio for said parcel of \$5,000.00 be returned and that copies of this resolution be delivered to the Treasurer authorizing said refund.

N. 03-172 RESOLUTION - SETTLEMENT/REVISED DEVELOPERS AGREEMENT - PIZZO & PIZZO

WHEREAS, a Developers Agreement between the Township and Pizzo & Pizzo was authorized by resolution of the Township Council on November 23, 1999 and executed on October 25, 2000; and

WHEREAS, in the interim, Pizzo & Pizzo acquired additional land for development, there have been negotiations between the parties regarding the waterline improvements required, and there has been litigation in the matter of Kenneth Pizzo vs. the Township of Franklin et al, Docket No. SOM-L-773-99; and

WHEREAS, negotiations to settle the litigation have ensued and have resulted in a Revised Developers Agreement setting forth the waterline improvements to be installed and assigning the cost responsibility for these improvements between the Township and the developer; and

WHEREAS, the parties have agreed that the Township will pay \$135,561.78 for the water line improvements,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey does hereby authorize the Township Attorney to execute a settlement of the subject litigation as set forth in the referenced

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Revised Developers Agreement and does authorize the Mayor and Township Clerk to execute on its behalf said Revised Developers Agreement, a copy of which is on file with the Township Clerk and available for public inspection.

O. 03-173 RESOLUTION AUTHORIZE THE TAX COLLECTOR IN LIEU OF ANY TWO PUBLICATIONS OF NOTICE OF TAX SALE TO MAIL SUCH TAX SALE NOTICE AS ALLOWED UNDER NJSA 54:5-38

WHEREAS, N.J.S.A. 54:5-38 provides the option of substituting publication of the tax sale notices by mailing a copy of such notice in any the week not advertised; and

WHEREAS, N.J.S.A 54-5-38 provides for a fee not to exceed \$25.00 for such mailings.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that the Tax Collector is hereby authorized to substitute advertisement of tax sale notice and charge the fee of \$25.00 as provide in N.J.S.A. 54-5-38.

P. 03-174 RESOLUTION - PROFESSIONAL SERVICE - PROMPT MEDICAL CARE - HEALTH SERVICES FOR THE TOWNSHIP OF FRANKLIN - WORK RELATED SERVICES/PRE-EMPLOYMENT EXAMINATIONS/DRUG & ALCOHOL SCREENING - AN AMOUNT NOT TO EXCEED \$4,200.00

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

WHEREAS, the Chief Financial Officer has certified hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the certificate of the Chief Financial Officer and is satisfied that said certificate is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, as follows:

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the legal newspaper of the Township as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of

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the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: PROMPT MEDICAL CARE
ADDRESS: 636 Easton Avenue Somerset NJ 08873
CONTRACT AMOUNT: An amount not to exceed \$4,200.00
SERVICE: Health Services - Work Related for the Township of Franklin, Somerset County for the period January 1, 2003 to December 31, 2003:

WORK RELATED SERVICES:

Re-employment Evaluation \$45.00

PRE-EMPLOYMENT SERVICES

Regular History & Physical Exam 75.00
(includes; in office urinalysis & Drug Testing)

POLICE OFFICER CANDIDATES:

Comprehensive History and Physical Examinations)
EKG with Interpretation)
Pulmonary Function Testing with Interpretation) 200.00
Complete Blood Work)
(Multi-chemistry profile plus CBC plus Urinalysis
with preparation fee)

***DRUG & ALCOHOL SCREENING**

Drug Screening	-	24 @ \$50.00	1,200.00
Alcohol Screening	-	12 @ \$45.00	540.00

*For all Employees with CLD's as mandated by the Omnibus Transportation Testing Act 1991.

Q. 03-175 RESOLUTION - AMEND PROFESSIONAL SERVICE - COFFEY & ASSOCIATES - TRUST ACCOUNT/COMBE FILL SOUTH - LEGAL SERVICES - COMBE FILL SOUTH LITIGATION - AN AMOUNT NOT TO EXCEED AN ADDITIONAL \$1,000.00

WHEREAS, by resolution adopted October 12, 1999, Professional Service Agreement with Coffey & Sullivan, Trust Account/Combe Fill South Litigation in the amount of \$500.00 was authorized; and

WHEREAS, by resolution adopted November 9, 1999, an additional \$500.00 was authorized therefor, by resolution adopted March 14, 2000, an additional \$500.00 was authorized therefor, by resolution adopted August 8, 2000 an additional \$1,500.00 was authorized therefor, by resolution adopted October 10, 2000 an additional \$1,000.00 was authorized, by resolution adopted February 13, 2001 an additional \$1,250.00, and by resolution adopted August 14, 2001 and additional \$1,000.00 was authorized therefor;

WHEREAS, there is again need to provide an additional \$1,000.00 for Assessment No. 7; and

WHEREAS, the Chief Financial Officer has certified in writing, a copy of which certification is attached hereto, that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the attached certificate of the Chief Financial Officer and is satisfied that said certificate is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, as follows:

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- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced amended agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This amended agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the **SOMERSET SPECTATOR** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: COFFEY & ASSOCIATES**TRUST ACCOUNT/COMBE FILL SOUTH****ADDRESS: 60 Columbia Turnpike Morristown, NJ 07960****CONTRACT AMOUNT: Not to exceed an additional \$1,000.00 (Assessment 7)****SERVICE: Legal Services in the matter of Combe Fill South Litigation.**

Motion was made by Mr. Chivukula and seconded Mr. Mckenzie by to approve the items of the foregoing Amended Consent Agenda. Assistant Township Manager Dashield polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Ms. Barrier	Mr. Levine	No One	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler	<u>ABSENT</u>	
Mr. Grippo	Mayor Sumter		
			Mr. Mazzola

Motion was carried.

NOMINATIONS FOR ONE (1) ALTERNATE MEMBER – RENT LEVELING BOARD TO FILL THE UNEXPIRED TERM OF FRANCES VARGA – EXPIRING 12/31/03

Motion made by Mr. Grippo to table the nomination until the next meeting was unanimously approved

DISCUSSION – CABLE FRANCHISE ORDINANCE

Lou Rainone reviewed with Council his recent discussion with BPU concerning the cable franchise ordinance. Mr. Rainone requested Council consent for staff to enter into a side letter agreement making some changes to the franchise agreement that would allow BPU to move forward on the approval of the Township's franchise agreement. BPU requested the following modifications:

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1. To change the completion date for system upgrade by moving it forward to June of 2003
2. Reduce the performance bond since the completion date has been moved forward.

Council unanimously agreed to consent for staff and Township Attorney to move forward with a side letter agreement.

Upon a motion made by Deputy Mayor Grippo, seconded by Mr. Levine and unanimously agreed, the meeting was adjourned at 10:05 p.m.

WILLIS SUMTER, MAYOR

MARC D. DASHIELD, ACTING TOWNSHIP CLERK