

**REORGANIZATION MEETING OF THE TOWNSHIP COUNCIL
TOWNSHIP OF FRANKLIN, SOMERSET COUNTY
JANUARY 2, 2007 – 7:00 P.M.**

The Reorganization Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by Mayor Levine at 7:13p.m.

Mayor Levine called the 2007 Reorganization Meeting of the Township Council to order. Mayor Levine stated "In accordance with Section 5 of the Open Public Meeting Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Reorganization Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, a list of dates, annually, indicating that this Reorganization Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on January 2, 2007. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk."

Everyone present participated in the Pledge of Allegiance and Councilman McKenzie led the Invocation which included remembrance of James Brown and President Ford.

The Township Clerk called the roll.

Present: Ms. Danile, Ms. Eberle, Mr. Levine, Mr. McKenzie, Mr. Prasad, Mr. Regan, Ms. Ritchie, Mr. Sumter, Mr. Vassanella

Absent: None.

Also present: Louis N. Rainone, Township Attorney, Kenneth W. Daly, Township Manager and Ann Marie McCarthy, Township Clerk.

NOMINATIONS FOR DEPUTY MAYOR – ONE (1) YEAR TERM – 1/01/07 TO 12/31/07

Mayor Levine called for nominations for Deputy Mayor for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007.

Ms. Danile nominated Ellen E. Ritchie for Deputy Mayor for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007. Ms. Eberle seconded the nomination.

Mr. McKenzie nominated Brian G. Regan for Deputy Mayor for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007. Mr. Regan declined the nomination.

Mr. Regan nominated James Vassanella for Deputy Mayor for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007.

The nomination for Deputy Mayor carried as follows upon call of the roll:

<u>RITCHIE</u>	<u>VASSANELLA</u>	<u>ABSTAIN</u>
Danile	Prasad	Levine
Eberle	Regan	
McKenzie	Vassanella	
Ritchie		
Sumter		

Mayor Levine declared Ellen E. Ritchie appointed Deputy Mayor and the Township Clerk administered the Oath of Office.

NOMINATIONS FOR TOWNSHIP ATTORNEY ONE-YEAR TERM – 01/01/07 TO 12/31/07

Mayor Levine called for nominations for Township Attorney for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007.

Ms. Ritchie nominated Louis Rainone, Esq. for Township Attorney for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007.

There being only one nomination for this position, upon a motion made, seconded and agreed, Louis N. Rainone, Esq. was appointed Township Attorney by unanimous acclamation and the Oath of Office was administered.

Mr. Regan acknowledged Assemblyman Upendra Chivukula in attendance of the meeting.

NOMINATIONS FOR TWO (2) TOWNSHIP PROSECUTORS – EACH FOR ONE-YEAR TERMS – 01/01/07 TO 12/31/07

Mayor Levine called for nominations for two (2) Township Prosecutors each for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007.

Mr. Vassanella nominated Steven D. Rothblatt and Ms. Eberle nominated Hector Rodriguez.

There being only one nomination for each position, upon a motion made, seconded and agreed, Steven D. Rothblatt and Hector Rodriguez were appointed Township Prosecutors by unanimous acclamation and the Oath of Office was administered to Mr. Rothblatt.

NOMINATIONS FOR PUBLIC DEFENDER – ONE (1) YEAR TERM – 01/01/07 TO 12/31/07

Mayor Levine called for nominations for Township Public Defender for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007.

Ms. Ritchie nominated Dennis Auciello.

There being only one nomination for this position, upon a motion made, seconded and agreed, Dennis Auciello was appointed Public Defender by unanimous acclamation.

NOMINATIONS FOR RENT LEVELING BOARD ATTORNEY – ONE (1) YEAR TERM – 01/01/06 TO 12/31/06

Mayor Levine called for nominations for Rent Leveling Board Attorney for a one (1) year term commencing January 1, 2006 and expiring December 31, 2007.

Ms. Danile nominated Scott Miller.

There being only one nomination for this position, upon a motion made, seconded and agreed, Scott Miller was appointed Rent Leveling Board Attorney by unanimous acclamation.

NOMINATIONS FOR BOND COUNSEL – ONE (1) YEAR TERM - 01/01/07 TO 12/31/07

Mayor Levine called for nominations for Bond Counsel for a one (1) year term commencing January 1, 2007 and expiring December 31, 2007.

Deputy Mayor Ritchie nominated Cheryl Oberdorf, of Wilentz, Goldman & Spitzer.

There being only one nomination for this position, upon a motion made, seconded and agreed, Cheryl Oberdorf, of Wilentz, Goldman & Spitzer was appointed Bond Counsel by unanimous acclamation.

BOARD AND COMMISSION APPOINTMENTS

Advisory Board of Health

Mayor Levine called for nominations for *Two (2) Regular Members of the Advisory Board of Health, each for a three-year term ending December 31, 2009.*

Mr. Vassanella nominated Phillip Kramer and Joseph Nezgoda.

Deputy Mayor Ritchie nominated Adam Beder and Anthony Mazzola.

Mr. Vassanella stated he would like to hear from any of the nominees in attendance. Mr. McKenzie disagreed. Mayor Levine stated that traditionally that hasn't been done and it would require amending the agenda.

Mr. Vassanella moved to amend the agenda to review the qualifications of the nominees either by Council or by the nominees themselves. Said motion was seconded by Mr. Prasad. Mr. Regan asked for clarification from the Township Attorney. Mr. Rainone stated that Council can discuss the nominees and stated that each appointment is usually done individually and quickly. He further stated that Council could discuss the qualifications of any candidate as part of Council discussion.

Mr. Prasad stated that at the November 9, 2006 meeting, Council discussed the possibility of extending terms since Council didn't have enough time or know how many people wanted to extend their terms; how many didn't want to be reappointed. He stated Council did not have time to review the resumes of the people who are qualified and in fairness to the residents of Franklin Township, Council should be able to review resumes before Council votes on them and if they had agreed to or if they need to make a motion to extend the terms to allow them to review the resumes and make the best decision for Franklin to get the most qualified candidates possible.

Mr. Vassanella stated that as part of that discussion they discussed making the appointments of which were not contested and to defer the others until they had time to review all the resumes. Deputy Mayor Ritchie asked the Township Attorney for a point of clarification. Mr. Rainone stated that Council can make the appointments over time, but stressed that the land use board appointments expired December 31st and there will be vacancies on those boards. Mr. Vassanella stated that Council had agreed to make the Planning Board and Board of Adjustment appointments tonight and wondered why Council is not following the protocol agreed to at the last meetings. He stated he would like to make the appointments of the Planning Board and Board of Adjustment first.

Mr. Rainone stated that traditionally the agenda was set up with the land use boards first and then down to the advisory boards. He stated this is the first year the appointments were listed in alphabetic cal order. He stated a process needs to be made to review the agenda and determine which appointments are contested and which or not.

Mr. Vassanella agreed that the Planning Board and Board of Adjustment appointments need to be made first and those appointments that are not contested should also be made tonight.

The aforesaid motion *failed* as follows upon call of the roll:

AYES

Levine
Prasad
Regan
Vassanella

NAYS

Danile
Eberle
McKenzie
Ritchie
Sumter

Mayor Levine announced the motion failed and Council will continue with the agenda.

Mr. Vassanella stated he had only spoken to three of the candidates and asked Ms. Danile if she has spoken to all four candidates. Ms. Danile replied she has the candidates' applications and a process was conducted to review the applications and to make the best match possible for the candidates. She stated she understood that Mr. Vassanella did not want to be part of that process. She stated the motions from the floor were an inappropriate venue. Mr. Vassanella asked what process did he refuse to participate in.

Mr. McKenzie asked that Council was doing and stated they are supposed to be voting on these appointments. He stated Council members can vote on whichever candidate they desire and whoever gets the most votes wins. Mr. Prasad stated he would like to vote for people he is knowledgeable about. He stated it is not fair to the residents of Franklin Township to not appointment the best talent and that is why he would like to defer the non-essential appointments to allow time to review the resumes and make the best decision for Franklin. Ms. Eberle stated Council voted to continue with the agenda as presented and asked why they were not doing so.

Mr. Prasad moved to table all the non-essential appointments to allow time to review resumes. Mr. Vassanella added that if there are non-contested appointments or reappointments they should be done this evening and to defer those with several candidates. Mayor Levine questioned how they would determine what appointments are non-contested and what appointments are contested. He suggested doing the Planning Board and Board of Adjustment and tabling all other appointments. He asked Mr. Prasad for clarification of his motion. Mr. Prasad stated they are responsible to make the appointments with those qualified and explained his motion was to table the non-essential appointments and to only make the essential appointments. Mr. Vassanella seconded the motion.

Mr. Rainone stated a mechanism needs to be made to identify which appointments are non-essential and which are essential or the motion needs to be to specific to which board appointments would be made this evening and which would not.

Mr. Prasad amended his motion to appoint the land use committees first and defer the rest until further review and information. He clarified land use committees as the Planning Board, Board of Adjustment and Rent Leveling Board. Ms. Eberle and Mr. McKenzie called for the vote. Mayor Levine asked for clarification and Mr. Prasad stated the Planning Board, Board of Adjustment and the Rent Leveling Board. Mr. Vassanella added that Council should review the list of appointments and where there is only one nomination or a reappointment and to make those appointments tonight. Mr. Prasad agreed. The motion *failed* as follows upon call of the roll:

AYES

Levine
Prasad
Regan
Vassanella

NAYS

Danile
Eberle
McKenzie
Ritchie
Sumter

Mayor Levine announced the motion failed and that Council would continue with the agenda as presented. He stated that they are back to the four nominations for the Advisory Board of Health. Mr. Vassanella asked that the resumes be reviewed. Mr. McKenzie objected,

noting that it has never been done this way to read resumes at a meeting. Mayor Levine stated that it is a Councilmember's prerogative to discuss any item on the agenda. Mr. Vassanella read the highlights from Mr. Kramer's resume.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Kramer	Nezgoda	Beder	Mazzola
Councilwoman Danile			✓	✓
Councilwoman Eberle			✓	✓
Mayor Levine	✓			✓
Councilman McKenzie			✓	✓
Councilman Prasad	✓	✓		
Councilman Regan	✓			✓
Deputy Mayor Ritchie			✓	✓
Councilman Sumter			✓	✓
Councilman Vassanella	✓	✓		

Mayor Levine declared *Adam Beder* and *Anthony Mazzola* appointed as Regular Members of the Advisory Board of Health, each for a three-year term ending December 31, 2009.

Advisory Recreation Council

Mayor Levine called for nominations for *Two (2) Regular Members of the Advisory Recreation Council, each for a three-year term ending December 31, 2009.*

Deputy Mayor Ritchie nominated Harold Leventhal and Marcy Dunbar.

Mr. Vassanella nominated Ron Jordan.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Leventhal	Dunbar	Jordan
Councilwoman Danile	✓	✓	
Councilwoman Eberle	✓	✓	
Mayor Levine	✓		✓
Councilman McKenzie	✓	✓	
Councilman Prasad	✓		✓
Councilman Regan	✓		✓
Deputy Mayor Ritchie	✓	✓	
Councilman Sumter	✓	✓	
Councilman Vassanella	✓		✓

Mayor Levine declared *Harold Leventhal* and *Marcy Dunbar* appointed as Regular Members of the Advisory Recreation Council, each for a three-year term ending December 31, 2009.

Mayor Levine called for nominations for *One (1) Regular Member of the Advisory Recreation Council for an unexpired three-year term ending December 31, 2007.*

Mr. Vassanella nominated Ron Jordan.

Mayor Levine declared *Ron Jordan* appointed by acclamation as Regular Member of the Advisory Recreation Council for an unexpired three-year term ending December 31, 2007.

Mayor Levine called for nominations for *One (1) Teen-Age Public School Non-Voting Male Member and One (1) Teen-Age Public School Non-Voting Female Member of the Advisory Recreation Council, each for a one-year term ending December 31, 2007.*

Deputy Mayor Ritchie nominated A.J. Payak and Rebecca Michaelae.

Mayor Levine declared *A.J. Payak* and *Rebecca Michaelae* appointed by acclamation as Teen-Age Public School Non-Voting Male Member and Teen-Age Public School Non-Voting Female Member, respectfully, of the Advisory Recreation Council, each for a one-year term ending December 31, 2007.

Mayor Levine called for nominations for *One (1) Teen-Age Private School Non-Voting Male Member and One (1) Teen-Age Private School Non-Voting Female Member of the Advisory Recreation Council, each for a one-year term ending December 31, 2007.*

Deputy Mayor nominated Samantha Michaelae.

Mayor Levine declared *Samantha Michaelae* appointed by acclamation as Teen-Age Private School Non-Voting Female Member of the Advisory Recreation Council, for a one-year term ending December 31, 2007.

The Teen-Age Private School Non-Voting Male Member was left vacant until recommendation received by the Recreation Director.

Agricultural Advisory Committee

Mayor Levine called for nominations for *Five (5) Regular Members of the Agricultural Advisory Committee, each for a one-year term ending December 31, 2007.*

Mr. Vassanella nominated Robert Puskas, Michael Ricketts, Berit Marshall, Greg Pagano and Glen Wohghast.

Deputy Mayor Ritchie nominated Frank Hasner and Emmanuel Manioudakis.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Pukas	Ricketts	Marshall	Pagano	Wohghast	Hasner	Manioudakis
Councilwoman Danile	✓	✓	✓			✓	✓
Councilwoman Eberle	✓	✓	✓			✓	✓
Mayor Levine	✓	✓	✓		✓	✓	
Councilman McKenzie	✓	✓	✓			✓	✓
Councilman Prasad	✓	✓	✓	✓	✓		
Councilman Regan	✓	✓	✓			✓	✓
Deputy Mayor Ritchie	✓	✓	✓			✓	✓
Councilman Sumter	✓	✓	✓			✓	✓
Councilman Vassanella	✓	✓	✓	✓	✓		

Mayor Levine declared *Robert Puskas, Michael Ricketts, Berit Marshall, Frank Hasner* and *Emmanuel Manioudakis* appointed as Regular Members of the Agricultural Advisory Committee, each for a one-year term ending December 31, 2007.

Board of Adjustment

Mayor Levine called for nominations for *Two (2) Regular Members of the Board of Adjustment, each for a four-year term ending December 31, 2010.*

Ms. Danile nominated Bruce McCracken and Robert Thomas. Mayor Levine asked if Mr. Thomas was presently on the Board of Adjustment. Ms. Danile replied yes and that it is his desire to resign from his one-year term and to be appointed to a new four-year term. Mr. Vassanella objected and questioned whether it would be legal to appoint someone presently on the board. Mr. Regan asked the Township Attorney if this was allowed. Mr. Rainone replied that this appointment could be made and Mr. Thomas would have to resign from his present position before taking the oath of office for the new position. He asked the Township Clerk if she received his resignation. Ms. McCarthy replied no.

Mayor Levine nominated Harold Weber.

Mr. Vassanella nominated Raymond Betterbid.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	McCracken	Thomas	Weber	Betterbid
Councilwoman Danile	✓	✓		
Councilwoman Eberle	✓	✓		
Mayor Levine			✓	✓
Councilman McKenzie	✓	✓		
Councilman Prasad			✓	✓
Councilman Regan			✓	✓
Deputy Mayor Ritchie	✓	✓		
Councilman Sumter	✓	✓		
Councilman Vassanella			✓	✓

Mayor Levine declared *Bruce McCracken* and *Robert Thomas* appointed as Regular Members of the Board of Adjustment, each for a four-year term ending December 31, 2010.

Mayor Levine called for nominations for *One (1) Alternate #1 Member of the Board of Adjustment for an unexpired two-year term ending December 31, 2007.*

Mr. Vassanella nominated Harold Weber.

Deputy Mayor Ritchie nominated Daniel Higgins.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Weber	Higgins
Councilwoman Danile		✓
Councilwoman Eberle		✓
Mayor Levine	✓	
Councilman McKenzie		✓
Councilman Prasad	✓	
Councilman Regan	✓	
Deputy Mayor Ritchie		✓
Councilman Sumter		✓
Councilman Vassanella	✓	

Mayor Levine declared *Daniel Higgins* appointed as Alternate #1 Member of the Board of Adjustment for an unexpired two-year term ending December 31, 2007.

Mayor Levine called for nominations for *One (1) Alternate #2 Member and One (1) Alternate #3 Member of the Board of Adjustment, each for a two-year term ending December 31, 2008.*

Ms. Danile nominated Raymond Betterbid as Alternate #2 and Harold Weber as Alternate #3.

Mayor Levine declared *Raymond Betterbid* appointed by acclamation as Alternate #2 Member and *Harold Weber* as Alternate #3 Member of the Board of Adjustment, each for a two-year term ending December 31, 2008.

Business & Industry Advisory Committee

Deputy Mayor Ritchie moved to table the aforesaid appointments and request the boards to provide recommendations for appointments. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Clean Communities Committee

Mayor Levine called for nominations for *Four (4) Regular Members of the Clean Communities Committee, each for a one-year term ending December 31, 2007.*

Ms. Danile nominated Michele Samarya-Timm, Emily Amon, Victor Stevens and Thomas Zilinek.

Mayor Levine declared *Michele Samarya-Timm, Emily Amon, Victor Stevens* and *Thomas Zilinek* appointed by acclamation as Regular Members of the Clean Communities Committee, each for a one-year term ending December 31, 2007.

Environmental Commission

Mayor Levine called for nominations for *Chairman of the Environmental Commission, for a one-year term ending December 31, 2007.*

Mr. Vassanella nominated Arnold Schmidt.

Mayor Levine declared *Arnold Schmidt* appointed by acclamation as Chairman of the Environmental Commission, for a one-year term ending December 31, 2007.

Mayor Levine called for nominations for *Two (2) Regular Members of the Environmental Commission, each for a three-year term ending December 31, 2009.*

Deputy Mayor Ritchie nominated Barbara Beringer and Dianne Pydeski.

Mayor Levine declared *Barbara Beringer* and *Dianne Pydeski* appointed by acclamation as Regular Members of the Environmental Commission, each for a three-year term ending December 31, 2009.

Mayor Levine called for nominations for *One (1) Regular Member of the Environmental Commission for an unexpired three-year term ending December 31, 2008.*

Deputy Mayor Ritchie nominated Arnold Vernick.

Mayor Levine declared *Arnold Vernick* appointed by acclamation as Regular Member of the Environmental Commission for an unexpired three-year term ending December 31, 2008.

Mayor Levine called for nominations for *One (1) Alternate #1 Member of the Environmental Commission, for a two-year term ending December 31, 2008.*

Deputy Mayor Ritchie nominated Michael Ricketts.

Mayor Levine declared *Michael Ricketts* appointed by acclamation as Alternate #1 Member of the Environmental Commission, for a two-year term ending December 31, 2008.

A motion was made by Deputy Mayor Ritchie to amend the agenda to include the appointment of Alternate #2 of the Environmental Commission. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Mayor Levine called for nominations for *One (1) Alternate #2 Member of the Environmental Commission*.

Deputy Mayor Ritchie nominated Ernesto Cruz Roman.

Mr. Vassanella nominated Luis Dima.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Roman	Dima
Councilwoman Danile	✓	
Councilwoman Eberle	✓	
Mayor Levine		✓
Councilman McKenzie	✓	
Councilman Prasad		✓
Councilman Regan		✓
Deputy Mayor Ritchie	✓	
Councilman Sumter	✓	
Councilman Vassanella		✓

Mayor Levine declared *Ernesto Cruz Roman* appointed as Alternate #2 Member of the Environmental Commission.

Historic Preservation Commission

Mayor Levine called for nominations for *Five (5) Regular Members of the Historic Preservation Commission, each for a two-year term ending December 31, 2008*.

Deputy Mayor Ritchie nominated Thomas Gale, Joanne Kaiser, Kathryn Orlando and Elizabeth Krauthammer. She asked that Council hold one regular position for Penny Sherwood who needs to resolve an issue involving her financial disclosure statement.

Mr. Vassanella if by not filing their financial disclosure statement would they be invalid to serve. Mr. Rainone stated that they could not be appointed if they had not filed their financial disclosure statement.

Mr. Vassanella asked that since Kathryn Orlando did not attend any meetings if Deputy Mayor Ritchie would consider her as an alternate instead. Deputy Mayor Ritchie replied that Ms. Orlando was appointed late in the year and that she had some personal difficulties, but remained interested in serving on the board. Mr. McKenzie asked when was she appointed and what was her attendance record. The Township Clerk replied she was appointed in April and did not attend any meetings.

Mr. Regan nominated Robert LaCorte.

Mr. Rainone announced that a procedural issue resulted in one Council person nominating four candidates and Mayor Levine nominating one candidate. If it is Council's intention to only appoint four positions tonight, it may not occur with five nominations. Deputy Mayor Ritchie moved to amend the agenda to only appoint four regular members to the

Historic Preservation Commission, not five members. Said motion was seconded by Mr. Prasad.

Mr. Vassanella asked if Deputy Mayor Ritchie would consider withdrawing her nomination of Kathryn Orlando. Deputy Mayor Ritchie replied no. Mr. Vassanella moved to amend the motion to table the Historic Preservation Commission appointments to the January 9th meeting. Mr. Rainone stated that Mr. Vassanella could not amend the motion at this time.

The motion to amend the agenda to only appoint four regular members to the Historic Preservation Commission, not five members carried as follows upon call of the roll:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Danile	Levine	Vassanella
Eberle	McKenzie	
Prasad		
Regan		
Ritchie		
Sumter		

Mr. Vassanella moved to table the Historic Preservation Commission appointments to the January 9th meeting. Said motion was seconded by Mayor Levine. Said motion *failed* as follows upon call of the roll:

<u>AYES</u>	<u>NAYS</u>	<u>NAYS</u>
Vassanella	Danile	Regan
	Eberle	Ritchie
	McKenzie	Sumter
	Prasad	

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Gale	Kaiser	Orlando	Krauthammer	LaCorte
Councilwoman Danile	✓	✓	✓	✓	
Councilwoman Eberle	✓	✓	✓	✓	
Mayor Levine	✓	✓		✓	✓
Councilman McKenzie	✓	✓		✓	
Councilman Prasad	✓	✓	✓	✓	
Councilman Regan	✓	✓			✓
Deputy Mayor Ritchie	✓	✓	✓	✓	
Councilman Sumter	✓	✓	✓	✓	
Councilman Vassanella	✓			✓	✓

Mayor Levine declared *Thomas Gale, Joanne Kaiser, Kathryn Orlando* and *Elizabeth Krauthammer* appointed as Regular Members of the Historic Preservation Commission, each for a two-year term ending December 31, 2008.

Mayor Levine called for nominations for *One (1) Alternate #2 Member of the Historic Preservation Commission, for a two-year term ending December 31, 2008.*

Deputy Mayor Ritchie nominated Robert LaCorte.

Mayor Levine declared *Robert LaCorte* appointed by acclamation as Alternate #2 Member of the Historic Preservation Commission, for a two-year term ending December 31, 2008.

Housing Authority

Mayor Levine called for nominations for *One (1) Regular Member of the Housing Authority, for a five-year term ending January 31, 2012.*

Ms. Danile nominated Helen Verhage.

Mr. Vassanella nominated Gary Rosenthal.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Verhage	Rosenthal
Councilwoman Danile	✓	
Councilwoman Eberle	✓	
Mayor Levine		✓
Councilman McKenzie	✓	
Councilman Prasad	✓	
Councilman Regan		✓
Deputy Mayor Ritchie	✓	
Councilman Sumter	✓	
Councilman Vassanella		✓

Mayor Levine declared *Helen Verhage* appointed as Regular Member of the Housing Authority, for a five-year term ending January 31, 2012.

Human Relations Commission

Mayor Levine called for nominations for *One (1) Regular Member of the Human Relations Commission, for a three-year term ending December 31, 2009.*

Ms. Danile nominated Ike Agudosi.

Mayor Levine declared *Ike Agudosi* appointed by acclamation as Regular Member of the Human Relations Commission, for a three-year term ending December 31, 2009.

Mr. Regan left the meeting at 9:00 p.m.

Joint Advisory Committee/Kingston Village

Mayor Levine called for nominations for *Two (2) Regular Members of the Joint Advisory Committee/Kingston Village, each for a three-year term ending December 31, 2009.*

Ms. Eberle nominated Kara Pothier and Suzanne Hirst.

Mr. Prasad nominated Doug Hopkins.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Pothier	Hirst	Hopkins
Councilwoman Danile	✓	✓	
Councilwoman Eberle	✓	✓	
Mayor Levine	✓	✓	
Councilman McKenzie	✓	✓	
Councilman Prasad	✓		✓
Councilman Regan (Abstain)			
Deputy Mayor Ritchie	✓	✓	

Councilman Sumter	✓	✓	
Councilman Vassanella	✓		✓

Mayor Levine declared *Kara Pothier* and *Suzanne Hirst* appointed as Regular Members of the Joint Advisory Committee/Kingston Village, each for a three-year term ending December 31, 2009.

Municipal Cross-Acceptance Committee

Mayor Levine called for nominations *for Two (2) Planning Members of the Municipal Cross-Acceptance Committee, each for a one-year term ending December 31, 2007.*

The aforesaid appointments were tabled and referred to the Planning Board for their recommendation.

Municipal Ethics Board

Mayor Levine called for nominations *for One (1) Democratic Member of the Municipal Ethics Board, for a five-year term ending December 31, 2011.*

Mr. Vassanella nominated Naomi Nerinberg.

Deputy Mayor Ritchie nominated Patricia Bacon.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Nerinberg	Bacon
Councilwoman Danile		✓
Councilwoman Eberle		✓
Mayor Levine	✓	
Councilman McKenzie		✓
Councilman Prasad	✓	
Councilman Regan		✓
Deputy Mayor Ritchie		✓
Councilman Sumter		✓
Councilman Vassanella	✓	

Mayor Levine declared *Patricia Bacon* appointed as Democratic Member of the Municipal Ethics Board, for a five-year term ending December 31, 2011.

Mayor Levine called for nominations for One (1) *Republican Member of the Municipal Ethics Board, for a five-year term ending December 31, 2011.*

Deputy Mayor Ritchie nominated Agnes Messineo.

Mayor Levine declared *Agnes Messineo* appointed by acclamation as Republican Member of the Municipal Ethics Board, for a five-year term ending December 31, 2011.

Open Space Advisory Committee

Mayor Levine called for nominations for *Two (2) Citizen Members of the Open Space Advisory Committee, each for a three-year term ending December 31, 2009.*

Ms. Danile nominated Melba Battin and Robert Thomas.

Mr. Vassanella nominated David Triggs.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Battin	Thomas	Triggs
Councilwoman Danile	✓	✓	
Councilwoman Eberle	✓	✓	
Mayor Levine	✓		✓
Councilman McKenzie	✓	✓	
Councilman Prasad	✓		✓
Councilman Regan (Absent)			
Deputy Mayor Ritchie	✓	✓	
Councilman Sumter	✓	✓	
Councilman Vassanella	✓		✓

Mayor Levine declared *Melba Battin* and *Robert Thomas* appointed as Two (2) Citizen Members of the Open Space Advisory Committee, each for a three-year term ending December 31, 2009.

The following appointments were deferred to the respective board for their recommendation:

- One (1) Historic Preservation Commission Member of the Open Space Advisory Committee for a term concurrent with their Historic Preservation Commission term (2 years).
- One (1) Shade Tree Commission Member of the Open Space Advisory Committee for a term concurrent with their Shade Tree Commission term (5 years).
- One (1) Agricultural Advisory Committee Member of the Open Space Committee for a term concurrent with their Agricultural Advisory Committee term (1 year).

Planning Board

Mayor Levine called for nominations for *One (1) Class IV Member of the Planning Board, for a four-year term ending December 31, 2010.*

Mr. Vassanella nominated Daniel Glicklich.

Deputy Mayor Ritchie nominated Terry Wesley.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Glicklich	Wesley
Councilwoman Danile (Absent)		
Councilwoman Eberle		✓
Mayor Levine	✓	
Councilman McKenzie		✓
Councilman Prasad	✓	
Councilman Regan (Absent)		
Deputy Mayor Ritchie		✓
Councilman Sumter		✓
Councilman Vassanella	✓	

Mayor Levine declared *Terry Wesley* appointed as Class IV Member of the Planning Board, for a four-year term ending December 31, 2010.

Mayor Levine called for nominations for *One (1) Class II Member of the Planning Board, for a one-year term ending December 31, 2007.*

Deputy Mayor Ritchie nominated Maureen Sturgeon.

Mayor Levine declared *Maureen Sturgeon* appointed by acclamation as Class II Member of the Planning Board, for a one-year term ending December 31, 2007.

Mayor Levine called for nominations for *One (1) Alternate #2 Member of the Planning Board, for a two-year term ending December 31, 2008.*

Mr. Prasad nominated Daniel Glicklich.

Mayor Levine declared *Daniel Glicklich* appointed by acclamation as Alternate #2 Member of the Planning Board, for a two-year term ending December 31, 2008.

Mayor Levine announced *Robert Mettler* as the Mayor's Designee, Class I Member of the Planning Board for a one-year term ending December 31, 2007.

Rent Leveling Board

Mayor Levine called for nominations for *One (1) Tenant Member of the Rent Leveling Board, for a three-year term ending December 31, 2009.*

Deputy Mayor Ritchie nominated Charles Seigel.

Mayor Levine declared *Charles Seigel* appointed by acclamation as Tenant Member of the Rent Leveling Board, for a three-year term ending December 31, 2009.

Mayor Levine called for nominations *for One (1) Citizen Member of the Rent Leveling Board for a three-year term ending December 31, 2009.*

Deputy Mayor Ritchie nominated Charles Annette Britton

Mayor Levine declared *Annette Britton* appointed by acclamation as Citizen Member of the Rent Leveling Board, for a three-year term ending December 31, 2009.

Mayor Levine called for nominations for *One (1) Alternate #1 Member of the Rent Leveling Board for a one-year term ending December 31, 2007.*

Deputy Mayor Ritchie nominate Eugene Armstead.

Mayor Levine declared *Eugene Armstead* appointed by acclamation as Alternate #1 Member of the Rent Leveling Board for a one-year term ending December 31, 2007.

Mayor Levine called for nominations for *One (1) Alternate #2 Member of the Rent Leveling Board for a one-year term ending December 31, 2007.*

Deputy Mayor Ritchie nominated Tyrone Jamison.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Jamison	
	Ayes	Nays
Councilwoman Danile	✓	
Councilwoman Eberle	✓	
Mayor Levine	✓	
Councilman McKenzie		✓
Councilman Prasad	✓	

Councilman Regan (Absent)		
Deputy Mayor Ritchie	✓	
Councilman Sumter	✓	
Councilman Vassanella	✓	

Mayor Levine declared *Tyrone Jamison* appointed as Alternate #2 Member of the Rent Leveling Board for a one-year term ending December 31, 2007.

Senior Affordable Housing Advisory Committee

Mayor Levine called for nominations for *Two (2) Regular Members of the Senior Affordable Housing Advisory Committee, each for a three-year term ending December 31, 2009.*

Deputy Mayor Ritchie nominated Gloria Taylor and Charles Seigel.

Mayor Levine declared *Gloria Taylor* and *Charles Seigel* appointed by acclamation as Regular Members of the Senior Affordable Housing Advisory Committee, each for a three-year term ending December 31, 2009.

Mayor Levine called for nominations for *One (1) Regular Member of the Senior Affordable Housing Advisory Committee for an unexpired three-year term ending December 31, 2008.*

Mr. Vassanella nominated Gary Rosenthal.

Deputy Mayor Ritchie nominated Clarice McBarnett.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Rosenthal	McBarnett
Councilwoman Danile		✓
Councilwoman Eberle		✓
Mayor Levine	✓	
Councilman McKenzie		✓
Councilman Prasad		✓
Councilman Regan (Absent)		
Deputy Mayor Ritchie		✓
Councilman Sumter		✓
Councilman Vassanella		✓

Mayor Levine declared *Clarice McBarnett* appointed as Regular Member of the Senior Affordable Housing Advisory Committee for an unexpired three-year term ending December 31, 2008.

Mayor Levine called for nominations for *One (1) Alternate #1 Member of the Senior Affordable Housing Advisory Committee for a three-year term ending December 31, 2009.*

Mr. Vassanella nominated Gary Rosenthal.

Deputy Mayor Ritchie nominated Carmen Brooks Fortson.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Rosenthal	Fortson
Councilwoman Danile		✓
Councilwoman Eberle		✓

Mayor Levine	✓	
Councilman McKenzie		✓
Councilman Prasad	✓	
Councilman Regan (Absent)		
Deputy Mayor Ritchie		✓
Councilman Sumter		✓
Councilman Vassanella	✓	

Mayor Levine declared *Carmen Brooks Forston* appointed as Alternate #1 Member of the Senior Affordable Housing Advisory Committee for a three-year term ending December 31, 2009.

Senior Citizen Advisory Committee

Mayor Levine called for nominations for *One (1) Non-Senior Citizen Club Member of the Senior Citizen Advisory Committee for a one-year term ending December 31, 2007.*

Mr. Vassanella nominated Gary Rosenthal.

Mayor Levine declared *Gary Rosenthal* appointed by acclamation as Non-Senior Citizen Club Member of the Senior Citizen Advisory Committee for a one-year term ending December 31, 2007.

Ms. Eberle recommended that the appointment for *One (1) Non-Senior Citizen Resident Member of the Senior Citizen Advisory Committee for a one-year term ending December 31, 2007* be referred to the Committee for their recommendation.

Sewerage Authority

Mayor Levine called for nominations for *One (1) Regular Member of the Sewerage Authority, for a five-year term ending January 31, 2012.*

Mr. Prasad nominated Robert Suskin.

Mr. Vassanella nominated Phil Habrukowich.

Mr. Prasad withdrew his nomination of Robert Suskin.

Mayor Levine declared *Phil Habrukowich* appointed by acclamation as Regular Member of the Sewerage Authority, for a five-year term ending January 31, 2012.

Mayor Levine called for nominations for *One (1) Alternate #2 Member of the Sewerage Authority, for a five-year term ending January 31, 2012.*

Mr. Prasad nominated Robert Suskin.

Mayor Levine declared *Robert Suskin* appointed by acclamation as Alternate #2 Member of the Sewerage Authority, for a five-year term ending January 31, 2012.

Somerset County Solid Waste Advisory Council

Mayor Levine called for nominations for *Two (2) Franklin Township Representatives of the Somerset County Solid Waste Advisory Council, each for a one-year term ending December 31, 2007.*

Deputy Mayor Ritchie nominated Thomas Zilinek and Victor Stevens.

Mayor Levine declared *Thomas Zilinek and Victor Stevens* appointed by acclamation as Franklin Township Representatives of the Somerset County Solid Waste Advisory Council, each for a one-year term ending December 31, 2007.

Somerset County Cultural & Heritage Advisory Council

Mayor Levine called for nominations for *One (1) Franklin Township Representative of the Somerset County Cultural & Heritage Advisory Council for a one-year term ending December 31, 2007.*

Ms. Danile nominated Sarah Israel.

Mayor Levine declared *Sarah Israel* appointed by acclamation as) Franklin Township Representative of the Somerset County Cultural & Heritage Advisory Council for a one-year term ending December 31, 2007.

Stormwater Management Committee

Mayor Levine called for nominations for the members of the Stormwater Management Committee each for a one year term ending December 31, 2007.

Mr. Daly asked that these appointments be held since the committee may not be needed.

Trails Advisory Committee

Mayor Levine called for nominations for *Two (2) Regular Members of the Trails Advisory Committee, each for a four-year term ending December 31, 2010.*

Mr. Vassanella nominated Mark Fortin and Dom Abbatiello.

Mayor Levine declared *Mark Fortin* and *Dom Abbatiello* appointed by acclamation as Regular Members of the Trails Advisory Committee, each for a four-year term ending December 31, 2010.

Mayor Levine called for nominations for *One (1) Regular Member of the Trails Advisory Committee, for an unexpired four-year term ending December 31, 2007.*

Mr. Vassanella nominated Louis Dima.

Deputy Mayor Ritchie nominated Steven Alexis.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Dima	Alexis
Councilwoman Danile		✓
Councilwoman Eberle		✓
Mayor Levine	✓	
Councilman McKenzie		✓
Councilman Prasad	✓	
Councilman Regan (Absent)		
Deputy Mayor Ritchie		✓
Councilman Sumter		✓
Councilman Vassanella	✓	

Mayor Levine declared *Steven Alexis* appointed as Regular Member of the Trails Advisory Committee, for an unexpired four-year term ending December 31, 2007.

COUNCIL STANDING COMMITTEE APPOINTMENTS

Ms. Danile recommended that the Public Relations & Cable TV Standing Committee be combined with the Administration Standing Committee in an effort to minimize the number of committees. Ms. McCarthy replied that amendment would have to be done by ordinance. Mr. Vassanella asked if Council wanted to change the number of members on the Standing Committees would that have to be done by ordinance. Ms. McCarthy replied yes. Mr. Vassanella stated he was not in opposition to combining Standing Committees, but he would like to also add one that dealt with science, technology, environmental and green issues. He suggested that this be scheduled on the January 9th agenda as a discussion item.

Mr. Vassanella moved to table the Standing Committee appointments and place the possible restructuring of the committees on the January 9th agenda as a discussion item. Mr. Vassanella asked if the present Standing Committees would be able to continue until Council has decided on what to do with the Standing Committees. Mr. Rainone replied yes. Mr. Vassanella added to his motion in regards to the discussion item that they discuss designating the number of meeting and format structure. He asked that Mr. Prasad be able to fill the current vacancies on the Standing Committees.

Mr. Rainone asked how complicated would the changes to the ordinance be and explained a timetable of when the ordinance could be introduced and adopted.

Ms. Danile stated they are discussing two separate issues. She is asking for combine two specific committees and Mr. Vassanella is factoring in other issues such as changing the number of members. Ms. Danile asked for a clarification of the motion. Mr. Vassanella stated his motion was to table the Standing Committee appointments and to schedule Standing Committees as a discussion item on January 9th. Said motion was seconded by Mr. Prasad.

The motion *failed* as follows upon call of the roll:

<u>AYES</u>	<u>NAYS</u>	<u>NAYS</u>
Prasad	Danile	Eberle
Vassanella	Levine	McKenzie
	Ritchie	Sumter

Ms. Danile asked if they could move a resolution to combine the Public Relations and Administration Standing Committees. Mayor Levine stated both the Township Attorney and Clerk stated this would have to be done by ordinance. A brief and heated discussion ensued between Ms. Danile and Mr. Vassanella regarding how appointments are discussed and made. Deputy Mayor Ritchie stated Council members reviewed applications and discussed their recommendations; nominations were put forth and they are ready to act. She asked Council to move on with the agenda.

Administration

Mayor Levine called for nominations for the Administration Standing Committee (3 Council Members) each for a one year term ending December 31, 2007.

Ms. Danile nominated Fred A. McKenzie/Teresa Danile/Brian D. Levine.

Mr. Vassanella nominated James Vassanella.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	McKenzie	Danile	Levine	Vassanella
Councilwoman Danile	✓	✓	✓	
Councilwoman Eberle	✓	✓	✓	

Mayor Levine			✓	
Councilman McKenzie	✓	✓	✓	
Councilman Prasad	✓	✓		✓
Councilman Regan (Absent)				
Deputy Mayor Ritchie	✓	✓	✓	
Councilman Sumter	✓	✓	✓	
Councilman Vassanella			✓	✓

Mayor Levine declared *Fred A. McKenzie, Teresa Danile* and *Brian D. Levine* appointed to the Administration Standing Committee each for a one year term ending December 31, 2007.

Financial Oversight

Mayor Levine called for nominations for the Financial Oversight Standing Committee (3 Council Members) each for a one year term ending December 31, 2007.

Mr. McKenzie nominated Teresa Danile/Brian D. Levine/Ellen E. Ritchie.

Mr. Vassanella nominated James Vassanella.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Danile	Levine	Ritchie	Vassanella
Councilwoman Danile	✓	✓	✓	
Councilwoman Eberle	✓	✓	✓	
Mayor Levine		✓		
Councilman McKenzie	✓		✓	
Councilman Prasad	✓		✓	✓
Councilman Regan (Absent)				
Deputy Mayor Ritchie	✓	✓	✓	
Councilman Sumter	✓	✓	✓	
Councilman Vassanella		✓		✓

Mayor Levine declared *Teresa Danile, Brian D. Levine* and *Ellen E. Ritchie* appointed to the Financial Oversight Standing Committee each for a one year term ending December 31,

Public Safety

Mayor Levine called for nominations for the Public Safety Standing Committee (3 Council Members) each for a one year term ending December 31, 2007.

Deputy Mayor Ritchie nominated Brian G. Regan/James Vassanella/Ellen E. Ritchie.

Mayor Levine declared *Brian G. Regan, James Vassanella* and *Ellen E. Ritchie* appointed by acclamation to the Public Safety Standing Committee each for a one year term ending December 31, 2007.

Land Use and Open Space

Mayor Levine called for nominations for the Land Use and Open Space Standing Committee (3 Council Members) each for a one year term ending December 31, 2007.

Ms. Danile nominated Rajiv Prasad/Brian G. Regan/Shirley Eberle.

Mr. Vassanella nominated James Vassanella.

Roll Call	Prasad	Regan	Eberle	Vassanella
Councilwoman Danile	✓	✓	✓	
Councilwoman Eberle	✓	✓	✓	
Mayor Levine	✓		✓	✓
Councilman McKenzie	✓	✓	✓	
Councilman Prasad	✓		✓	✓
Councilman Regan (Absent)				
Deputy Mayor Ritchie	✓	✓	✓	
Councilman Sumter	✓	✓	✓	
Councilman Vassanella	✓	✓		✓

Mayor Levine declared *Rajiv Prasad, Brian G. Regan* and *Shirley Eberle* appointed to the Land Use and Open Space Standing Committee each for a one year term ending December 31, 2007.

Senior Services, Parks and Recreation

Mayor Levine called for nominations for the Senior Services, Parks and Recreation Standing Committee (3 Council Members) each for a one year term ending December 31, 2007.

Mr. McKenzie nominated Shirley Eberle/Rajiv Prasad/Willis Sumter.

Mayor Levine declared *Shirley Eberle, Rajiv Prasad* and *Willis Sumter* appointed by acclamation to the Land Use and Open Space Standing Committee each for a one year term ending December 31, 2007.

Public Works

Mayor Levine called for nominations for the Public Works Standing Committee (3 Council Members) each for a one year term ending December 31, 2007.

Ms. Danile nominated Rajiv Prasad/Willis Sumter/James Vassanella.

Mayor Levine declared *Rajiv Prasad, Willis Sumter* and *James Vassanella* appointed by acclamation to the Public Works Standing Committee each for a one year term ending December 31, 2007.

Public Relations and Cable TV

Mayor Levine called for nominations for the Public Relations and Cable TV Standing Committee (3 Council Members) each for a one year term ending December 31, 2007.

Mr. Vassanella nominated James Vassanella/Rajiv Prasad/Brian D. Levine.

Deputy Mayor Ritchie nominated Teresa Danile and Fred A. McKenzie.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Vassanella	Prasad	Levine	Danile	McKenzie
Councilwoman Danile			✓	✓	✓
Councilwoman Eberle			✓	✓	✓
Mayor Levine	✓		✓	✓	
Councilman McKenzie				✓	✓
Councilman Prasad	✓		✓	✓	
Councilman Regan (Absent)					
Deputy Mayor Ritchie			✓	✓	✓

Councilman Sumter			✓	✓	✓
Councilman Vassanella	✓				

Mayor Levine declared *Fred A. McKenzie*, *Teresa Danile* and *Brian D. Levine* appointed to the Public Relations and Cable TV Standing Committee each for a one year term ending December 31, 2007.

COUNCIL LIAISON/REPRESENTATIVE APPOINTMENTS

Mayor Levine called nominations for the following:

- One (1) Council Liaison to the *Advisory Board of Health* for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Advisory Recreation Council* for a one-year term ending December 31, 2007.
- Two (2) Council Members to the *Business & Industry Advisory Committee* each for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Cable TV Advisory Committee* for a one-year term ending December 31, 2007.
- Two (2) Council Members to the *Community Foundation* each for a two-year term ending December 31, 2008.
- One (1) Council Member to the *Community Foundation* for an unexpired two-year term ending December 31, 2007.
- Two (2) Council Liaisons to the *Emergency Life Support Committee* each for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Environmental Commission* for a one-year term ending December 31, 2007.
- One (1) Council Liaison Regular to the *Fire Prevention Board* for a one-year term ending December 31, 2007.
- One (1) Council Liaison Alternate to the *Fire Prevention Board* for a one-year term ending December 31, 2007.
- Three (3) Council Liaisons to the *Hamilton Street Business & Community Corporation* each for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Historic Preservation Commission* for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Human Relations Commission* for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Joint Advisory Committee/Village of Kingston* for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Library Board of Trustees* for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Municipal Cross Acceptance Committee* for a one-year term ending December 31, 2007.
- One (1) Class III Member of the *Planning Board* for a one-year term ending December 31, 2007.
- Two (2) Council Representatives to the *Redevelopment Agency* each for a one-year term ending December 31, 2007.
- One (1) Council Member to the *Senior Affordable Housing Committee* for a three-year term ending December 31, 2009.
- One (1) Council Liaison to the *Senior Citizen Advisory Committee* for a one-year term ending December 31, 2007.
- One (1) Council Liaison to the *Sewerage Authority* for a one-year term ending December 31, 2007.
- Two (2) Council Representatives to the *Somerset Community Action Program Board of Trustees* each for a one-year term ending December 31, 2007.
- One (1) Council Representative to the *Somerset County Coalition on Affordable Housing Board of Directors* for a one-year term ending December 31, 2007.

- One (1) Council Liaison to the *Special Improvement District Advisory Committee* for a one-year term ending December 31, 2007.
- One (1) Council Member to the *Stormwater Management Committee* for a one-year term ending December 31, 2007.
- Four (4) Council Members to the *Traffic Management Subcommittee* each for a one-year term ending December 31, 2007.
- Two (1) Council Members to the *Youth Services Commission/Alliance Against Drug Abuse* each for a one-year term ending December 31, 2007.
- Two (1) Council Liaisons to the *Board of Education* each for a one-year term ending December 31, 2007.
- Four (4) Council Members to the *Board of Education Joint Subcommittee* each for a one-year term ending December 31, 2007.

Mr. McKenzie made the following nominations:

- *Shirley Eberle* - Council Liaison to the *Advisory Board of Health* for a one-year term ending December 31, 2007.
- *Teresa Danile* - Council Liaison to the *Advisory Recreation Council* for a one-year term ending December 31, 2007.
- *Shirley Eberle and Rajiv Prasad* - Council Members to the *Business & Industry Advisory Committee* each for a one-year term ending December 31, 2007.
- *Brian D. Levine and Ellen E. Ritchie* - Council Members to the *Community Foundation* each for a two-year term ending December 31, 2008.
- *Rajiv Prasad* - Council Member to the *Community Foundation* for an unexpired two-year term ending December 31, 2007.
- *Brian D. Levine and James Vassanella* - Council Liaisons to the *Emergency Life Support Committee* each for a one-year term ending December 31, 2007.
- *James Vassanella* - Council Liaison to the *Environmental Commission* for a one-year term ending December 31, 2007.
- *Brian G. Regan* - Council Liaison Regular to the *Fire Prevention Board* for a one-year term ending December 31, 2007.
- *Brian D. Levine* - Council Liaison Alternate to the *Fire Prevention Board* for a one-year term ending December 31, 2007.
- *Brian D. Levine/Willis Sumter/James Vassanella* - Council Liaisons to the *Hamilton Street Business & Community Corporation* each for a one-year term ending December 31, 2007.
- *James Vassanella* - Council Liaison to the *Historic Preservation Commission* for a one-year term ending December 31, 2007.
- *Rajiv Prasad* - Council Liaison to the *Human Relations Commission* for a one-year term ending December 31, 2007.
- *Shirley Eberle* - Council Liaison to the *Joint Advisory Committee/Village of Kingston* for a one-year term ending December 31, 2007.
- *James Vassanella* - Council Liaison to the *Library Board of Trustees* for a one-year term ending December 31, 2007.
- *Willis Sumter* - Council Liaison to the *Municipal Cross Acceptance Committee* for a one-year term ending December 31, 2007.
- *Rajiv Prasad* - Class III Member of the *Planning Board* for a one-year term ending December 31, 2007.
- *Brian D. Levine and Ellen E. Ritchie* - Council Representatives to the *Redevelopment Agency* each for a one-year term ending December 31, 2007.
- *Teresa Danile* - Council Member to the *Senior Affordable Housing Committee* for a three-year term ending December 31, 2009.
- *Shirley Eberle* - Council Liaison to the *Senior Citizen Advisory Committee* for a one-year term ending December 31, 2007.
- *Brian G. Regan* - Council Liaison to the *Sewerage Authority* for a one-year term ending December 31, 2007.

- *Brian D. Levine and Willis Sumter* - Council Representatives to the *Somerset Community Action Program Board of Trustees* each for a one-year term ending December 31, 2007.
- *Ellen E. Ritchie* - Council Representative to the *Somerset County Coalition on Affordable Housing Board of Directors* for a one-year term ending December 31, 2007.
- *James Vassanella* - Council Liaison to the *Special Improvement District Advisory Committee* for a one-year term ending December 31, 2007.
- *Willis Sumter/James Vassanella/Fred A. McKenzie* - Council Members to the *Traffic Management Subcommittee* each for a one-year term ending December 31, 2007.
- *Brian G. Regan and Ellen E. Ritchie* - Council Members to the *Youth Services Commission/Alliance Against Drug Abuse* each for a one-year term ending December 31, 2007.
- *Teresa Danile/Brian D. Levine/Fred A. McKenzie/Ellen E. Ritchie* - Council Members to the *Board of Education Joint Subcommittee* each for a one-year term ending December 31, 2007.

Mr. McKenzie stated that there is no need for Board of Education Liaisons with a four member Board of Education Joint Subcommittee. Mayor Levine clarified that no nominations were made to the Board of Education Liaisons to prevent duplication.

Mr. Vassanella made the following nominations:

- *James Vassanella and Willis Sumter* - Council Representatives to the *Redevelopment Agency* each for a one-year term ending December 31, 2007.
- *Rajiv Prasad* - Council Member to the *Traffic Management Subcommittee* for a one-year term ending December 31, 2007.
- *James Vassanella* - Council Member to the *Board of Education Joint Subcommittee* each for a one-year term ending December 31, 2007.

Mr. Vassanella asked for clarification that the intent was to abolish the Board of Education Liaisons. Mr. McKenzie replied yes. Mr. Rainone reviewed a potential problem with having six different members performing the same function. He stated that effectually the four members of the Joint Subcommittee are the Board of Education Liaisons.

Mayor Levine declared the following appointed by acclamation:

- *Shirley Eberle* - Council Liaison to the *Advisory Board of Health* for a one-year term ending December 31, 2007.
- *Teresa Danile* - Council Liaison to the *Advisory Recreation Council* for a one-year term ending December 31, 2007.
- *Shirley Eberle and Rajiv Prasad* - Council Members to the *Business & Industry Advisory Committee* each for a one-year term ending December 31, 2007.
- *Brian D. Levine and Ellen E. Ritchie* - Council Members to the *Community Foundation* each for a two-year term ending December 31, 2008.
- *Rajiv Prasad* - Council Member to the *Community Foundation* for an unexpired two-year term ending December 31, 2007.
- *Brian D. Levine and James Vassanella* - Council Liaisons to the *Emergency Life Support Committee* each for a one-year term ending December 31, 2007.
- *James Vassanella* - Council Liaison to the *Environmental Commission* for a one-year term ending December 31, 2007.
- *Brian G. Regan* - Council Liaison Regular to the *Fire Prevention Board* for a one-year term ending December 31, 2007.
- *Brian D. Levine* - Council Liaison Alternate to the *Fire Prevention Board* for a one-year term ending December 31, 2007.
- *Brian D. Levine/Willis Sumter/James Vassanella* - Council Liaisons to the *Hamilton Street Business & Community Corporation* each for a one-year term ending December 31, 2007.

- **James Vassanella** - Council Liaison to the *Historic Preservation Commission* for a one-year term ending December 31, 2007.
- **Rajiv Prasad** - Council Liaison to the *Human Relations Commission* for a one-year term ending December 31, 2007.
- **Shirley Eberle** - Council Liaison to the *Joint Advisory Committee/Village of Kingston* for a one-year term ending December 31, 2007.
- **James Vassanella** - Council Liaison to the *Library Board of Trustees* for a one-year term ending December 31, 2007.
- **Willis Sumter** - Council Liaison to the *Municipal Cross Acceptance Committee* for a one-year term ending December 31, 2007.
- **Rajiv Prasad** - Class III Member of the *Planning Board* for a one-year term ending December 31, 2007.
- **Teresa Danile** - Council Member to the *Senior Affordable Housing Committee* for a three-year term ending December 31, 2009.
- **Shirley Eberle** - Council Liaison to the *Senior Citizen Advisory Committee* for a one-year term ending December 31, 2007.
- **Brian G. Regan** - Council Liaison to the *Sewerage Authority* for a one-year term ending December 31, 2007.
- **Brian D. Levine and Willis Sumter** - Council Representatives to the *Somerset Community Action Program Board of Trustees* each for a one-year term ending December 31, 2007.
- **Ellen E. Ritchie** - Council Representative to the *Somerset County Coalition on Affordable Housing Board of Directors* for a one-year term ending December 31, 2007.
- **James Vassanella** - Council Liaison to the *Special Improvement District Advisory Committee* for a one-year term ending December 31, 2007.
- **Willis Sumter/James Vassanella/Fred A. McKenzie/Rajiv Prasad** - Council Members to the *Traffic Management Subcommittee* each for a one-year term ending December 31, 2007.
- **Brian G. Regan and Ellen E. Ritchie** - Council Members to the *Youth Services Commission/Alliance Against Drug Abuse* each for a one-year term ending December 31, 2007.

Redevelopment Agency Council Representatives

Mr. Sumter declined his nomination to the Redevelopment Agency.

Mr. Vassanella asked for comment regarding why Council would not want a Ward 4 or 5 Council member represented on the Redevelopment Agency since the redevelopment area is in these two wards.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Levine	Ritchie	Vassanella
Councilwoman Danile	✓	✓	
Councilwoman Eberle	✓	✓	
Mayor Levine	✓		✓
Councilman McKenzie		✓	
Councilman Prasad	✓		✓
Councilman Regan (Absent)			
Deputy Mayor Ritchie	✓	✓	
Councilman Sumter	✓	✓	
Councilman Vassanella	✓		✓

Mayor Levine declared **Brian D. Levine** and **Ellen E. Ritchie** appointed as Council Representatives to the Redevelopment Agency, each for a one-year term ending December 31, 2007.

Board of Education Joint Subcommittee

Mr. Prasad recommended that there be two liaisons and two subcommittee members to ensure that there is consistent representation of Council at Board of Education meetings. Mr. Vassanella agreed. Mr. McKenzie stated that the Joint Subcommittee could coordinate which two members would attend which Board of Education meetings.

Township Clerk Ann Marie McCarthy polled the Council, the vote being as follows:

Roll Call	Danile	Levine	McKenzie	Ritchie	Vassanella
Councilwoman Danile	✓	✓	✓	✓	
Councilwoman Eberle	✓	✓	✓	✓	
Mayor Levine	✓	✓	✓	✓	
Councilman McKenzie	✓	✓	✓	✓	
Councilman Prasad		✓	✓	✓	✓
Councilman Regan (Absent)					
Deputy Mayor Ritchie	✓	✓	✓	✓	
Councilman Sumter	✓	✓	✓	✓	
Councilman Vassanella		✓	✓		✓

Mayor Levine declared *Teresa Danile, Brian D. Levine, Fred A. McKenzie* and *Ellen E. Ritchie* appointed to the Board of Education Joint Subcommittee, each for a one-year term ending December 31, 2007.

CONSENT AGENDA

Upon motion by Mr. Prasad, seconded by Deputy Mayor Ritchie, the following Consent Agenda were adopted as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle		Eberle (#07-006)	
Levine	McKenzie			
Prasad	Regan			
Ritchie	Sumter			
Vassanella				

Resolution #07-001 Reappoint Ann Marie McCarthy as Township Clerk

WHEREAS, Ann Marie McCarthy was duly appointed and confirmed to the position of Municipal Clerk on January 1, 2004 for a three (3) year term in accordance with N.J.S.A. 40A:9-133 et seq.; and

WHEREAS, Ann Marie McCarthy is and has been certified as a Registered Municipal Clerk since December 8, 1997 and has satisfied the continuing education requirements for said certification; and

WHEREAS, the appointing authority of the Township of Franklin is desirous of reappointing Ann Marie McCarthy, RMC, CMC as Municipal Clerk for the Township of Franklin; and

WHEREAS, the confirming authority of the Township of Franklin is desirous of confirming said reappointment of Ann Marie McCarthy, RMC, CMC as Municipal Clerk for the Township of Franklin; and

WHEREAS, this reappointment has occurred within sixty (60) days of the expiration of the three-year term identified above;

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

1. Ann Marie McCarthy, RMC, CMC is hereby reappointed to the position of Municipal Clerk in the Township of Franklin; and
2. Ann Marie McCarthy, RMC, CMC is and has upon this reappointment attained tenure pursuant to N.J.S.A. 40A:9-133 et seq.

Resolution #07-002 Designate Depositories - All Township Funds

BE IT AND IT IS HEREBY RESOLVED that the following named banks shall be Depositories for all Township Funds and the Custodian shall be the Treasurer of the Township of Franklin, County of Somerset and State of New Jersey for the period January 1, 2007 to December 31, 2007:

**BANK OF AMERICA
PNC
OCWEN FEDERAL BANK
YARDVILLE SAVINGS MBIA CLASS
WACHOVIA BANK
NEW MILLENIUM BANK
PRESTIGE STATE BANK
COMMERCE BANK
NEW JERSEY CASH MANAGEMENT FUND
NEW JERSEY ASSET AND REBATE MANAGEMENT PROGRAM**

BE IT FURTHER RESOLVED that all disbursements made by check shall be signed by the Mayor or Deputy Mayor and the Chief Financial Officer or Township Treasurer with the following exceptions:

- (1) **EMPLOYMENT PAYROLL DEDUCTIONS
PETTY CASH
STATE UNEMPLOYMENT
WORKERS COMPENSATION
SELF INSURANCE**

which shall be signed by the Chief Financial Officer or Treasurer.

- (2) **PAYROLL**

which shall be signed by the Township Manager.

Resolution #07-003 Designate Special Depositories

BE IT AND IT IS HEREBY RESOLVED that **PNC BANK** shall be the Depositor for the following funds of the Township of Franklin, County of Somerset and State of New Jersey and the Custodian shall be designated as follows for the period January 1, 2007 to December 31, 2007:

DEPARTMENT OF COLLECTOR TRUST FUND	TAX COLLECTOR
MUNCIPAL COURT	COURT ADMINISTRATOR
MUNICIPAL COURT BAIL	COURT ADMINISTRATOR

Resolution #07-004 Adopt 2007 Cash Management Plan

WHEREAS, NJSA 40A:5-14 of the Local Fiscal Affairs Law requires that every local unit shall adopt a "Cash Management Plan" and shall deposit in an interest bearing account, all available public funds pursuant to the plan;

NOW, THEREFORE, BE IT RESOLVED that the Township of Franklin, County of Somerset and State of New Jersey, hereby adopts the following "Cash Management Plan" policy to be utilized by the Township of Franklin for the year 2007; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be filed with the Director of the Division of Local Government Services, Township Auditor, Chief Financial Officer of the Township of Franklin (Somerset County).

**CASH MANAGEMENT PLAN OF THE TOWNSHIP OF FRANKLIN, COUNTY OF
SOMERSET, NEW JERSEY**

STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis of deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Franklin, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments herein after referred to. The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity, (regarding its availability for the intended purposes), and the maximum investment return within such limits. The plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

I. **DEFINITIONS**

"Arbitrage" refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

"Certificate of Eligibility" is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking, that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

"GUDPA" requires a bank that accepts public funds to be a public depository. A "Public Depository" is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal

Deposit Insurance Corporation, and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from, banks which are located in New Jersey and which meet the requirements of the "GUDPA".

"The New Jersey Cash Management Fund." The New Jersey Division of Investment is authorized pursuant to N.J.S.A. 52-18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey-New Jersey Cash Management Fund (the "Fund"). The Fund is authorized to accept deposits from all Local Units of government. The Fund is a "common trust" fund pursuant to the statute that created such funds within the jurisdiction of the Division of Investment. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to

Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA protected deposits by Local Units.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A) The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township.

- Current Fund
- Grant Fund
- Trust Assessment Fund
- General Trust Fund
- Animal Control Fund
- Unemployment Insurance Trust Fund
- Self Insurance Trust Fund
- Serial Bonds Refunding Trust Fund
- General Capital Fund
- Water Utility Operating Fund
- Water Utility Capital Fund
- Public Assistance Fund
- Bond & Interest Fund
- Affordable Housing Trust Fund
- Open Space Trust Fund
- Acquisition and Preservation of Historical Structures Account
- Green Acres Trust Account
- Employee Payroll Deduction Account
- Payroll Account
- Environmental Impairment Account
- Workers Compensation Account
- Warrant Account
- Developers Escrow

B) The Plan is not intended to cover the deposit and/or investment of the following Funds and Accounts of the Township

1. Petty Cash Funds
2. Cash drawn from a Federal Agency under a letter of credit
3. which cash has to be paid out within 5 working days to a vendor.
4. Deposit, retainage, or amounts posted by way of bond, held by the Township for such things as faithful performance, if the Township would be required by law to pay back any interest earned to the provider of the deposit, except where the Township is required by law or court decision to invest the fund.
5. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the most favorable rate obtainable.

6. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF FRANKLIN AUTHORIZED TO MAKE DEPOSTS AND INVESTMENTS

The Chief Financial Officer, and The Township Treasurer, (The "Designated Officials") are hereby authorized and directed to deposit and/or invest the Funds referred to in the plan.

7. STANDARDS OF CARE

1. The Designated Officials involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.
2. The Designated Officials shall disclose any material interests in the financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Township.
3. The Chief Financial Officer, under the direction of the Township Manager, is responsible for establishing and maintaining internal control. The controls should ensure that the assets of the Township are protected from loss, theft, or misuse.

8. PROCEDURES FOR THE RECEIPT OF MONIES

A. Department Procedures

1. A receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the duplicate shall be maintained by the receiving department. All payments and receipts must be recorded.
2. All monies collected or received from any source by or on behalf of the Township shall be deposited within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A : 5-15.
3. All monies received shall be placed in a secured place until forwarded for deposit.
4. No department, division or agency shall engage in the practice of cashing checks with public funds. Cashing of employee paychecks is prohibited.

B. Chief Financial Officer (Designated Official)

1. The Chief Financial Officer shall:
 - a. Deposit all monies collected or received from any source by or on behalf of the Township within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.
 - b. Ensure that all monies deposited are in interest bearing accounts.
 - c. Make recommendations of legal public depositories to the Township Council who shall by resolution designate said depositories at the first meeting of the calendar year.
 - d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement by the end of the following month.
 - e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Banking and Insurance, Governmental Unit Deposit Protection Act notification of Certificate of Eligibility, which must be filed semi-

annually in the Department of Banking as of June 30th and December 31st of each year.

9. DESIGNATION OF DEPOSITORIES

The Township Council authorized resolution on January 2, 2007 which designated the following banks and financial institutions as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposits which are not otherwise invested in "Permitted Investments as provided for in this Plan".

BANK OF AMERICA

PNC

OCWEN FEDERREAL BANK FSB

YARDVILLE SAVINGS MBIA CLASS

WACHOVIA BANK

NEW MILLENIUM BANK

PRESTIGE STATE BANK

COMMERCE BANK

NEW JERSEY CASH MANAGEMENT FUND

NEW JERSEY ASSET AND REBATE MANAGEMENT PROGRAM

10. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America
2. Government Money Market Mutual Funds
3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment pools.
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4) or
8. Agreements for the repurchase of fully collateralized securities if:
 - a. The underlying securities are permitted investments pursuant to paragraphs "1" and "3" of this subsection a;
 - b. The custody of collateral is transferred to a third party;
 - c. The maturity of the agreement is not more than 30 days;

- d. The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (c.17:9-41); and
- e. A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "Government Money Market Mutual Fund" and "Local Government Investment Pool" shall have the following definitions:

GOVERNMENT MONEY MARKET MUTUAL FUND

An Investment company or Investment Trust:

- a. Which is registered with the Securities and Exchange Commission under the "Investment company Act of 1940," 15 U.S.C. Sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec, 270. 2a-7.
- b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270. 2a-7 and
- c. repurchase agreements that are collateralized by such U.S. Government Securities; and
- d. Which has:
 - (i) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) Retained an investment advisor registered or exempt from registration with the security and exchange commission pursuant to the "Investment Advisors Act of 1940," is U.S.C. Sec 806-1 et seq., with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

"Local Government Investment Pool". An investment pool:

- a. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. Which is rated in the highest category by a nationally recognized statistical rating organization;
- c. Which is limited to U.S. Government securities that meet the definition of eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that collateralized by such U.S. Government securities.
- d. Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.
- e. Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and

- f. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in an borrowing on such U.S. Government securities.

11. SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township of Franklin, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Township of Franklin or by a third party custodian prior to or upon the release of the Township of Franklin's funds.

X. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Officials referred to in Section IV hereof shall supply to the governing body of the Township of Franklin a written report of any Deposits of Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- a. The name of any institution holding funds of the Township of Franklin as a 2Deposit of a Permitted Investment.
- b. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- c. The class or type of securities purchased or Deposits made.
- d. The book value of such Deposits or Permitted Investment.
- e. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month..
- f. The fees incurred to undertake such Deposits or Permitted Investments.
- g. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- h. All other information which may be deemed reasonable from time to time by the governing body of the Township of Franklin.

XI. TOWNSHIP AUDITOR

The Township Investment practices (including compliance with N.J.S.A. 40A:5-14) and the agreement for banking services and compensation thereof shall be reviewed by the Township Auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a

conflict exists between this Cash Management Plan and State Statute, the applicable State Statute shall apply.

XII. SURETY BONDS

- a. The Chief Financial Officer and Treasurer shall be covered by surety bonds. During the annual audit, the Township Auditor shall examine said bonds to determine that proper coverage has been obtained.
- b. Staff members of the Chief Financial officer's office other than the Treasurer (See a above) shall be covered by a public employee's faithful performances bond in the minimum amount of \$10,000.

XIII. TERM OF PLAN

This Plan shall be in effect from January 1, 2007 to December 31, 2007. Attached to this Plan is a resolution of the governing body of the Township of Franklin approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Resolution #07-005 Appoint Donna Vieiro as the Public Agency Compliance Officer for Affirmative Action

WHEREAS, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, N.J.A.C. 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that Donna Vieiro, Assistant Township Manager be appointed as the Public Agency Compliance Officer for a one-year term ending December 31, 2007.

Resolution #07-006 Endorsing the U.S. Mayors Climate Protection Agreement

WHEREAS, the U.S. Conference of Mayors has previously adopted strong policy resolutions calling for cities, communities and the federal government to take actions to reduce global warming pollution; and

WHEREAS, the Inter-Governmental Panel on Climate Change (IPCC), the international community's most respected assemblage of scientists, has found that climate disruption is a reality and that human activities are largely responsible for increasing concentrations of global warming pollution; and

WHEREAS, recent, well-documented impacts of climate disruption include average global sea level increases of four to eight inches during the 20th century; a 40 percent decline in Arctic sea-ice thickness; and nine of the ten hottest years on record occurring in the past decade; and

WHEREAS, climate disruption of the magnitude now predicted by the scientific community will cause extremely costly disruption of human and natural systems throughout the world including: increased risk of floods or droughts; sea-level rises that interact with

coastal storms to erode beaches, inundate land, and damage structures; more frequent and extreme heat waves; more frequent and greater concentrations of smog; and

WHEREAS, on February 16, 2005, the Kyoto Protocol, an international agreement to address climate disruption, went into effect in the 141 countries that have ratified it to date; 38 of those countries are not legally required to reduce greenhouse gas emissions on average 5.2 percent below 1990 levels by 2012; and

WHEREAS, the United States of America, with less than five percent of the world's population, is responsible for producing approximately 25 percent of the world's global warming pollutants; and

WHEREAS, the Kyoto Protocol emissions reduction target for the U.S. would have been 7 percent below 1990 levels by 2012; and

WHEREAS, many leading US companies that have adopted greenhouse gas reduction programs to demonstrate corporate social responsibility have also publicly expressed preference for the US to adopt precise and mandatory emissions targets and timetables as a means by which to remain competitive in the international marketplace, to mitigate financial risk and to promote sound investment decisions; and

WHEREAS, state and local governments throughout the United States are adopting emission reduction targets and programs and that this leadership is bipartisan, coming from Republican and Democratic governors and mayors alike; and

WHEREAS, many cities throughout the nation, both large and small, are reducing global warming pollutants through programs that provide economic and quality of life benefits such as reduced energy bills, green space preservation, air quality improvements, reduced traffic congestion, improved transportation choices, and economic development and job creation through energy conservation and new energy technologies; and

WHEREAS, mayors from around the nation have signed the U.S. Mayors Climate Protection Agreement which, as amended at the 73rd Annual U.S. Conference of Mayors meetings, reads:

The U.S. Mayors Climate Protection Agreement

We urge the federal government and state governments to enact policies and programs to meet or beat the target of reducing global warming pollution levels to 7 percent below 1990 levels by 2012, including efforts to: reduce the United States' dependence on fossil fuels and accelerate the development of clean, economical energy resources and fuel-efficient technologies such as conservation, methane recovery for energy generation, waste to energy, wind and solar energy, fuel cells, efficient motor vehicles, and biofuels;

- A. We urge the U.S. Congress to pass bipartisan greenhouse gas reduction legislation that includes 1) clear timetables and emissions limits and 2) a flexible, market-based system of tradable allowances among emitting industries; and
- B. We will strive to meet or exceed Kyoto Protocol targets for reducing global warming pollution by taking actions in our own operations and communities such as:

Inventory global warming emissions in City operations and in the community, set reduction targets and create an action plan;

1. Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities;

2. Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit;
3. Increase the use of clean, alternative energy by, for example, investing in "green tags", advocating for the development of renewable energy resources, recovering landfill methane for energy production, and supporting the use of waste to energy technology;
4. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;
5. Purchase only Energy Star equipment and applicants for City use;
6. Practice and promote sustainable building practices using the U.S. Green Building Council's LEED program or a similar system;
7. Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of vehicles; launch an employee education program including anti-idling messages; convert diesel vehicles to bio-diesel;
8. Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production;
9. Increase recycling rates in City operations and in the community;
10. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO₂; and
11. Help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Franklin, County of Somerset, State of New Jersey hereby endorses the U.S. Mayors Climate Protection Agreement as amended by the 73rd annual U.S. Conference of Mayors meeting and urges mayors from around the nation to join this effort.

BE IT FURTHER RESOLVED, the Mayor and Council of the Township of Franklin, County of Somerset, State of New Jersey will work in conjunction with the U.S. Conference of Mayors and ICLEI Local Governments for Sustainability and other appropriate organizations to track progress and implementation of the U.S. Mayors Climate Protection Agreement as amended by the 73rd annual U.S. Conference of Mayors meeting.

PUBLIC DISCUSSION

Upon motion by Mr. McKenzie, seconded by Mr. Prasad, the meeting was opened for public discussion. Said motion carried unanimously upon call of the roll.

Robert Mettler, 2303 Amwell Road, thanked the Mayor for his reappointment to the Planning Board. He provided a history of the Open Space Advisory Committee being a bi-partisan committee and noted that over the last couple of years the balance of parties has shifted to one side and he expressed his hope in the future that Council would look for some qualified republicans to serve on the committee.

Tom Gale, Historic Preservation Commission, thanked Council for his reappointment. He asked about the appointments to the Open Space Advisory Committee from other boards. Mayor Levine replied that these appointments are made by recommendations from the respective boards.

Shirley Pietrucha, 49 9th Street, recognized that there is a large number of citizens that are undeclared and asked why there weren't any non-affiliated citizens on the Municipal Ethics Board. Mr. Rainone replied that there can not be more than three citizens of one political party on the board at one time.

Upon motion by Mr. McKenzie, seconded by Deputy Mayor Ritchie to close the public discussion. Said motion carried unanimously upon call of the roll.

ADJOURNMENT

Motion was made by Mr. Prasad and seconded by Mr. Sumter to adjourn to the Reorganization Meeting at 10:50 p.m. Motion was carried unanimously.

Brian D. Levine, Mayor

Ann Marie McCarthy, Township Clerk

Approved: As Amended.

Dated: April 10, 2007