

WORK SESSION/REGULAR MEETING OF THE TOWNSHIP COUNCIL
TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY
MAY 27, 2003

The Work Session/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 7:10 P.M.

The Clerk 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 Councilwoman Eberle.

The Acting Township Clerk called the roll.

Present: Mayor Sumter, Mr. Chivukula, Ms. Eberle, Mr. Levine, Mr. McKenzie, Mr. Mettler. Deputy Mayor Grippo and Ms. Barrier was absent at roll call but arrived shortly thereafter.

Absent: Mr. Mazzola

Also Present: Louis N. Rainone, Esq., Township Attorney, Marc D. Dashield, Assistant Township Manager/Acting Township Clerk

COMMENDATION – JOHN WALKER – CITIZEN ACTION

Read by Councilman McKenzie

WHEREAS, JOHN WALKER of 69 Claremont Avenue, Franklin Park, New Jersey, has almost single-handedly prompted action by the Somerset County Health Department and the New Jersey Department of Environmental Protection to contain a possible leak in gasoline storage tanks at a Franklin Park gas station; and

WHEREAS, this investigation resulted in the gas station being required to immediately replace the tanks in question; and

WHEREAS, these replacement tanks will at least prevent further contamination of domestic drinking water wells in the vicinity, it remains to be seen whether they are now contaminated, the stations are required to analyze water from wells within a thousand feet and thus protect the health of Franklin Park citizens,

NOW, THEREFORE, I, WILLIS “RICKEY” SUMTER, MAYOR of the Township of Franklin, County of Somerset, New Jersey, on behalf of the Township Council and the Environmental Commission, do hereby commend

JOHN WALKER

for his citizen action on behalf of the environment and public health of Franklin Township.

Commendation was presented to John Walker by Mayor Sumter.

PROCLAMATION – DISIGNATION OF MEMORIAL FOREST

Read by Councilman McKenzie

WHEREAS, the Township of Franklin is spread over more than 39,000 acres and has more than 50,000 citizens; and

WHEREAS, the Township contains significant acres of forested lands but has been losing forested lands due to increased development; and

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WHEREAS, the Township has acquired many new parcels dedicated in perpetuity to remain as open space; and

WHEREAS, one of these parcels located near the intersection of Amwell Road and Cedar Grove Lane contains a small forest and several open fields; and

WHEREAS, this parcel of land is quite visible to the Township's many citizens who travel these two roads; and

WHEREAS, planting additional trees on this parcel would have many benefits, including enhancing the environment; and

WHEREAS, many citizens might want to memorialize a lost loved one by planting a tree in memory of that loved one; and

WHEREAS, the creation of a Memorial Forest where citizens could so memorialize their lost loved ones would provide the opportunity for citizens to express their commitment to enhancing the environment and to memorizing a lost loved one; and

WHEREAS, students at the Franklin Township High School have formed a student activities group that they have called "Interact" and they have designated supporting the Memorial Forest as one of their community service projects: and

WHEREAS, students in the Interact group can assist the Township in the creation of the Memorial Forest by providing such support as advertising the Memorial Forest to members of the community, arranging for memorial plaques to be created, and other support as mutually agreed upon between the Township and the Interact members;

NOW THEREFORE, BE IT RESOLVED THAT the open space that is located near the intersection of Amwell Road and Cedar Grove Lane be hereby designated as the Franklin Township Memorial Forest; and

BE IT FURTHER RESOLVED THAT the Township establish the Tree Planting, Open Space account dedicated to receive donations from members of the Franklin Township community who want donate funds for the purpose of obtaining and planting a tree at this Memorial Forest and for the purpose of having a memorial plaque erected near the tree that will memorialize the lost loved one; and

BE IT FINALLY RESOLVED THAT any member of the Franklin Township community who wants to participate in this program will make a donation to the "Franklin Township Trust" and include a note that the donation is for "Tree planting, Open Space" and that upon receiving the donation the Department of Public Works will plant a tree and erect a plaque in memory of the lost loved one.

Mayor Sumter presented the proclamation to Brian Regan, who thanked the Council for their support and noted that the tree planting ceremony will take place in September. Kathy Regan, President of the Interact Club of Franklin High School, also thanked the Council for their support.

6. REVIEW PREPARED AGENDA:

10. ORDINANCE HEARING – AMEND CODE – CHAPTER 112, DEVELOPMENT – ARTICLE V SPECIAL REQUIREMENTS – SECTION 112-24 DELAWARE AND RARITAN CANAL HISTORIC SITES PRESERVATION AND DESIGN REGULATIONS - REPLACE IN ITS ENTIRETY WITH SCENIC CORRIDOR OVERLAY

Mr. Mettler questioned the wisdom of replacing the present preservation and design regulations with scenic corridor overlay designation, noting the

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clearing of trees in Weston Road and New Brunswick Road and the planting of new trees as opposed to leaving existing trees.

Deputy Mayor Grippo requested Township Manager Daly to give background of this ordinance. Mr. Daly noted that the Master Plan of the Township called for this change and after consideration over a couple of years and examination by other advisory committees, this ordinance is presented for approval.

**16R. GRANT APPLICATION – U.S. DEPARTMENT OF JUSTICE
HOMELAND SECURITY OVERTIME PROGRAM - \$100,000 –
TOWNSHIP MATCH \$25,000 OR 25%**

Ms. Barrier questioned the \$25,000 matching funds from the Township as to whether or not the overtime budget would be increased by that amount or if it was taken from the existing overtime budget. Mr. Daly answered that this amount will be taken from existing overtime budget.

7. COUNCIL DISCUSSION ITEMS

a. Vacation of Blair Avenue

Township Manager Daly informed the Council that the Redevelopment Agency has reviewed the request to vacate Blair Avenue as requested by Township Council. The agency further recommended that Council not grant the request. The Redevelopment Agency believed the vacation of Blair would hurt revitalization efforts as it would land lock other properties. The Agency also indicated that Blair Avenue was not recommended for vacation in the redevelopment plan. Mr. Daly asked for direction from Council. The Council concurred with the recommendations of the Redevelopment Agency

b. Parking Marching Band Equipment Bus

Mr. Day informed Council that the parents of the Franklin Township High School Band has made an emergency request to store their band bus on the municipal complex. Mr. Daly asked council if they had any objections to the request. Members of Council inquired as to who would be responsible for the bus while on municipal property. Ms. Barrier indicated the Township Manger should discuss the issue with the Board of Education. Council directed Mr. Daly to determine the appropriate location to secure the bus and coordinate with the Board of Education.

c. Skate Park

Deputy Mayor Grippo proposed to council that they include \$150,000.00 in the FY 2003 Capital budget for the construction of a Skate Park. Deputy Grippo informed Council that during the council retreat they had discuss the deferring of \$250,000 in improvements for Middlebush Park for the construction of a Skate Board Park. Deputy Mayor Grippo proposed that Council make commitment to this project by placing it in the capital budget at \$150,000.00. Deputy Mayor Grippo's proposal sparked considerable debate.

Mr. Mettler questioned whether Mr. Grippo's proposal to add to capital budget should be also provide a corresponding cut in other parts of capital budget as had been decided at the council retreat. Mr. Levin questioned whether this should not be debated as part of the capital budget discussion during the FY 2004 Budget. Ms. Barrier voiced concerns about adding an item to the capital budget without first reviewing the total budget.

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Mr. Daly informed council that as part of the January retreat he had developed a capital worksheet to assist in making some policy decisions surrounding the capital budget in light of the request for additional funding by the library and major drainage project being planned. Mr. Daly indicated that the worksheet provided 1,000,000 in additional funding for the library. He further indicated that the maximum the library would be seeking is \$850,000.00. Mr. Daly suggested that Deputy Mayor Grippo's proposals can be placed on that worksheet for the development of a capital budget.

Motion was made by Deputy Mayor Grippo and seconded by Mr. Chivukula to include the skate park in the Manager Capital Worksheet

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

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

Motion was carried.

Mr. Chivukula requested that Council move item 17 a resolution to – Suspend the Annual Reassessment Program as the next item of business. Council concurred. Mr. Grippo the sponsor the resolution presented the proposal. Mr. Grippo began his presentation by indicating that this is not an assault on the Township's Assessor but rather an attack on the system of reassessment. Mr. Grippo indicated that there are two issues associated with the tax bill. The total amount of taxes needed and the amount each homeowner will pay of the total amount. He presented that the system of determining the homeowners share using annual assessment is too volatile. He further asserted that the system has shifted more of the tax burden from commercial to residential property owners. Finally, Mr. Grippo offered that fact only a few community actually use the system of annual reassessment to confirm his opinion the system should be suspended. Mr. Grippo they requested council to pass the resolution

Mayor Sumter then provide the floor to Burnham Hobbs the Township Tax Assessor for comments. Mr. Hobbs informed council that he was preparing a presentation for council's July 1, 2003 worksession to provide an in-depth analysis of the reassessment program. Mr. Hobbs indicated that he answer any questions he could tonight. Council asked Mr. Hobbs a number of question about the process of reassessment.

Motion was made by Mr. Chivukula and seconded by Mr. Levine to defer item 17 Resolution to Suspend the Annual Reassessment Program until July 8, 2003 regular meeting and schedule discussion on the item at the July 1, 2003 Worksession. 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	Mr. Grippo	No One
Mr. Chivukula	Mr. McKenzie		
Ms. Eberle	Mr. Mettler	<u>ABSENT</u>	
	Mayor Sumter		
		Mr. Mazzola	

Motion was carried.

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Motion was made by Deputy Mayor Grippo and seconded by Mr. Mckenzie to approve the Minutes of the Regular Meeting of April 8, 2003; motion was carried by those Councilmembers present at that meeting.

WARRANTS – MAY 27, 2003**Read by Acting Township Clerk Dashield**

1	Current Fund	11,328,834.40
5	Water Operating	40,533.67
6	Water Capital	0
4	General Capital	289,796.48
15	General Trust	24,228.00
18	Self Insurance Trust Fund	11,000.00
21	Recreation Trust	1,356.00
12	Open Space Trust	0
2	Grant Fund	10,590.98
17	Workers' Compensation	484.04
	Unemployment Trust	9,081.07
	Employee Payroll Deduction	0
3	Collector Trust	32,496.24
14	Dog Revenue	1,178.84
	Community Foundation	0
22	General Ledger: Current	0
13	Redevelopment Agency	923.76
23	Agency	0
	SUB-TOTAL	11,750,503.48
25	Escrow Account	31,069.00
19	Voided Checks	0
20	Adjustments	0
	GRAND TOTAL	<u>\$11,781,572.48</u>

Motion was made by Mr. Chivukula and seconded by Mr. Levin to approve the Warrants. 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.

10. ORDINANCE HEARING – AMEND CODE – CHAPTER 112, DEVELOPMENT – ARTICLE V SPECIAL REQUIREMENTS – SECTION 112-24 DELAWARE AND RAQRITAN CANAL HISTORIC SITES PRESERVATION AND DESIGN REGULATIONS – REPLACE IN ITS ENTIRETY WITH SCENIC CORRIDOR OVERLAY

Acting Township Clerk Dashield read by title:

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"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 112, DEVELOPMENT - ARTICLE V – SPECIAL REQUIREMENTS – SECTION 112-24 DELAWARE AND RARITAN CANAL HISTORIC SITES PRESERVATION AND DESIGN REGULATIONS – REPLACED IN ITS ENTIRETY WITH SCENIC CORRIDOR OVERLAY". 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 Ms. Barrier and seconded by Mr. Mettler 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 from the public spoke

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

Motion was made by Ms. Eberle and seconded by Mr. Chivukula 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>
Mr. Chivukula	Mr. McKenzie	Ms. Barrier	No One
Ms. Eberle	Mayor Sumter	Mr. Levine	
Mr. Grippo		Mr. Mettler	<u>ABSENT</u>
			Mr. Mazzola

Motion was carried.

11. ORDINANCE HEARING – AMEND CODE – CHAPTER 112, DEVELOPMENT – ARTICLE II, SECTION 112-6, ZONING DISTRICTS, SUBSECTION B, ZONING MAP – PARAGRAPH (2) AMENDMENTS – CHANGE THE ZONING DESIGNATION OF CERTAIN PROPERTY IN ROL ZONE SOUTH AND KINGSTON ENVIRONS

Acting Township Clerk Dashield read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-6B(1), OFFICIAL ZONING MAP ". 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 from the public spoke

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

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

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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.

12. PUBLIC DISCUSSION

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

Mayor Sumter asked that persons who desired to speak give their names and address to the Township Clerk.

Lance – 383 South Middlebush Road – Spoke in support of the library expansion project. He indicated that the Library is an important part of the Franklin community. He further stated that its importance is demonstrated by the number of items circulated (2066 items) – He asked Council to approve \$850,000.00 in additional funds to create a Library.

Linda Smith 139 Wilson Road -Chairperson recreation council – Spoke in support of the skate park. – Asked council to support the skate park and provide children with good recreational opportunities.

Harold Leventhal –360 DeMott Lane -Indicated that it has been a long time since the original presentation to Council to build a skate park. Mr. Leventhal indicated that to date no actions has been taken on the issue. He further asked council to support the proposal for the skate park.

Tracey 15 Westlake Court – Requested that Council to support the request by the Library to fund \$850,000.00 for the expansion. She further indicated that as a taxpayer she is willing to pay more money for better services.

Jean Hanson – 3 London Place – Spoke in support to the skate park. She indicated that Eric Monroe started in 1999 asking for the skate park and he is still waiting. Further Ms. Hanson believes that the skate park is only one part of the big picture for public recreational services. Ms. Hanson asserted that the proposed location for the park is perfect for middle school aged kids who need this type of recreational facility where they can be safe and express themselves in a fun matter. She also complained that the proponents of the skate park have been asked to fund raise for a public recreational facility.

Mike Orsini – 24 Nepote Place –Spoke in support of the skate park – He also thanked council for passing the scenic corridor ordinance which he believed would have help in places like Weston Road, Canal Road and New Brunswick Road. Mr. Orsini also indicated his endorsement of suspension of annual assessments. He believed that the suspension of annual reassessments would make very clear what is driving tax increases. The suspension will allow property owners to identify where spending is increasing.

Joe Curry 14 Fox wood – Spoke in support of the suspension of annual assessments. Mr. Curry indicated that he did not understand the need for annual assessments when other towns were not doing annual assessments.

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Diane Herman 12 Webster Road – President of the Franklin Township Library board of trustees –referred the Council to the renderings of the proposed library expansions placed on council's desk. She impress on Council to fund \$850,000 for the library expansion.

Brian Regan – 15 Gunter loop – Spoke on the issue of the skate park – Mr. Regan told Council that they had made a promise to fund the skate park for \$250,000.00 over 4 year ago and then reduced that amount to \$150,000.00 and now was the time to take affirmative action on the issue. Mr. Regan also spoke on the issue of annual reassessments he requested that someone from Somerset County be present at the July 1, 2003 work session to answer the following question. Does Franklin Township get a discount for assessing annually at 100%? Mr. Regan asserted that Franklin does not get a discount but pays its proportional share of Somerset County Taxes. Mr. Regan also indicated that the Township could save money by eliminating position in the assessor office.

Wanda Ashley Williams - 23 Sapphire Lane– Spoke on the issue of funding of the skate park. She believed the funding of the park is important for the safety of our children because it provides a safe environment for them go after school. She further expressed that she would rather spend money on a skate park then the cost of jails. Finally she asked council to fund the project for the request additional \$850,000.00.

Sid Lentz – 22 Corneilius Way – Inquired if the capital worksheet for capital budget 2004 was available to the public. Mr. Lentz asked if the council committee that reviewed the school budget had all agreed to recommend the reinstatement of second question the purchase of property for future school. Mr. Lentz, further inquired about the status of the consultant contract in the Assistant Managers Office Finally, he asked if item x on the agenda was necessary or could be completed by Township Staff.

Chip Hoever – 9 Stallion Court – Mr. Hoever said he is very interested in hearing the presentation on July 1st however the real issues spending.

Sam Nelson – 65 Lynwood Avenue - Treasurer of the library Board of Trustees expressed that the library has a strong plan and requested the Councils of support in funding the total of \$850,000.00 requested Commented on the issue of assessments he indicated that the tax appeal process is very difficult and cumbersome.

Charles Hicks - 29 Zeller Drive – The Council needs to address the state tax system to address property tax increases. Under the current tax code, local government must fund schools with property tax dollars. He indicates that the school spending is what drives tax increases. He supported the skate park but asked why there was not enough recreational facilities in his area. He further commented on the library expansion and indicated that he would rather see investment of money inside the building rather than the outside. He also voice concern about the intersection of Middlebush Road and Amwell Road. He requested that Council do something about the condition of that intersection.

Courtney Throckmartin – 591 Somerset Street – Commented that the bottom line to tax increases is spending. Mr. Throckmartin also commented on the issue of recreational facilities indicating there a enough recreational facilities we do not need a skate park. Finally, Mr. Throckmartin inquired if the properties to be discussed at the executive session pertained to Renaissance 2000

13. COUNCIL COMMENTS

Mr. Mettler made the following comment:

Mr. Mettler questioned if the council has changed its policy concerning the use of the Township Attorney to draft a resolutions. Mr. Mettler indicated that past practice the Council as a body had to request the Attorney to draft a resolution not an individual councilperson. Mr. Mettler

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expressed his concern if there has been a change in policy he is not in agreement with the new policy. Particularly, he voice a concern that an individual council person would be able to incur legal expenses without the consent of Council.

Mr. Mckenzie made the following comments:

- Mr. Mckenzie discussed the need for state reform to help fund school in New Jersey
- Mr. Mckenzie also expressed his support for recreational activities and commented that he had visit the Edison Skate park and believe it would be a good thing for Franklin.

Ms. Barrier made several comments based on the issue discussed during the meeting

- Expressed her support for recreation activities and assert that there is a need for more recreational opportunities throughout the Township. Ms. Barrier voiced concern that some areas of the Township do not have adequate recreational facilities.
- In reply to an inquiry as to whether the school budget committee had come to a consensus on its recommendation. On the issue of cuts in the school budget Ms. Barrier indicated the committee agreed initially to recommend a cut 1.25 million however when it was determined that tax payers only receive a benefit for cut in increments of about \$580,000.00 the committee agreed to a recommendation of 1.16 million dollars in cuts.
- On the issue of the purchase of the land for a future school, the committee did not come to a consensus and decided to have the council as whole make a determination. Ms. Barrier voiced concerns that the vote was not upheld.
- On the issue of reassessment, Ms. Barrier indicated that the process of annual reassessment seems to be the most equitable way to distribute the tax burden. She believed the review of the assessment process is important.
- Ms Barrier provided her opinion on the issue of the request for additional funds for the library. Ms. Barrier stated that after studying the request, she believe that although the additional funding is not essential to the operation to the library, she willing to invest the additional funds to provide a quality project particularly since the additional cost will have a small impact on the tax payer.

Mr. Chivukula made several comments based on the discussion during the meeting:

- On the issue of the library Mr. Chivukula stated that the library come back with 25% cost overrun and that important to have a library that looks good and is functional and council is left with a difficult decision to make.
- On the issue of school finances Mr. Chivukula explained that financing the public school system in New Jersey is a complicated endeavor and the solution will not be easily found and will take changes on both the state and local level to make meaningful difference

Mr. Levine made several comments based on the discussion during the meeting:

- On issue of suspension of assessments, Mr. Levin explained that the municipality, the School district and the County decide how much they want to spend and the assessment just divides the how much each tax payer will pay. Mr. Levine went on to say that the suspension of reassessment will make the tax structure more regressive, shift the tax burden to those that are least like to be able to afford it
- On the issue of recreational facilities, Mr. Levin indicated that he wants to be able to provide as much recreational facilities as possible and affordable

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Ms Eberle made several comments based on the discussion during the meeting:

- In response to the questions from the public as to whether the school budget committee had come to a consensus on its recommendation to reinstate question two Ms. Eberle replies no. Ms. Eberle explained that if the Board of Education did not purchase this property a housing developer would build houses on the property and further burden the delivery of public services.
- Ms. Eberle commented that one of the unfortunate out comes of suburban sprawl has been the disbursement of neighborhoods which then require the investment of numerous recreational faculties to service the community. Consequently, we as governing body have to ensure that these facilities are provided. Ms Eberle indicated that she support the skate park.
- Ms Eberle also indicated that she supported the additional \$450,000.00 to the library project particularly since this is a long term project
- On the issue of taxes Ms Eberle suggested that we look at impact fees as way of providing tax relief

Mr. Grippo made several comments based on the discussion during the meeting:

- In response to the question from the public about the installation of a light on and Amwell Road Mr. Grippo informed the public the three recommendations for localized improvement including a light on Middlebush Road is with the County for action.
- On the issue of restoring purchase of the property in the school budget Mr. Grippo suggested that we could still seek county funding for the purchase of the property however it was necessary make a decision that night based on the alternative available that night county purchase was not available at that time.
- Mr. Grippo stated his support for three projects, the renovation of the municipal building, the renovation of the animal shelter and development of a skate park
- Mr. Grippo also indicated that he supported the additional \$450,000.00 for the library project
- On the issue of annual reassessment, Mr. Grippo indicated that he believed the system is not fair. Furthermore, the system is not used by the majority of municipality in the state and should suspend annual reassessments and evaluate the program.

Mayor Sumpter indicated that the issue taxes is difficult issue that the council has to continue to address

4. ORDINANCE INTRODUCTION – ACCEPT DEED OF DEDICATION – CHANG SIK PARK – MINOR SUBDIVISION - DOCKET #PLN 2002-0069

Acting Township Clerk Dashield read by title:

"AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF DEED OF DEDICATION - ADDITIONAL RIGHT OF WAY WIDTH - WILSON ROAD - CHANG SIK PARK & HOO SOON PARK, H/W - BLOCK 417.01/LOTS 20 & 21" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on June 26, 2003.

Mr. Chivukula so moved. Mr. Mettler seconded the motion. Acting Township Clerk Dashield 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.

15. ORDINANCE INTRODUCTION – AMEND BOND ORDINANCE -#3247 & #3311 – LIBRARY RENOVATION TO INCREASE APPROPRIATION BY \$450,000.00

Acting Township Clerk Dashield read by title:

"BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 3247 HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"), ON OCTOBER 23, 2001, ENTITLED, "BOND ORDINANCE PROVIDING FOR RENOVATIONS AND IMPROVEMENTS TO THE FRANKLIN TOWNSHIP PUBLIC LIBRARY, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, IN THE STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$6,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,795,000 BONDS AND/OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," AS AMENDED BY BOND ORDINANCE NUMBER 3311 FINALLY ADOPTED ON AUGUST 13, 2002, TO INCREASE THE APPROPRIATION THEREIN BY \$850,000 AND TO INCREASE THE AUTHORIZATION OF BONDS AND NOTES THEREIN BY \$807,500, TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on June 26, 2003.

Deputy Mayor Grippo made a motion to amend the bond ordinance increasing the amount to \$850,000.00. Mr. Mettler seconded the motion.

Mr. Levine expressed his concern in two areas. First, the additional \$450,000.00 would not add books or other items inside the library and the fact the Township had to fund cost overruns on the project

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

Motion was carried.

15. RESOLUTION - CONSENT AGENDA

Read by Acting Township Clerk 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.

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- A. Tax Title Lien Redemptions:
 Headly, Pearline & B&R.- Block 206/10-12 - 44 Miller Avenue - \$146.13 (1998)
 Headly, Pearline & B&R.- Block 206/10-12 - 44 Miller Avenue-\$3,169.46 (1999)
 Headly, Pearline & B&R.- Block 206/10-12 - 44 Miller Avenue - \$354.95 (2000)
 Headly, Pearline & B&R.- Block 206/10-12 - 44 Miller Avenue - \$223.59 (2002)
 Bennett, Emma – Block 224/Lot 16.01 - 753 Hamilton Street - \$1,351.91
 Wilson, Edward - Block 299/Lot 4 - \$13,507.43 - 269 Girard Avenue
 Garvin, William A. - Block 360/Lot 27 - 20 Johnson Road - \$108.26 (1998)
 Garvin, William A. - Block 360/Lot 27 - 20 Johnson Road - \$ 82.56 (2001)
- B. Budget – FY 2003 Budget Transfers
- C. Budget – Amend FY 2003 Capital Budget
- D. Authorize Raffle/Bingo
- E. Tax Overpayments
- F. Renewal Membership – Central Jersey Joint Insurance Fund – July 1, 2003 to July 1, 2006
- G. Agreement - Central Jersey Joint Insurance Fund Membership- July 1, 2003 to July 1, 2006
- H. Agreement - NJDOT - Traffic Signal - State Highway Route 27 & Vliet Road
- I. Performance Guarantee Release - Mayo & Joan Sisler – New Millenium Bank – Docket # P2000083P - \$35,856.00
- J. Release – Street Opening Surety and Deposit – Kapp Construction - Permit # 5947 – 135 Warren Street - \$300.00 Deposit/\$300 Surety
- K. Inspection Escrow Release –
 Mayo & Joan Sisler LLC –Docket # P2000083P - \$1,195.00
 SKN Builders Inc – Docket # Z2001-001H -\$50.00
- L. Release Building Review Escrow:
 Anthony Circelli - Docket No. BRA02-005 - \$ 62.50
 L & M. Yoson - Docket No. BRA02-007 - \$ 62.50
 Raymond Yelle - Docket No. BR01002 - \$150.00
- M. Release Plan Review Escrow:
 Gordon Veronica Associates II, LLC - Docket No. P2000077P - \$8,853.75
 Noddle Development Company - Docket No. PLN2001-0010 - \$3,118.50
 Somerset Assembly of God - Docket No. PLN2003-0012 - \$2,240/\$600
- N. Purchase – State Contract-Winner Ford of Cherry Hill - Eleven (11) 2003 Ford Crown Victoria Police Vehicles – 10 Marked Vehicle & 1 Unmarked Vehicle-\$228,783
- O. Purchase – State Contract-Winner Ford of Cherry Hill – One (1) 4X4 SUV Police Vehicle - \$27,422.00
- P. Purchase – State Contract -Major Police Supply - Accessories for New Police Vehicles and Conversion of Existing Vehicles from Marked to Unmarked Vehicles - \$103,628.40
- Q. Purchase – State Contract – Motorola – 9-1-1 Call Taking Equipment-\$179,979.00

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- R. Grant Application – U.S. Department of Justice Homeland Security Overtime Program - \$100,000 –Township Match \$25,000 or 25%
- S. Grant Application – Somerset County Municipal Planning Partnership Grant – “Smart Growth Projects” – D & R Canal Redevelopment Plan - \$20,000 – Township Match \$10,000 or 50%
- T. Grant Application – Somerset County Youth Services Grants – Youth Connection \$3,000- Edgemere Enlightenment and Education Center \$1,000 and \$5,000 Character Asset Project
- U. Developers Agreement – Raritan Valley Habitat for Humanity Inc.- Affordable Housing – Block 137 Lots 5.01, 10.01 and 12.01
- V. Agreement – Stormwater Detention Maintenance Agreement – Brian Lodging Someset, LLC -Homewood Suites – Block 468.09 Lot 46 - Site Plan Docket # PLN 2002-0011
- W. Professional Service Agreement - Schoor DePalma - Professional Engineering & Survey Services – Installation of Sidewalks for Kingston Village Pedestrian Access/Laurel Avenue (County Route 603) - Not to exceed \$40,000.00
- X. Professional Service Agreement – Ford Farewell, Mills & Gatsch- Consultant Services-Prepare Study Nomination of Middlebush Village Historic District to National Registers of Historic Places - \$15,350.00
- Y. Amend Professional Services Agreement – Louis N. Rainone – Legal Services – November 1, 2002 to June 30, 2003 - additional not to exceed \$30,000.00
- Z. Professional Services Agreement – Louis N. Rainone – Legal Services – July 1, 2003 to June 30, 2004 – Not to exceed \$294,000.00
- AA. Resolution – Sponsorship 225th Anniversary of Road to Monmouth “Dinner in the Woods” – Kingston School – June 25, 2003
- BB. Special Event Permit – Franklin Convalescent Center – Carnival – Saturday, September 13, 2003

A. 03-236 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 11, 1998	206/10-12	HEADLEY, PEARLINE & B & R	\$ 146.13
June 10, 1999		44 Miller Avenue	3,169.46
June 08, 2000		Somerset NJ 08873	354.95
June 13, 2002			223.59
PAID:	May 6, 2003		
LIENHOLDER:	Herbert Sehgal	CERT #98-191; 20-234; 02-108	

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	PO Box 284	Kingston NJ 08528	
	Wachovia CT/MD Sass II	CERT #99-73	
	123 South Broad Street, PA 19109	Philadelphia PA 19109	
June 10, 1999	224/16.01	BENNET, EMMA	1,351.91
		753 Hamilton Street	
		Somerset NJ 08873	
PAID:	April 30, 2003	CERT #99-230	
LIENHOLDER:	George Shrier		
	201 South 2nd Avenue, Box 16	Highland Park NJ 08904	
June 8, 2000	289/67	JACKSON, HORACE, SR. & E.	12,998.28
		420 Frederick Street	
		Somerset NJ 08873	
PAID:	May 12, 2003	CERT #20-60	
LIENHOLDER:	Wachovia CT/MD Sass II		
	123 South Broad Street, PA 19109	Philadelphia PA 19109	
June 07, 2001	299/4	WILSON, EDWARD	13,507.43
		269 Girard Avenue	
		Somerset NJ 08873	
PAID:	May 9, 2003	CERT #01-110	
LIENHOLDER:	National Tax Assistance		
	30 Federal Street	Boston MA 02110	
June 11, 1998	360/27	GARVIN, WILLIAM A.	108.26
June 07, 2001		20 Johnson Road	82.56
		Somerset NJ 08873	
PAID:	May 8, 2003		
LIENHOLDER:	Daniel A. LeBar	CERT #98-116	
	PO Box 4495	Metuchen NJ 08840-4495	
	Betty Lawrence	CERT #01-070	
	1 Kory Drive	Kendall Park NJ 08824	
June 13, 2002	448/1.16	MURTHY, K.R.S.	957.99
		13 Willow Avenue	
		Somerset NJ 08873	
PAID:	May 12, 2003	CERT #020179	
LIENHOLDER:	Elliot Loeb Keogh Plan		
	1 Lakeview Road	Saratoga Springs NY12866	
	Wachovia CT/MD Sass II	CERT #99-73	
	123 South Broad Street, PA 19109	Philadelphia PA 19109	

B. 03-237 RESOLUTION - TRANSFERS FISCAL YEAR – FY2003 BUDGET

BE IT RESOLVED by the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey, that the following transfers be made from the Fiscal Year 2003 Municipal Budget Appropriations:

<u>DEPARTMENT</u>	<u>FROM</u>	<u>TO</u>
Clerk		
Salaries & Wages	\$32,000.00	
Human Resource		
Salaries & Wages		\$2,000.00
Legal		
Other Expenses		\$30,000.00
Planning Board		

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Salaries and Wages \$16,000.00

Economic Development
Salaries & Wages \$16,000.00

C. 03-238 RESOLUTION – AMEND SFY03 CAPITAL BUDGET

WHEREAS, the local capital budget for SFY 2003 was adopted on the 22nd day of October, 2002; and

WHEREAS, it is desired to amend said adopted budget;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Franklin, County of Somerset that the following amendment to the adopted Capital Budget herein appended be made.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

D. 03-239 RESOLUTION - AUTHORIZE RAFFLE/BINGO

WHEREAS, the following have made application to the Township of Franklin, Somerset County, for a Raffle/Bingo License; and

WHEREAS, said applications have been presented to the Mayor and the Chief of Police for Findings and Determinations; and

WHEREAS, the Clerk has reported that the proper fees have been paid;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be instructed to issue a RAFFLE/BINGO LICENSE to the following:

<u>NAME OF ORGANIZATION</u>	<u>DATE OF RAFFLE/BINGO</u>
Epilepsy Foundation of New Jersey 429 River View Plaza, Trenton, NJ Off-Premise 50/50 Raffle – RL#1389 Drawing: Garden State Exhibit Center	September 13, 2003 8:00 am – 4:00 pm
St. Sharbel Maronite Church 526 Easton Avenue, Somerset, NJ Off-Premise Raffle – RL#1390 Drawing: St. Sharbel Church Grounds Non-Draw Raffles – RL#1391 Drawings: St. Sharbel Church Grounds	June 29, 2003 - 9:00 p.m. June 27, 2003 - 6:00 – 10:00 pm June 28, 2003 -12 Noon – 11:00 pm June 29, 2003 -12 Noon – 10:00 pm

E. 03-240 RESOLUTION - TAX OVERPAYMENTS

WHEREAS, there appears on the books of the Collector of Revenue, refunds due, resulting from Tax Overpayments; and

WHEREAS, refunds are to be made to the persons who have made these overpayments;

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer of the Township of Franklin, Somerset County, be instructed to draw checks in the amounts covering the overpayments and to deliver said checks to the proper persons.

BLOC K/LO T	NAME/ADDRESS	QTR/YR	AMOUNT

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9/40	Wells Fargo Home Mortgage Advance Recovery Unit 1 Home Campus Des Moines IA 50328-0001	1/03	1,159.20
34.09/ 59.02 C0441	Silberger, Gary 45 Sapphire Lane Franklin Park NJ 08823	3/03	1,370.75
34.10/ 59.01 C1315	Choy, Sylvia Wong 10110 SW 137 Court Miami FL 33186	2/03	792.06
59.05/ 23	Parneg, Scott & Lisa 28 Corneilius Way Somerset NJ 08873	1/03 2/03	.25 2,209.40
84.03/ 36.64	Spencer Savings Bank River Drive Center 3 611 River Drive Elmwood Park NJ 07407	2/03	2,849.49
90/5	Michael I. Schneck, Trustee Service Computer Systems, Incorporated 101 Eisenhower Parkway Roseland NJ 07068-1067	4/02	2,673.88
158/18 424.08 /111	GMAC Mortgage 3451 Hammond Avenue PO Box 780 Waterloo IA 50704-0780	2/03 2/03	801.90 1,351.79
224/16 .01	Bennett, Emma 11A Somerset Street Carteret NJ 07008	2/03	655.18
371/25 399/22	Michael A. Vespasiano, Attorney Trust Account PO Box 0694 Springfield NJ 07081	4/02 4/02	113.30 110.75
417.02 /444 0026	Jorgensen, Stephen 29 Norwich Place Somerset NJ 08873	3/03	548.44
424.02 /33	Leyton, Nancy & Ariel 16 Lakeside Road Somerset NJ 08873	3/03	1,072.01
424.10 /26	Leeds, Kenneth 14 Derbyshire Lane Somerset NJ 08873	3/03	1,984.43
424.10 /154	ABN-AMRO 7159 Corkland Drive Jacksonville FL 32258-4455	2/03	849.48
489.02 /5	CHASE PO Box 569763 Dallas TX 75356-9990	3/03	1,685.70
502.02 /38.01	Mandelbaum & Mandelbaum 80 Main Street West Orange NJ 07052	2/04	2,215.00

E. 03-241 RESOLUTION - AGREEMENT - RENEW MEMBERSHIP - CENTRAL JERSEY JOINT INSURANCE FUND - JULY 1, 2003 TO JULY 1, 2006

WHEREAS, the Central Jersey Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJS A 40A:10-36 et seq.; and

WHEREAS, the Township of Franklin is currently a member of said Fund; and

WHEREAS, effective June 30, 2003, said membership will expire unless earlier renewed; and

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WHEREAS, the Governing Body of the Township of Franklin has resolved to renew said membership;

NOW, THEREFORE, it agreed as follows:

1. The Township of Franklin hereby renews its membership in the Central Jersey Joint Insurance Fund for a three (3) year period, beginning July 1, 2003 and ending July 1, 2006*.
2. The Township of Franklin hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Central Jersey Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Township of Franklin agrees to be a participating member of the Fund for the period herein provided for and to comply with all the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Township of Franklin in the central Jersey Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Township of Franklin.
5. Executed the 27th day of May, 2003 as the lawful and binding act and deed of the Township of Franklin, which execution has been duly authorized by public vote of the Governing Body.

G. 03-241 RESOLUTION - RENEWAL OF MEMBERSHIP - CENTRAL JERSEY JOINT INSURANCE FUND - JULY 1, 2003 TO JULY 1, 2006

WHEREAS, the Township of Franklin is a member of the Central Jersey Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of June 30, 2003 unless earlier renewed by agreement between the Township and the Fund; and

WHEREAS, the Township desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township of Franklin agrees to renew its membership in the Central Jersey Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverage, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the central Jersey Joint Insurance Fund evidencing the Township's intention to renew its membership.

H. 03-243 RESOLUTION - AGREEMENT - NJDOT - TRAFFIC SIGNAL – STATE HIGHWAY ROUTE 27 & VLIET ROAD

WHEREAS, a traffic condition exists at the intersection of State Highway Route 27 and Vliet Road in the Township of Franklin, Somerset County, which requires the installation of a new, semi-actuated traffic signal with pedestrian push buttons and areas of presence detection in order to minimize the possibility of accidents; and

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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that the Finance Officer is hereby authorized to release Street Opening Escrow Funds to the following:

<u>NAME/ADDRESS</u>	<u>PERMIT#</u>	<u>DEPOSIT/SURETY</u>
KAPP CONSTRUCTION 30 First Street Somerset NJ 08873	5947 135 Warren Street	\$300.00/\$300.00

K. 03-246 RESOLUTION - RELEASE OF ESCROW MONIES

WHEREAS, the Township of Franklin, Somerset County has received escrow monies for purposes of anticipated inspection fees as noted below; and

WHEREAS, the project has been completed and the Township Engineer has certified to the Township Clerk the amount of money charged against the escrow and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: SKN BUILDERS, INCORPORATED
ADDRESS: PO Box 98
Somerset NJ 08873

DOCKET NO: Z200001H
BLOCK/LOT: 100/17 & 18
LOCATION: 116 Codington Avenue
AMOUNT DEPOSITED: \$400.00
AMOUNT CHARGED: 350.00
AMOUNT TO BE REFUNDED: \$ 50.00

APPLICANT: MAYO & JOAN SISLER
NEW MILLENIUM BANK
ADDRESS: 413 McDowell Drive
East Brunswick NJ 08816

DOCKET NO: P2000083P
BLOCK/LOT: 219/1.01
LOCATION: 695 Hamilton Street
AMOUNT DEPOSITED: \$4,800.00
AMOUNT CHARGED: 3,605.00
AMOUNT TO BE REFUNDED: \$1,195.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the remaining escrow monies be returned to the above named applicant; and

BE IT FURTHER RESOLVED that the Chief Financial Officer be and is hereby directed to refund the escrow amounts herein.

L. 03-247 RESOLUTION - RELEASE OF BUILDING REVIEW ESCROWS

WHEREAS, the Township of Franklin, Somerset County has received escrow monies for purposes of professional fees incurred for review of and/or testimony concerning an application for development in accordance with Section 112-29 of the Code of the Township of Franklin; and

WHEREAS, the project has been completed and the Township Engineer has certified to the Township Clerk the amount of money charged against the escrow and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: ANTHONY CIRCELLI

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ADDRESS: 334 Skillman Lane Somerset NJ 08873
 DOCKET NO: BRA02-005
 BLOCK/LOT: 85/4
 LOCATION: 334 Skillman Lane
 AMOUNT DEPOSITED: \$150.00
 AMOUNT CHARGED: 87.50
 AMOUNT TO BE REFUNDED: \$ 62.50

APPLICANT: L & M. YOSON
 ADDRESS: 764 Easton Avenue Somerset NJ 08873
 DOCKET NO: BRA02-007
 BLOCK/LOT: 84.01/36.33
 LOCATION: 20 Margaret Drive
 AMOUNT DEPOSITED: \$150.00
 AMOUNT CHARGED: 87.50
 AMOUNT TO BE REFUNDED: \$ 62.50

APPLICANT: RAYMOND YELLE
 ADDRESS: 42 Pinecrest Drive Somerset NJ 08873
 DOCKET NO: BR01002
 BLOCK/LOT: 386.12/2
 LOCATION: 42 Pinecrest Drive
 AMOUNT DEPOSITED: \$250.00
 AMOUNT CHARGED: 100.00
 AMOUNT TO BE REFUNDED: \$150.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the remaining escrow monies be returned to the above named applicant; and

BE IT FURTHER RESOLVED that the Chief Financial Officer be and is hereby directed to refund the escrow amounts herein.

M. 03-248

MAY 27, 2003

RESOLUTION - RELEASE OF PLAN REVIEW ESCROWS

WHEREAS, the Township of Franklin, Somerset County has received escrow monies for purposes of professional fees incurred for review of and/or testimony concerning an application for development in accordance with Section 112-29 of the Code of the Township of Franklin; and

WHEREAS, the project has been completed and the Township Engineer has certified to the Township Clerk the amount of money charged against the escrow and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: GORDON VERONICA ASSOCIATES II, LLC
 ADDRESS: 1436 E. Elizabeth Avenue Linden NJ 07036
 DOCKET NO: P2000077P
 BLOCK/LOT: 88.02/89
 LOCATION: Veronica Avenue
 AMOUNT DEPOSITED: \$12,500.00
 AMOUNT CHARGED: 3,646.25
 AMOUNT TO BE REFUNDED: \$ 8,853.75

APPLICANT: NODDLE DEVELOPMENT COMPANY
 ADDRESS: 13710 FNB Parkway, Suite 100 Omaha NE 68154
 DOCKET NO: PLN2001-0010
 BLOCK/LOT: 34.05/42 & Part of 41.02

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LOCATION: Stewart Avenue
 AMOUNT DEPOSITED: \$10,000.00
 AMOUNT CHARGED: 6,881.50
 AMOUNT TO BE REFUNDED: \$ 3,118.50

APPLICANT: SOMERSET ASSEMBLY OF GOD
 ADDRESS: 322 Franklin Boulevard Somerset NJ 08873
 DOCKET NO: PLN2003-0012
 BLOCK/LOT: 286/11 & 12
 LOCATION: 8 Belmont Drive
 AMOUNT DEPOSITED: Plan Review \$2,400.00 Plan \$600.00
 AMOUNT CHARGED: 160.00 -0-
 AMOUNT TO BE REFUNDED: \$2,240.00 \$600.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the remaining escrow monies be returned to the above named applicant; and

BE IT FURTHER RESOLVED that the Chief Financial Officer be and is hereby directed to refund the escrow amounts herein.

N. 03-249 RESOLUTION - AUTHORIZE PURCHASE UNDER STATE CONTRACT & THROUGH SOMERSET COUNTY IMPROVEMENT AUTHORITY - WINNER FORD - TEN (10) MARKED POLICE CARS AND ONE (1) UNMARKED 2003 FORD CROWN VICTORIA POLICE VEHICLE - \$228,783.00

WHEREAS, the Township of Franklin desires to purchase items exceed the prevailing bid threshold and which are available on state contract, as noted below; and

WHEREAS, the Somerset County Improvement Authority will purchase the vehicles, with the Township of Franklin acting as Purchasing Agent for the Authority;

VENDOR: CHARLES S. WINNER, INCORPORATED
 d/b/a Winner Ford
 250 Haddonfield Berlin Road
 Cherry Hill NJ 08034-3409
 State Contract No. A45069

ITEMS: Ten (10) Marked Police Cars and One (1) Unmarked 2003 Ford Crown Victoria Police Vehicle

COST: \$20,843.00 per marked vehicles or \$208,430.00 and \$20,353.00 for one unmarked vehicles or \$20,353.00; Total \$228,783.00; 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.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute, on behalf of the Somerset County Improvement Authority, a contract with the above named vendor to purchase the specified items under State Contract and to forward invoices for payment for these vehicles to the Somerset County Improvement Authority for payment/reimbursement by the Township in accordance with the Township's lease agreement with the Somerset County Improvement Authority.

O. 03-250 RESOLUTION - AWARD BID – WINNER FORD OF CHERRY HILL – ONE (1) 4x4 SUV FOR POLICE DEPARTMENT - \$27,422.00

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WHEREAS, a notice to bidders for the receipt of bids for one (1) 4x4 SUV for the Franklin Township Police Department was published in the Courier News on April 28, 2003 for receipt on May 13, 2003; and

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

**WINNER FORD OF CHERRY HILL
250 Haddonfield-Berlin Road
Cherry Hill NJ 08034**

One (1) 4x4 SUV - \$27,422.00; 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; and

BE IT FURTHER RESOLVED that a certificate executed by the Chief Financial Officer is attached certifying funds are available.

P. 03-251 RESOLUTION - AUTHORIZE PURCHASE UNDER STATE CONTRACT & THROUGH SOMERSET COUNTY IMPROVEMENT AUTHORITY – MAJOR POLICE SUPPLY – ACCESSORIES FOR NEW POLICE VEHICLES & CONVERSION OF EXISTING VEHICLES FROM MARKED TO UNMARKED CARS - \$103,628.40

WHEREAS, the Township of Franklin desires to purchase items which exceed the prevailing bid threshold and which are available on state contract, as noted below; and

WHEREAS, the Somerset County Improvement Authority will purchase the radios, with the Township of Franklin acting as Purchasing Agent for the Authority;

**VENDOR: MAJOR POLICE SUPPLY
47 North Dell Avenue
Kenvil NJ 08747
State Contract No. A46912**

ITEMS: Accessories for new police vehicles and conversion of existing vehicles from marked to unmarked cars

COST: \$103,628.40; 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.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute, on behalf of the Somerset County Improvement Authority, a contract with the above named vendor to purchase the specified items under State Contract and to forward invoices for payment for these vehicles to the Somerset County Improvement Authority for payment/reimbursement by the Township in accordance with the Township's lease agreement with the Somerset County Improvement Authority.

Q. 03-252 RESOLUTION - AUTHORIZE PURCHASE UNDER STATE CONTRACT & THROUGH SOMERSET COUNTY IMPROVEMENT AUTHORITY - MOTOROLA – 9-1-1 CALL-TAKING EQUIPMENT - AN AMOUNT NOT TO EXCEED \$179,979.00

WHEREAS, the Township of Franklin desires to purchase items which exceed the prevailing bid threshold and which are available on state contract, as noted below; and

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WHEREAS, the Somerset County Improvement Authority will purchase the radios, with the Township of Franklin acting as Purchasing Agent for the Authority;

VENDOR: MOTOROLA
PO BOX 255
Cream Ridge, NJ 08514-0225
State Contract No. A42364

ITEMS: 9-1-1 Call-Taking Equipment

COST: Not to exceed \$179,979.00; 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.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute, on behalf of the Somerset County Improvement Authority, a contract with the above named vendor to purchase the specified items under State Contract and to forward invoices for payment for these vehicles to the Somerset County Improvement Authority for payment/reimbursement by the Township in accordance with the Township's lease agreement with the Somerset County Improvement Authority.

R. 03-253 RESOLUTION - GRANT APPLICATION - US DEPARTMENT OF JUSTICE - HOMELAND SECURITY OVERTIME PROGRAM - \$100,000.00/25% CASH MATCH

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a Grant Application to the US Department of Justice in the amount of \$100,000.00 with 25% Cash Match from the Township for the Homeland Security Overtime Program; and

BE IT FURTHER RESOLVED that the Township Manager is hereby authorized to sign the Grant Application on its behalf.

S. 03-254 RESOLUTION - GRANT APPLICATION - SOMERSET COUNTY MUNICIPAL PLANNING PARTNERSHIP GRANT - D & R CANAL REDEVELOPMENT PLAN - \$20,000.00/50% MATCH

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a Grant Application to the Somerset County Municipal Planning Partnership Grant in the amount of \$20,000.00 with 50% Township match for the D & R Canal Redevelopment Plan; and

BE IT FURTHER RESOLVED that the Township Manager is hereby authorized to sign the Grant Application on its behalf.

T. 03-255 RESOLUTION - GRANT APPLICATION - SOMERSET COUNTY YOUTH SERVICES GRANT - YOUTH CONNECTIONS & EDGEMERE ENLIGHTENMENT & EDUCATION CENTER

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a Grant Application to the Somerset County Youth Services Grant in the amount of \$9,000.00 for Youth Connections which is a School-based Preventive Education Program and to support the Edgemere Enlightenment and Education Center; and

BE IT FURTHER RESOLVED that the Township Manager is hereby authorized to sign the Grant Application on its behalf.

WORK SESSION/REGULAR MEETING – MAY 27, 2003**U. 03-256 RESOLUTION - DEVELOPERS AGREEMENT – RARTIAN VALLEY HABITAT FOR HUMANITY, INC – AFFORDABLE HOUSING**

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 Mayor and Township Clerk to execute on its behalf Developer's Agreement with Rartian Valley Habitat for Humanity, Inc. P.O. Box 6275 Bridgewater, New Jersey for lots known as Block 137, Lot 5.01, 10.01 and 12.01 as shown on the Tax Map of the Township of Franklin

V. 03-257 RESOLUTION - DEVELOPERS AGREEMENT - BRIAD LODGING SOMERSET, LLC - STORMWATER DETENTION FACILITY

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 Mayor and Township Clerk to execute on its behalf Developer's Agreement with Briad Lodging Somerset, LLC with offices located at 30A Vreeland Road, Florham Park, NJ for property known as Block 468.09, Lot 46 as shown on the Tax Map of the Township of Franklin located on the corner of Cedar Grove Lane and Pierce Street pursuant to the resolution approval dated November 20, 2002, a copy of which is on file in the office of the Township Clerk and available for public inspection.

W. 03-258 RESOLUTION - PROFESSIONAL SERVICE – SCHOOR DEPALMA – PROFESSIONAL ENGINEERING & SURVEY SERVICES - KINGSTON VILLAGE PEDESTRIAN ACCESS/LAUREL AVENUE (COUNTY ROUTE 603) - AN AMOUNT NOT TO EXCEED \$40,000.00

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 in writing hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification 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 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.

WORK SESSION/REGULAR MEETING – MAY 27, 2003**VENDOR NAME: SCHOOR DEPALMA****STANLEY J. SCHREK, PE/RA/PP****ADDRESS: PO Box 5192 Clinton NJ 08809-0192****CONTRACT AMOUNT: \$40,000.00****SERVICE: Engineering and surveying services for Kingston Village Pedestrian Access Sidewalk Construction in and along Laurel Avenue (County Route 603) in accordance with a proposal dated April 24, 2003 on file with the Township Clerk.****X. 03-259 RESOLUTION - PROFESSIONAL SERVICE - FORD FAREWELL MILLS & GATSCH - CONSULTING SERVICES - NOMINATION OF MIDDLEBUSH VILLAGE HISTORIC DISTRICT - AN AMOUNT NOT TO EXCEED \$15,350.00**

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 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:

- (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 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: Ford Farewell Mills & Gatsch**ADDRESS: 103 Carnegie Center, Suite 301 Princeton NJ 08540****CONTRACT AMOUNT: An amount not to exceed \$15,350.00****SERVICE: Consulting Services for the Nomination of the Middlebush Village Historic District to the New Jersey and National Registers of Historic Places.****Y. 03-260 RESOLUTION - AMEND PROFESSIONAL SERVICE - LOUIS N. RAINONE, ESQUIRE - LEGAL SERVICES - TOWNSHIP ATTORNEY - NOVEMBER 1, 2002 TO JUNE 30, 2003 - \$125.00 PER HOUR/AN AMOUNT NOT TO EXCEED AN ADDITIONAL \$30,000.00**

WORK SESSION/REGULAR MEETING – MAY 27, 2003

WHEREAS, by resolution adopted January 14, 2003, Professional Service Agreement was authorized with Louis N. Rainone, Esquire to provide Legal Services in an amount not to exceed \$196,000.00; and

WHEREAS, a need exists to amend said agreement to provide an additional \$30,000.00; and

WHEREAS, the Chief Financial Officer has certified hereon 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:

- 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 **LEGAL NEWSPAPER OF 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 the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: LOUIS N. RAINONE, ESQUIRE

DeCOTIIS, FITZPATRICK & COLE & WISLER, LLP

ADDRESS: Glenpointe Center West 500 Frank W. Burr Blvd. Teaneck NJ 07666

CONTRACT AMOUNT: \$125.00 per hour/An amount not to exceed an additional \$30,000.00 in addition to the retainer provided in the Salary Ordinance for Meeting Attendance.

SERVICE: Legal Services for the Township of Franklin, in the County of Somerset as Township Attorney for the period November 1, 2002 to June 30, 2003.

Z. 03-261 RESOLUTION - PROFESSIONAL SERVICE - LOUIS N. RAINONE, ESQUIRE - LEGAL SERVICES - TOWNSHIP ATTORNEY - JULY 1, 2003 TO JUNE 30, 2004 - \$125.00 PER HOUR/AN AMOUNT NOT TO EXCEED \$294,000.00

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 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;

WORK SESSION/REGULAR MEETING – MAY 27, 2003

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

VENDOR NAME: LOUIS N. RAINONE, ESQUIRE

DeCOTIIS, FITZPATRICK & COLE & WISLER, LLP

ADDRESS: Glenpointe Center West 500 Frank W. Burr Blvd. Teaneck NJ 07666

CONTRACT AMOUNT: \$125.00 per hour/An amount not to exceed \$294,000.00 in addition to the retainer provided in the Salary Ordinance for Meeting Attendance.

SERVICE: Legal Services for the Township of Franklin, in the County of Somerset as Township Attorney for the period July 1, 2003 to June 30, 2004.

BE IT FURTHER RESOLVED that continuation of the terms of this contract beyond June 30, 2003 is contingent upon availability of funds in the 2004 FY Budget and Reappointment, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

BB. 03-263 RESOLUTION - SPECIAL EVENT PERMIT - FRANKLIN CONVALESCENT CENTER - CARNIVAL - SATURDAY, SEPTEMBER 13, 2003

WHEREAS, a request has been received from Franklin Convalescent Center for permission to have a Carnival on Saturday, September 13, 2003 from 12:00 pm to 3:00 pm, to be conducted on their grounds located at 3371 Route 27, Franklin Park NJ; and

WHEREAS, Franklin Convalescent Center has paid the required \$125.00 Permit Fee; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to Franklin Convalescent Center to conduct a Carnival on Saturday, September 13, 2003 from 12:00 pm to 3:00 pm, to be conducted on their grounds located at 3371 Route 27, Franklin Park NJ, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police and Director of Fire Prevention; and

BE IT FURTHER RESOLVED that the Applicant shall be responsible for providing a sufficient number of off-duty Police Officers to the satisfaction of the Chief of Police during the conduct of this event and:

- (1) Applicant shall deposit with the Township Finance Director, at least five (5) days prior to the event, an escrow amount sufficient to cover the cost of said off-duty police protection in accordance with the fee schedule set forth in Ordinance #1417;
- (2) Payment to said off-duty police officer for services provided shall be made by the Finance Department from said escrow deposit. Should escrow

WORK SESSION/REGULAR MEETING – MAY 27, 2003

funds be found insufficient, the Applicant shall deposit additional funds with the Finance Department to cover the remaining cost of off-duty police protection;

- (3) Any unused monies deposited for off-duty police protection shall be returned by the Township Clerk to the person or organization making the deposit upon approval of the Chief of Police.

BE IT FURTHER RESOLVED that in accordance with Section 97-6 (e) of the Township Code that there shall be deposited with the Township Clerk a cash deposit, money order, certified check or treasurer's check in the amount of \$300.00 to guarantee the maintenance of the premises on which the applied for activity is to be conducted; and,

If at the end of such activity, the Health Inspector of the Township decides that the premises were not returned to the condition they were in as of the time that the applied for activity commenced, he/she shall be authorized to return the premises to such condition and to pay for having same done out of the deposit left with the Township Clerk for such purposes;

Any unused monies deposited for maintenance shall be returned by the Township Clerk to the person or organization making the deposit upon approval of the Health Inspector.

BE IT FURTHER RESOLVED that in accordance with **Section 97-7 of the Township Code** the applicant shall furnish evidence that a Public Liability Insurance Policy in an amount not less than five hundred thousand (\$500,000) dollars for one (1) person and one million (1,000,000) dollars for one (1) accident which shall be in force and effect at the time such CARNIVAL will be operating.

Motion was made by Ms. Barrier and seconded by Mr. Levine to approve the items of the foregoing Consent Agenda. 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.

17. RESOLUTION – SUSPEND THE ANNUAL REASSESSMENT PROGRAM

Deferred to July 8th meeting.

18. NOMINATIONS – ONE (1) ALTERNATE MEMBER – RENT LEVELING BOARD TO FILL THE UNEXPIRED TERM OF ANNETTE BRITTON – 05/27/03 TO 12/31/03

No nominations item deferred

19. RESOLUTION - MEETING NOT OPEN TO PUBLIC - NEW JERSEY OPEN PUBLIC MEETINGS ACT, NJSA 10:4-12

Read by Acting Township Clerk Dashield

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey is subject to certain requirements of the **Open Public Meetings Act, NJSA 10:4-6, et seq.**; and

WORK SESSION/REGULAR MEETING – MAY 27, 2003

WHEREAS, **Open Public Meetings Act**, N.J.S.A. 10:12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Township Council of the Township of Franklin to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

Property Acquisition**Sale of Property**

Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, assembled in public session on this 27th day of May, 2003, that an Executive Session closed to the public shall be held on May 27, 2003, at pm in the Franklin Township Municipal Complex, 475 DeMott Lane Somerset New Jersey for the discussion of matters relating to the specific items designated above.

It is anticipated at this time that the above-stated subject matter will be made public with respect to acquisition of property at such time as the property is acquired or the acquisition is abandoned.

This Resolution shall take effect immediately.

Motion was made by and seconded by to adjourn to Executive Session. Council adjourned to Executive Session at 11:30 p.m. Meeting was resumed at 11:50 and was immediately adjourned.

WILLIS 'RICKEY' SUMTER, MAYOR

MARC D. DASHIELD, ACTING TOWNSHIP CLERK