

**REGULAR MEETING OF THE TOWNSHIP COUNCIL**  
**TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY**  
**OCTOBER 14, 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 8:00 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 Councilwoman Eberle.

The Acting Township Clerk called the roll.

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

Absent: No One

Also Present: Louis N. Rainone, Esq., Township Attorney, Kenneth W. Daly, Township Manager, Marc D. Dashield, Acting Township Clerk

**COMMENDATION – LITERACY DAY**

**Read by Deputy Mayor Grippo**

**WHEREAS**, literacy is defined as the fundamental building block of all learning and is essential to the growth and success of every citizen; and

**WHEREAS**, the problem of illiteracy transcends all borders, and impacts children and adults in every corner of the globe; and

**WHEREAS**, the United Nations has declared the period of 2003 to 2012 as the Literacy Decade; and

**WHEREAS**, groups like Zonta International Club of Greater Somerset Area are doing their part to promote literacy by creating a book display on literacy at the Franklin Township Library and will launch a three month campaign to promote literacy; and

**WHEREAS**, Franklin Township understands the benefits of encouraging and promoting literacy and lifelong learning across the world;

**NOW, THEREFORE, I, WILLIS “RICKEY” SUMTER, MAYOR**, on behalf of the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, do hereby recognize October 24, 2003 as “**LITERACY DAY**” in Franklin Township, and call this observance to the attention of all our citizens.

Proclamation was presented

**COMMENDATION – MEAGHAN BROOKS – GIRL SCOUT GOLD AWARD**

**Read by Deputy Mayor Grippo**

**WHEREAS**, the **GIRL SCOUT GOLD AWARD** is the highest award earned in Girl Scouting; and

**WHEREAS**, in order to earn this award **MEAGHAN BROOKS, Senior Girl Scout Troop No. 308 of the Somerset Service Unit** had to:

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- Earn four Interest Project Patches
- Earn the Girl Scout Leadership Pin
- Earn the Challenge Pin
- Earn the Career Exploration Pin; and
- Plan and carry through a Girl Scout Gold Award Project

**WHEREAS**, Meaghan's Girl Scout Gold Award Project, had to have a minimum of fifty hours. Her project was called "Out of Small Voices." This Project found her planning, organizing and presenting for 3<sup>rd</sup> and 4<sup>th</sup> graders at Hillcrest School, poetry classes. This project ran from November 2002 until April 2003. The fourteen (14) students met every Wednesday and at the end they created a book of their poetry with fifty-five (55) copies being made into a book. At the end they gave a presentation to 60+ people from the community;

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

**MEAGHAN BROOKS**

for the honor she has bestowed upon her Community, Senior Girl Scout Troop No. 308 of the Somerset Service Unit, family and friends as a recipient of the Girl Scout Gold Award.

Commendation was presented to Meaghan Brooks by Mayor Sumter.

**COMMENDATION – ELIZABETH WYNTER LAUDER – GIRL SCOUT GOLD AWARD**

**Read by Deputy Mayor Grippo**

**WHEREAS**, the **GIRL SCOUT GOLD AWARD** is the highest award earned in Girl Scouting; and

**WHEREAS**, in order to earn this award **ELIZABETH WYNTER LAUDER, Senior Girl Scout Troop No. 1674 of the Somerset Service Unit** had to:

- Earn four Interest Project Patches
- Earn the Girl Scout Leadership Pin
- Earn the Challenge Pin
- Earn the Career Exploration Pin; and
- Plan and carry through a Girl Scout Gold Award Project

**WHEREAS**, Elizabeth's Girl Scout Gold Award Project, had to have a minimum of fifty hours. Her project was called "Discovering You Local Zoo." This Project found her doing two (2) workshops for girls to learn about the local zoo. Johnson Park Zoo was used and the girls visited and had a behind the scene's tour of the zoo. They made bird feeders and coloring books that Elizabeth created. The girls also earned a badge of Discovering Your Local Zoo, which was created by a Council. They collect and donated items need for the Raptor Trust bird sanctuary and learned about the birds there.

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

***ELIZABETH WYNTER LAUDER***

for the honor she has bestowed upon her Community, Senior Girl Scout Troop No. 1674 of the Somerset Service Unit, family and friends as a recipient of the Girl Scout Gold Award.

Commendation was presented to Elizabeth Wynter Lauder by Mayor Sumter.

**PROCLAMATION - NATIONAL BREAST CANCER AWARENESS MONTH**

**WHEREAS**, October 2003 is National Breast Cancer Awareness Month; and

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**WHEREAS**, October 17, 2003 is National Mammography Day; and

**WHEREAS**, an estimated 200,000 new cases of female breast cancer will be diagnosed in 2003 and 40,000 will die from the disease; and

**WHEREAS**, an estimated 1,500 new cases of male breast cancer will be diagnosed in 2003 and 200 will die of the disease; and

**WHEREAS**, early detection and prompt treatment can significantly reduce suffering and deaths caused by this disease; and

**WHEREAS**, mammography, an "x-ray" of the breast, is recognized as the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt;

**NOW, THEREFORE, I, WILLIS "RICKEY" SUMTER, MAYOR** of the Township of Franklin, Somerset County, New Jersey on behalf of the Township Council do hereby proclaim the month of October 2003 as "**BREAST CANCER AWARENESS MONTH**" and **OCTOBER 17, 2003** as "**MAMMOGRAPHY DAY**" in the Township of Franklin, Somerset County.

Proclamation was presented to by Mayor Sumter.

**6. MINUTES – WORK SESSION/REGULAR MEETING – 06/26/03; WORK SESSION – 07/01/03**

Motion was made by and seconded by to approve the Minutes of the Work Session/Regular Meeting of June 26, 2003 and the Work Session Minutes of July 1, 2003; motion was carried unanimously by those Councilmembers present at those meetings.

**7. WARRANTS – OCTOBER 14, 2003**

**Read by Acting Township Clerk Dashield**

1	Current Fund	5,531,010.30
5	Water Operating	60,041.73
6	Water Capital	0
4	General Capital	216,519.20
15	General Trust	42,577.86
18	Self Insurance Trust Fund	6,551.32
21	Recreation Trust	492.26
12	Open Space Trust	0
2	Grant Fund	11,153.80
17	Workers' Compensation	609.04
	Unemployment Trust	0
	Employee Payroll Deduction	0
3	Collector Trust	85,259.15
14	Dog Revenue	0
	Community Foundation	0
22	General Ledger: Current	0
13	Redevelopment Agency	1,449.00
23	Agency Payroll	<u>287.96</u>
	<b>SUB-TOTAL</b>	<b>5,955,951.62</b>
25	Escrow Account	83,237.01
19	Voided Checks	0
20	Adjustments	0
	<b>GRAND TOTAL</b>	<b><u>\$6,039,188.63</u></b>

Motion was made by and seconded by to approve the Warrants. Acting Township Clerk Dashield polled the Board, the vote being as follows:

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

Motion was carried.

**8. ORDINANCE (#3402) HEARING - ACCEPT DEEDS AND EASEMENTS – SOMERSET RUN – FINAL MAJOR SUBDIVISION – DOCKET #PLN 2003-0006**

Acting Township Clerk Dashield read by title:

"AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE FROM PULTE COMMUNITIES N.J. FOURTEEN (14) WATER MAIN EASEMENTS; TWO (2) SLOPE EASEMENTS; ONE (1) SIGHT TRIANGLE EASEMENT; TWENTY SIX (26) ACCESS: UTILITY EASEMENTS; ONE (1) EMERGENCY ACCESS EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT". 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 and seconded by 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.

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

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

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

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

Motion was carried.

**9. ORDINANCE (#3403) HEARING – AMEND CODE CHAPTER 236-12, ARTICLE IV WATER RATES AND METER CHARGES – CREATE RATE FOR USERS WHO EXCEED 350,000 GALLONS PER DAY - \$2.87 PER THOUSAND GALLONS**

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 236-12, ARTICLE IV - WATER RATES AND METER CHARGE; SECTION 236-12 RATES (ADD NEW RATE FOR USERS EXCEEDING 350,000 GALLONS PER DAY)". Acting Township Clerk Dashield noted that the Township

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Attorney has approved the Affidavit of Publication and that a public hearing on the ordinance is in order.

Motion was made by and seconded by 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.

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

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

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

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

Motion was carried.

**10. ORDINANCE (#3404) HEARING – AUTHORIZE THE SALE OF CERTAIN PROPERTY TO CONTIGUOUS PROPERTY OWNERS – VERONICA AVENUE – BLOCK 88.02/LOT 66.02**

Acting Township Clerk Dashed read by title:

"AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PREMISES IN THE TOWNSHIP OF FRANKLIN TO CONTIGUOUS PROPERTY OWNERS ONLY PURSUANT TO NJSA 40A: 12-13(b)(5) (BLOCK 88.02, LOT 66.02 – VERONICA AVENUE)". 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 and seconded by 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.

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

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

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

<b><u>AYES</u></b>	<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAIN</u></b>
Ms. Barrier	Mr. Grippo	No One	No One
Mr. Chivukula	Mr. Levine		
Ms. Eberle	Mr. McKenzie	<b><u>ABSENT</u></b>	



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- B. Resolution – Encouraging the Franklin Township Board of Education to Participate in a REDI Grant for the purpose of developing a Technology Center
- C. Tax Remittal – Block 347/Lot 8 - 1165 Hamilton Street - \$4,739.38  
Block 289/Lot 54 - 973 Hamilton Street - \$3,023.04  
Block 514/Lot 35 - 494 Elizabeth Avenue - \$6,084.32  
Block 514/Lot 38 - 500 Elizabeth Avenue - \$3,962.09
- D. Release of Construction Water Escrow:  
Rainbow – G & J - \$715.00
- E. Amend Professional Services Contract - Reynolds Group Inc – Engineering For Schoolhouse Road- \$56,700.00 An Additional \$1,114.67
- F. Purchase – Exception to Bid Threshold – Suydam Insurance – Accident Policy Recreation, Community Resource and Work Release Program - July 1, 2003 to June 30, 2004 - \$13,645.00 Accident/Work Release \$520.00
- G. Resolution – Final Approval and Acceptance of Public Improvement – Reconstruction Schoolhouse Road from Randolph to Mettlers Road
- H. Agreement – Impoundment of Dogs and Cats – Whitehall Manor
- I. Donation of Bicycles African Kind Heart Society
- J. Grant Agreement – US Department of Housing and Urban Development Community Development Block Grant – 2003 Program Year - \$388,000.00
- K. Grant Application – New Jersey Department of Environmental Protection- Office of Natural Lands Management Recreation Trail Program (TEA-21) - \$25,000.00
- L. Grant Application – New Jersey Juvenile Justice Commission – Juvenile Accountability Incentive Block Grant (JAIBG)– Township Match \$825.00 - \$8,516.00
- M. Application for Tree City USA Designation - New Jersey Department of Environmental Protection
- N. Resolution – Encouraging the Franklin Township Board of Education to Apply Savings Associated with the closure of the Franklin Charter School to direct Tax Relief
- O. Authorize Raffle/Bingo
- P. Tax Overpayments - Various
- Q. Water Overpayments – Various
- R. Settlement – Tax Appeal – Edward Short - Block 502.01/Lot 5 421 Elizabeth Avenue)
- S. Settlement – Tax Appeal – Methuen Realty Corporation – Block 528.05/Lot 19.09 (133 Belmont Avenue)
- T. Settlement – Tax Appeal – Entin Associates – Block 88.02/Lot 81 (67, 69, 71 Veronica Avenue)
- U. Settlement – Tax Appeal – Madison Hospitality – Block 468.09/Lot 30 (11 Cedar Grove Lane)

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**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 7, 2001	34.02/16.03 C2602	HITCHMAN, DORRETT P. 53 Fisher Drive Franklin Park NJ 08823	\$ 404.27
<b>PAID:</b>	<b>September 18, 2003</b>	<b>CERT #01-92</b>	
<b>LIENHOLDER:</b>	<b>Mooring Tax Asset Group</b>		
	<b>8614 Westwood Center Drive</b>	<b>Vienna VA 22182</b>	
June 10, 2003	34.09/59.02 C0053	JONES, NANCY J. 3 Ruby Court Franklin Park NJ 08823	123.57
<b>PAID:</b>	<b>September 18, 2003</b>	<b>CERT #03-040</b>	
<b>LIENHOLDER:</b>	<b>Almar</b>		
	<b>2 Kiel Avenue, #202</b>	<b>Kinnelon NJ 07405</b>	
June 07, 2001 June 13, 2002	48/36	PATEL, KANU & D.K. 7 Clover Place Franklin Park NJ 08823	56.58 134.03
<b>PAID:</b>	<b>September 18, 2003</b>	<b>CERT #01-94; 02-0043</b>	
<b>LIENHOLDER:</b>	<b>Mooring Tax Asset Group</b>		
	<b>8614 Westwood Center Drive</b>	<b>Vienna VA 22182</b>	
June 10, 2003	57.01/33.08	FINNEY, ESSEX 2 Castle Court Somerset NJ 08873	29,901.38
<b>PAID:</b>	<b>September 19, 2003</b>	<b>CERT #03-050</b>	
<b>LIENHOLDER:</b>	<b>Crusader Servicing Corporation</b>		
	<b>179 Washington Lane</b>	<b>Jenkintown PA 19046</b>	
<b>June 8, 2000</b>	<b>95/28</b>	<b>INDRI, PETER</b> 158 Churchill Avenue Somerset NJ 08873	<b>15,072.99</b>
<b>PAID:</b>	<b>September 22, 2003</b>	<b>CERT #20-70</b>	
<b>LIENHOLDER:</b>	<b>FUNB CUST/TTEE%PLYM SPV2</b>		
	<b>PO BOX 2288</b>	<b>Morristown NJ 07950</b>	
June 7, 2001	196/17	CELIA TECO & DELANUZ, E. 567 Hamilton Street Somerset NJ 08873	318.22
<b>PAID:</b>	<b>September 26, 2003</b>	<b>CERT #01-68</b>	
<b>LIENHOLDER:</b>	<b>Betty Lawrence</b>		
	<b>PO Box 6484</b>	<b>Somerset NJ 08873</b>	

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<b>June 10, 2003</b>	<b>206/8</b>	<b>DELGADO, A. &amp; RAMIREZ, A. 52 Miller Avenue Somerset NJ 08873</b>	<b>206.70</b>
<b>PAID:</b>	<b>September 11, 2003</b>	<b>CERT #03-126</b>	
<b>LIENHOLDER:</b>	<b>JNH Funding Corporation 90 Dayton Avenue, Bldg. 6C</b>	<b>Passaic NJ 07055</b>	
<b>June 10, 2003</b>	<b>211/23</b>	<b>SHAMY, JOYCE 59-61 Lafayette Avenue Somerset NJ 08873</b>	<b>624.84</b>
<b>PAID:</b>	<b>September 22, 2003</b>	<b>CERT #03-131</b>	
<b>LIENHOLDER:</b>	<b>James C. Older 87 East Mountain Avenue</b>	<b>Hillsborough NJ 08844</b>	
<b>June 7, 2001</b>	<b>336/10</b>	<b>HAHN, JUDY ANNE 12 Indiana Road Somerset NJ 08873</b>	<b>13,412.00</b>
<b>PAID:</b>	<b>September 19, 2003</b>	<b>CERT #01-214</b>	
<b>LIENHOLDER:</b>	<b>Crusader Servicing Corporation 179 Washington Lane</b>	<b>Jenkintown PA 19046</b>	

**B. 03-434 RESOLUTION – ENCOURAGE THE FRANKLIN TOWNSHIP BOARD OF EDUCATION TO PARTICIPATE IN A GRANT APPLICATION - REGIONAL EFFICIENCY DEVELOPMENT INCENTIVE PROGRAM - COMMUNITY TECHNOLOGY CENTER FEASIBILITY STUDY**

**WHEREAS**, the Governing Body of Franklin Township and Franklin Township Board of Education have authorized by resolutions on November 13, 2001 and April 11, 2002 respectively an application for Regional Efficiency Development Incentive (REDI) assistance through the State of New Jersey REDI Program in the amount up to \$100,000.00; and

**WHEREAS**, the Regional Efficiency Development Incentive (REDI) Program was not available at that time; and

**WHEREAS**, the State of New Jersey will again make Regional Efficiency Development Incentive assistance available to assist local units study, develop and implement new shared and regional services; and

**WHEREAS**, the purpose of this grant is to promote shared services between our local units through the sharing of Community Technology Center, that would be beneficial to both local units; and

**WHEREAS**, the Governing Body of Franklin Township, is interested in continuing to pursue an application for this program.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Franklin and that Franklin Township does hereby encourage the Franklin Township Board of Education to join in the pursuit of a grant for the purpose of a Community Technology Center Feasibility Study.

**C. 03-435 RESOLUTION - TAX REMITTALS**

**WHEREAS**, there appears on the books of the Collector of Revenue, taxes to be remitted as follows:

<b><u>YEAR</u></b>	<b><u>BLOCK/LOT</u></b>	<b><u>NAME</u></b>	<b><u>REASON</u></b>	<b><u>AMOUNT</u></b>
2003	347/8	Township of Franklin	EXEMPT	4,739.38
2003	289/54	Board of Education		3,023.04
2003	514/35			6,084.32
2003	514/38			3,962.09

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**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County that the Collector of Revenue be and she is hereby directed to remit the amount so stated.

**D. 03-436 RESOLUTION - RELEASE OF CONSTRUCTION WATER METER ESCROW MONIES**

**WHEREAS**, the Township of Franklin, Somerset County has received escrow monies for purposes of utilizing fire hydrants for construction water as required by **Section 236-11 of the Code**; and

**WHEREAS**, the project has been completed and the Superintendent of the Water Division of the Department of Public Works, has certified to the Township Clerk the amount of money actually due for said construction water and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: RAINBOW – G & J

ADDRESS: PO Box 392  
Martinsville NJ 08836

AMOUNT DEPOSITED: \$850.00

AMOUNT TO BE DEPOSITED IN WATER ACCOUNT  
FOR SERVICE CHARGE & WATER USAGE \$135.00

**AMOUNT TO BE REFUNDED: \$715.00**

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County 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.

**E. 03-437 RESOLUTION - AMEND PROFESSIONAL SERVICE – THE REYNOLDS GROUP, INCORPORATED – ENGINEERING SERVICES - DESIGN OF SCHOOLHOUSE ROAD IMPROVEMENTS - NOT TO EXCEED AN ADDITIONAL \$1,114.67**

**WHEREAS**, by resolution adopted July 11, 2000, Professional Service Agreement was authorized with The Reynolds Group, Inc. to provide Professional Engineering Services in an amount not to exceed \$53,500.00 and; and

**WHEREAS**, by resolution adopted May 13, 2003 there existed a need to amend said agreement by an additional \$3,200.00, Total contract amount \$56,700.00; and

**WHEREAS**, a need exists to again amend said agreement to provide an additional \$1,114.67 for the final payment; Total Contract Amount \$57,814.67; 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 amended agreement with the below stated vendor, which

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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 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: THE REYNOLDS GROUP, INCORPORATED**

**ADDRESS: 626 Thompson Street  
Raritan NJ 08869**

**CONTRACT AMOUNT: Not to exceed an additional \$1,114.67 Final Payment; Total Contract Amount \$57,814.67**

**SERVICE: Design of Schoolhouse Road Improvements, Phases I, II, III & IV as set forth in April 27, 2000 proposal on file with the Township Clerk**

**E. 03-438 RESOLUTION - AUTHORIZE PURCHASE – SUYDAM INSURANCE AGENCY ACCIDENT INSURANCE POLICIES - ACCIDENT POLICIES \$13,645.00/WORK RELEASE PROGRAM \$520.00**

**WHEREAS**, the Township of Franklin desires to purchase items as follows which are exempt from the bidding requirements of the Local Public Contracts Law and meeting the requirement of an Extraordinary Unspecifiable Service (NJSA 40A:11-5(m)):

**Local Administrator**

Suydam Insurance Agency  
1743 Route 27 Somerset NJ 08873

**Description:** Accident Policies for Department of Recreation; Department of Community Resources and Services; Community Celebrations and Park Administration - July 1, 2003 to June 30, 2004  
**Total Cost: \$13,645.00**

**Description:** Accident Policy for Work Release Program - July 1, 2003 to June 30, 2004  
**Total Cost: \$520.00**

**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** by the Township Council of the Township of Franklin, County of Somerset, as follows:

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- (1) These contracts are awarded without competitive bidding as an exemption under the provisions of the Local Public Contracts Law, NJSA 40A:11-5(1)(m).
- (2) 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.
- (3) The vendors 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 Extraordinary Unspecifiable Service Agreement authorized herein.
- (4) The vendors 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 Extraordinary Unspecifiable Service Agreement authorized herein.

**G. 03-439 RESOLUTION – FINAL APPROVAL AND ACCEPTANCE OF THE PUBLIC IMPROVEMENT KNOWN AS THE RECONSTRUCTION OF SCHOOLHOUSE ROAD FROM RANDOLPH ROAD TO METTLERS LANE IN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY**

**WHEREAS**, the Township of Franklin, Somerset County, New Jersey has undertaken the improvement of Schoolhouse Road between Mettler’s Lane and Schoolhouse Road Improvements Mettler’s Lane to Randolph Road; and

**WHEREAS**, the project has now been completed; and

**WHEREAS**, during the construction of this improvement minor changes to the original plans and designs have been made, within the scope of the unit price contract, with the knowledge and approval of the Township’s Capital Projects Engineer;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey hereby formally approves the final “as built” plans for the “Schoolhouse Road Improvements, Mettler’s Lane to Randolph Road” as well as all shop drawings, revised plans, delivery tickets and related documents contained in the project file; and

**BE IT FURTHER RESOLVED** that the Township Council accepts the improvements as complete; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be placed in the permanent project file together with one copy of the plans referred to above with a notation referring to the Resolution of Approval placed thereon.

**H. 03-440 RESOLUTION - AUTHORIZE AGREEMENT - WHITEHALL MANOR CONDOMINIUM ASSOCIATION - IMPOUNDMENT OF ANIMALS**

**BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute an agreement with Whitehall Manor Condominium Association to provide the following within said development:

**License and privilege to enter upon Condominium Association properties held in common ownership to enforce Sections 115-12, 115-15, 115-19 and 115-21 of the Township code for the impoundment of certain dogs and cats.**

**REGULAR MEETING – JUNE 10, 2003****I. 03-441 RESOLUTION - AUTHORIZING THE TOWNSHIP OF FRANKLIN TO DISPOSE OF VARIOUS ITEMS OF TANGIBLE PERSONAL PROPERTY - AFRICAN KIND HEART SOCIETY - BICYCLES (37)**

**WHEREAS**, the Township of Franklin possesses various items of tangible personal property, acquired as found property - Bicycles; 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 bicycle is \$25.00, for a total value of less than \$2,500.00; and

**WHEREAS**, the Township of Franklin desires to transfer the bicycles to the African Kind Heart Society for the consideration amount of \$1.00;

**NOW, THEREFORE, BE IT RESOLVED** this 14<sup>th</sup> day of October, 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 thirty-seven (37) found or bicycles to the African Kind Heart Society.

**J. 03-442 RESOLUTION - GRANT AGREEMENT – US DEPARTMENT OF HOUSING & URBAN DEVELOPMENT – 2003 COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT - \$388,000.00**

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf an Agreement with the U.S. department of Housing & Urban Development for the Township's 2003 Community Development Block Grant Entitlement in the amount of \$388,000.00.

**K. 03-443 RESOLUTION - GRANT APPLICATION - NJDEP OFFICE OF NATURAL LANDS MANAGEMENT RECREATION TRAIL PROGRAM – TRAILS AT PRINCETON HIGHLANDS PROPERTY - \$25,000.00**

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby authorize the filing of a Grant Application for NJDEP Office of Natural Lands Management Recreation Trail Program for

**Trails at Princeton Highlands Property - \$25,000.00; and**

**BE IT FURTHER RESOLVED** that the appropriate Township officials are authorized to execute this Grant Application on behalf of the Township.

**L. 03-444 RESOLUTION - GRANT APPLICATION - NJ JUVENILE JUSTICE COMMISSION - JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT - ARISE PROGRAMS - \$8,516.00 GRANT/\$852.00 TOWNSHIP MATCH – JANUARY 1, 2004 TO DECEMBER 31, 2004**

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey authorizes the filing of a grant application with the New Jersey Juvenile Justice Commission - Juvenile Accountability Incentive Block Grant for ARISE Programs in the amount of \$8,516.00 with a \$852.00 Cash Match; and

**REGULAR MEETING – JUNE 10, 2003**

**BE IT FURTHER RESOLVED** that the appropriate officials of the Township are authorized to execute this grant application.

**M. 03-445 RESOLUTION - GRANT APPLICATION - NJ DEP DIVISION OF PARKS AND FORESTRY TREE CITY USA PROGRAM**

**WHEREAS**, the Shade Tree Commission is desirous of renewing the Township's Tree City designation;

**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 filing of application to:

**NJ DEP Division of Parks and Forestry Tree City USA Program - To recognize communities that effectively manage their public tree resources and to encourage the implementation of community tree management. With no monetary gain but recognition of community tree planting and tree care activities.**

**BE IT FURTHER RESOLVED** that the appropriate Township Officials be and they are hereby authorized to execute the aforesaid application.

**N. 03-446 RESOLUTION – ENCOURAGING THE FRANKLIN TOWNSHIP BOARD OF EDUCATION TO APPLY ANY SAVING ASSOCIATED WITH THE CLOSURE OF THE FRANKLIN CHARTER SCHOOL TO DIRECT TAX RELIEF.**

**WHEREAS**, the Franklin Township charter school has been closed by the New Jersey Department of Education as of the September 2003 school year; and

**WHEREAS**, the Franklin Township Board of Education may gain a savings as a result of this closure after it has determined the cost of integrating the charter school students into the school system; and

**WHEREAS**, we understand the Board of Education will use these savings to decrease the cost of the educational system to the taxpayers; and

**WHEREAS**, the Township Council believes the most effective way to provide direct tax relief to the citizens of Franklin Township is to reduce the 2004 tax levy;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County encourages the Franklin Township Board of Education to provide direct tax relief to the citizens by reducing the 2004 tax levy in the amount of any savings resulting in the closure of the Franklin Township Charter School.

**O. 03-447 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:

**REGULAR MEETING – JUNE 10, 2003****NAME OF ORGANIZATION****DATE OF RAFFLE/BINGO**

ST. MATTHIAS KNIGHTS OF COLUMBUS      DECEMBER 11, 2003  
 168 JFK BOULEVARD, SOMERSET, NJ      8:00 PM  
 OFF-PREMISE 50/50 – RL#1407  
 DRAWING: ST. MATTHIAS SCHOOL

**P. 03-448 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.

<b>BLOCK/LOT</b>	<b>NAME/ADDRESS</b>	<b>QTR/YR</b>	<b>AMOUNT</b>
424.10/71	COLLECTOR OF REVENUE-WATER 475 DeMott Lane      Somerset NJ 08873	4/03	159.73
424.10/71	FRANKLIN TOWNSHIP SEWERAGE AUTHORITY 70 Commerce Drive      Somerset NJ 08873	4/03	23.25
11.10/9	COLLECTOR OF REVENUE	4/03	2,052.33
34.03/16.01 C0202	OMAR CARTER PO Box 582      Roselle NJ 07203	4/03	161.05
34.04/8.01 C0058	RUTH STROHL 40 Pear Tree Lane      Franklin Park NJ 08823	4/03	1,007.33
85/67 QFarm	NEGRI FARM LLC. 289 Bennetts Lane      Somerset NJ 08873	1/03 2/03 4/03	6.17 216.26 .34
200/4	BRENDA & LEONA TAYLOR 68 Highland Avenue      Somerset NJ 08873	4/03	125.52
342/40	RODERICK LEWARS & ESPERANZA LAWSON 12 Lebed Drive      Somerset NJ 08873	4/03	251.05
424.04/453	PRINCIPAL RESIDENTIAL MORT 711 High Street      Des Moines IA 50382/0820	4/03	1,137.37
424.08/14.01 C0098	GARY & LUCILLE FEDEROWICZ 98 Aimwick Court      Somerset NJ 08873	4/03	251.05
424.08/39	MARC & SUSAN OSIT 39 Whitby Circle      Somerset NJ 08873	4/03	1,102.45
424.08/367	NAZEEH & IMAN HANNA 68 Rue Chagall      Somerset NJ 08873	4/03	2,875.05
474/6	SZYMBORSKI, ANN 11 Fordham Road      Somerset NJ 08873	1/03 2/03 3/03	1,128.97 1,128.97 1,300.77

**Q. 03-449 RESOLUTION - WATER OVERPAYMENT**

**WHEREAS**, there appears on the books of the Collector of Revenue water monies to be refunded as follows:

<b><u>BLOCK/LOT</u></b>	<b><u>NAME/ADDRESS</u></b>	<b><u>REASON</u></b>	
20.01/11.02 C1701	PATEL, SURESH c/o Robert Clarke, Esquire 378 North Branch Road Hillsborough NJ 08844	Overpayment	\$ 46.50

**REGULAR MEETING – JUNE 10, 2003**

85/56.03 C0192	BURTON, JEREMIAH & BRENDA c/o Martha Vogt, Esquire 72 Broad Street Matawan NJ 07747	Overpayment	319.56
171.02/205.01	GALLOP, HORTENSE c/o Frank Linnus, Esquire 21 Clyde Road, Suite 101 Somerset NJ 08873	Overpayment	39.05
400/1	WOODHAM, PHILLIP & PIERRE 115 Swanstrom Place East Union NJ 07083	Overpayment	280.43

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

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer of the Township of Franklin, County of Somerset and State of New Jersey be instructed to draw checks in the amounts covering the overpayments and to deliver such checks to the proper person.

**R. 03-450 RESOLUTION - TAX SETTLEMENT – EDWARD SHORT – BLOCK 502.01/LOT 5 – 421 ELIZABETH AVENUE**

**WHEREAS**, Edward Short is the owner of certain property located at 421 Elizabeth Avenue and known as Block 502.01/Lot 5; and

**WHEREAS**, the owner has filed an appeal with the Tax Court of New Jersey for said premises; and

**WHEREAS**, the parties have engaged in settlement negotiations; and

**WHEREAS**, as a result of those settlement negotiations, a settlement has been reached; and

**WHEREAS**, the current assessment on the subject premises for the tax year 2002 is as follows:

<b>Land:</b>	<b>\$824.00</b>
<b>Improvement:</b>	<b>-0-</b>
<b>Total:</b>	<b>\$824.00; and</b>

**WHEREAS**, the following reduced assessment is proposed for the 2002 tax year:

<b>Land:</b>	<b>\$650.00</b>
<b>Improvement:</b>	<b>-0-</b>
<b>Total:</b>	<b>\$650.00; and</b>

**WHEREAS**, the owner has agreed to waive all interest due on any refund provided that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgement; and

**WHEREAS**, all tax refunds are to be made payable to and forwarded to Edward Short, Plaintiff, 421 Elizabeth Avenue, Somerset NJ 08873; and

**WHEREAS**, the Township Attorney and the Tax Assessor have recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interest of the Township of Franklin;

**REGULAR MEETING – JUNE 10, 2003**

**NOW, THEREFORE, BE IT RESOLVED** this 14<sup>th</sup> day of October, 2003 by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the settlement in this matter as set forth hereinabove be and the same is approved and the Township Attorney is hereby authorized and directed to effect said settlement.

**S. 03-451 RESOLUTION - TAX SETTLEMENT – METHUEN REALTY CORPORATION – BLOCK 528.05/LOT 19.09 – 133 BELMONT DRIVE**

**WHEREAS**, Methuen Realty Corporation is the owner of certain property located at 133 Belmont Drive and known as Block 528.05/Lot 19.09; and

**WHEREAS**, the owner has filed an appeal with the Tax Court of New Jersey for said premises; and

**WHEREAS**, the parties have engaged in settlement negotiations; and

**WHEREAS**, as a result of those settlement negotiations, a settlement has been reached; and

**WHEREAS**, the current assessment on the subject premises for the tax years 2002 and 2003 are as follows:

	<u>2002</u>	<u>2003</u>
<b>Land:</b>	<b>\$ 628,500.00</b>	<b>\$ 628,500.00</b>
<b>Improvement:</b>	<b><u>\$1,273,500.00</u></b>	<b><u>1,273,500.00</u></b>
<b>Total:</b>	<b>\$1,902,000.00</b>	<b>\$1,902,000.00; and</b>

**WHEREAS**, the proposed for reduced assessment for the 2002 and 2003 tax years are as follows:

	<u>2002</u>	<u>2003</u>
<b>Land:</b>	<b>\$ 628,500.00</b>	<b>\$ 628,500.00</b>
<b>Improvement:</b>	<b><u>1,223,500.00</u></b>	<b><u>1,173,500.00</u></b>
<b>Total:</b>	<b>\$1,852,000.00</b>	<b>\$1,802,000.00</b>

**WHEREAS**, the owner has agreed to waive all interest due on any refund provided that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgement; and

**WHEREAS**, all tax refunds are to be made payable to and forwarded to Methuen Realty Corporation, 122 E. 42nd Street RM 3000, New York NY 10168, and

**WHEREAS**, the Township Attorney and the Tax Assessor have recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interest of the Township of Franklin;

**NOW, THEREFORE, BE IT RESOLVED** this 14<sup>th</sup> day of October, 2003 by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the settlement in this matter as set forth hereinabove be and the same is approved and the Township Attorney is hereby authorized and directed to effect said settlement.

**T. 03-452 RESOLUTION - TAX SETTLEMENT – ENTIN ASSOCIATES – BLOCK 88.02/LOT 81 – 67, 69, 70 VERONICA AVENUE**

**WHEREAS**, Entin Associates is the owner of certain property located at 67, 69, 70 Veronica Avenue and known as Block 88.02/Lot 81; and

**WHEREAS**, the owner has filed an appeal with the Tax Court of New Jersey for said premises; and

**REGULAR MEETING – JUNE 10, 2003**

**WHEREAS**, the parties have engaged in settlement negotiations; and

**WHEREAS**, as a result of those settlement negotiations, a settlement has been reached;  
and

**WHEREAS**, the current assessment on the subject premises for the tax years 2002 and 2003 are as follows:

	<u>2002</u>	<u>2003</u>
<b>Land:</b>	<b>\$1,000,000.00</b>	<b>\$1,000,000.00</b>
<b>Improvement:</b>	<b><u>4,958,000.00</u></b>	<b><u>4,958,000.00</u></b>
<b>Total:</b>	<b>\$5,958,000.00</b>	<b>\$5,958,000.00; and</b>

**WHEREAS**, the Appeal for reduced assessment for the 2001 tax year has been withdrawn by the owner:

	<u>2002</u>	<u>2003</u>
<b>Land:</b>	<b>\$1,000,000.00</b>	<b>\$1,000,000.00</b>
<b>Improvement:</b>	<b><u>3,967,000.00</u></b>	<b><u>3,907,000.00</u></b>
<b>Total:</b>	<b>\$4,967,000.00</b>	<b>\$4,907,000.00</b>

**WHEREAS**, the owner has agreed to waive all interest due on any refund provided that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgement; and

**WHEREAS**, all tax refunds are to be made payable to and forwarded to Entin Associates, c/o Marc Lenner PO Box 2189, Clifton, NJ 07015 and

**WHEREAS**, the Township Attorney and the Tax Assessor have recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interest of the Township of Franklin;

**NOW, THEREFORE, BE IT RESOLVED** this 14<sup>th</sup> day of October, 2003 by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the settlement in this matter as set forth hereinabove be and the same is approved and the Township Attorney is hereby authorized and directed to effect said settlement.

**U. 03-453 RESOLUTION - TAX SETTLEMENT – MADISON HOSPITALITY – BLOCK 468.09/LOT 30 – 11 CEDAR GROVE LANE**

**WHEREAS**, Madison Hospitality is the owner of certain property located at 11 Cedar Grove Lane and known as Block 468.09/Lot 30; and

**WHEREAS**, the owner has filed an appeal with the Tax Court of New Jersey for said premises; and

**WHEREAS**, the parties have engaged in settlement negotiations; and

**WHEREAS**, as a result of those settlement negotiations, a settlement has been reached;  
and

**WHEREAS**, the current assessment on the subject premises for the tax years 2003 is as follows:

<b>Land:</b>	<b>\$ 338,300.00</b>
<b>Improvement:</b>	<b><u>4,763,900.00</u></b>
<b>Total:</b>	<b>\$5,102,200.00; and</b>

**WHEREAS**, the owner has been granted a reduced assessment for the 2003 tax year:

**REGULAR MEETING – JUNE 10, 2003**

**Land:** \$ 338,300.00  
**Improvement:** 3,161,700.00  
**Total:** \$3,500,000.00; and

**WHEREAS**, the owner has agreed to waive all interest due on any refund provided that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgement; and

**WHEREAS**, all tax refunds are to be made payable to and forwarded to Madison Hospitality, 14191 Route 1, Monmouth Junction, NJ 08852; and

**WHEREAS**, the Township Attorney and the Tax Assessor have recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interest of the Township of Franklin;

**NOW, THEREFORE, BE IT RESOLVED** this 14<sup>th</sup> day of October, 2003 by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the settlement in this matter as set forth hereinabove be and the same is approved and the Township Attorney is hereby authorized and directed to effect said settlement.

Motion was made by and seconded by to approve the items of the foregoing Consent Agenda. Acting Township Clerk Dashield polled the Board, the vote being as follows:

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

Motion was carried.

Motion was made by and seconded by to adjourn the Regular Meeting; motion was carried unanimously. Meeting adjourned at .

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**WILLIS SUMTER, MAYOR**

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**MARC D. DASHIELD, ACTING TOWNSHIP CLERK**

**REGULAR MEETING – JUNE 10, 2003**