

The Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by the Mayor at 7:14 p.m.

Mayor Levine called the Work Session/Regular 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 Work Session/Regular 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 Work Session/Regular Meeting would take place at the Municipal Complex at 7:00 p.m. on October 9, 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 Mr. Mettler led the Invocation.

The Township Clerk called the roll.

Present: Ms. Danile, Ms. Eberle, Ms. Francois, Mr. Glicklich, Mayor Levine, Mr. Mettler, Mr. Sumter, Deputy Mayor Vassanella

Absent: Mr. Prasad

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

### **PROCLAMATIONS**

Ms. Eberle read the following proclamation:

#### **Breast Cancer Awareness Month**

**WHEREAS, October is National Breast Cancer Awareness Month.** Since the program began in 1985, mammography rates have more than doubled for women age 50 and older and breast cancer deaths have declined; and

**WHEREAS,** National Breast Cancer Month remains dedicated to increasing public knowledge about the importance of early detection of breast cancer, diagnosis and treatment; and

**WHEREAS,** many women still do not utilize mammography at regular intervals even though research indicates it is the best available method of detection; and

**WHEREAS,** the awareness campaign is sending out several key messages, most notably, the importance of early detection through annual mammography screening for women over 40; and

**WHEREAS,** the National Cancer Institute estimates in the United States, more than 180,000 new cases of breast cancer will be diagnosed this year and over 42,000 people will die; and

**WHEREAS,** taking advantage of early detection methods such as mammography and clinical breast exams could help the breast cancer death rate drop by approximately 30%; and

**WHEREAS,** the American Cancer Society has searched endlessly for a cure through vital research, and has the mammoth task of educating our community and all Americans of the risks of breast cancer. Its many volunteers offer support in the form of support groups, accommodations and transportation assistance, medical equipment and more.

**NOW, THEREFORE, I, BRIAN D. LEVINE, MAYOR** of the Township of Franklin in the County of Somerset, State of New Jersey, on behalf of the Township Council do hereby recognize **October 2007 as Breast Cancer Awareness Month** and urge all women and their families to get the facts about breast cancer and join us to celebrate successes and memorialize lost battles.

Ms. Danile read the following proclamations:

*National Arts & Humanities Month*

*WHEREAS*, the arts and humanities enhance and enrich the lives of all Americans; and

*WHEREAS*, the arts and humanities affect every aspect of life in America today including the economy, social problem solving, job creation, education, creativity, and community livability; and

*WHEREAS*, cities and states – through their local and state arts agencies and representing thousands of cultural organizations – have celebrated the value and importance of culture in the lives of Americans and the health of thriving communities during *National Arts and Humanities Month* for several years; and

*WHEREAS*, The United States Conference of Mayors has actively participated in *National Arts and Humanities Month* since 1984; and

*WHEREAS*, The United States Conference of Mayors' national arts partner, Americans for the Arts, will again this year coordinate a national awareness campaign of activities for *National Arts and Humanities Month*; and

*WHEREAS*, the nation's 40,000 cultural organizations, the National Endowment for the Arts, the National Endowment for the Humanities, the nation's 4,000 local arts agencies, the arts and humanities councils of the 50 states and U.S. jurisdictions, and the President of the United States have participated in the past and will be asked to participate again this year in this national celebration; and

*WHEREAS*, the month of October 2007 has been designated as *National Arts and Humanities Month*; and

**NOW, THEREFORE, BE IT RESOLVED THAT I, BRIAN D. LEVINE, MAYOR** of the Township of Franklin, Somerset County, New Jersey on behalf of the Township Council, do hereby proclaim OCTOBER 2007 as "*National Arts and Humanities Month*" in the Township of Franklin and commend this observance to all our citizens.

*Community Options Disability Awareness Week*

*WHEREAS*, the week of October 22 – 26, 2007 has been declared as Community Options Disability Awareness Week to celebrate and recognize people with disabilities; and

*WHEREAS*, more than one million people with disabilities have entered the labor force since the passage of the Americans with Disabilities Act in 1990; and

*WHEREAS*, new generations of young people with disabilities are growing up in Somerset, New Jersey, and are graduating from high school, going to college and preparing to participate in the workplace; and

*WHEREAS*, Community Options Disability Awareness Week provides an opportunity for students and job seekers with all types of disabilities to gain insight into career options by spending part of their day in the workplace "shadowing" an employee as he or she goes through a normal day on the job; and

**WHEREAS**, the goals of Community Options properly include giving individuals with disabilities the opportunities and support to make informed choices and decisions; live in homes and communities where such individuals can exercise their full rights and responsibilities as citizens; pursue meaningful and productive lives; contribute to their family, community, state and nation; have interdependent friendships and relations with others; and achieve full inclusion in society.

**NOW, THEREFORE, I, BRIAN D. LEVINE, MAYOR** of the Township of Franklin, Somerset County, New Jersey, on behalf of the Township Council do hereby proclaim the week of October 22 – 26, 2007 Community Options Disability Awareness Week.

**Motion** – Amend Agenda Format

A motion was made by Mr. Glicklich to amend the agenda format to place the Mayor's and the Deputy Mayor's Reports before Public Discussion. Said motion was seconded by Ms. Francois and carried unanimously upon call of the roll.

**MAYOR'S REPORT**

Mayor Levine presented the following report:

- Welcomed all those attending the meeting as well as the TV viewers.
- Explained how the meeting works for members of the audience and TV viewers.
- Reminded that most Council meetings are public. Council meetings are generally the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of the month. In December, only meet on the 2<sup>nd</sup> Tuesday. The public is invited and encouraged to attend. One can see listings on FTTV-25 and the Township website. In regards to the website, one can sign up for updates of meetings, minutes, etc. One can view the agenda with ordinances and resolutions pending. If one would like to volunteer, he encouraged all to call or write any Council member.
- Congratulated the Sisters Network, an organization for African American women fighting cancer, especially breast cancer, for their successful walk on Saturday, October 5<sup>th</sup> from the Municipal Complex. In attendance were, Mayor Levine, Councilwoman Francois and Assemblyman Chivukula.
- Announced the Somerset Fire Company Open House on Hollywood Avenue on Saturday, October 13<sup>th</sup> from 11:00 a.m. to 4:00 p.m.

**DEPUTY MAYOR'S REPORT**

Deputy Mayor Vassanella referred a speech made by President Bush at the National Firefighter's Memorial. In his speech, President Bush mentioned Kevin A. Apuzzio, of the East Franklin Volunteer Fire Department by name; recounted his story and wondered, "Where do people like this get their courage?"

Deputy Mayor Vassanella reported that guidelines are being worked on between the Township Council, Open Space Advisory Committee, Trails Advisory Committee and the public regarding trails. He reported that further discussion in detail would occur during the Discussion Item portion of the meeting.

Deputy Mayor Vassanella read the following proposed guidelines:

1. Whenever work will be performed within (to be determined distance) of bordering property line, that property owner will be notified by certified mail and regular mail no less than ten (10) business days prior to the start of work.

2. The Council shall appoint a Council Liaison to the Open Space Advisory Committee and to the Trails Advisory Committee in the same manner as Council appoints other Council Liaisons.
3. No formal trails or paths will be constructed within (to be determined distance) of any bordering property line.
4. (Time to be determined): The Open Space Advisory Committee and the Trails Advisory Committee will submit a written report outlining the specific work and related cost of work they would like to be performed to Council and the Technical Review Committee. Council would then approve or disapprove the request. If the specific work or costs approve by Council changes for any reason, another request explaining any changes must be submitted to Council and the Technical Review Committee for approval by Council before changes can be implemented.

### PUBLIC DISCUSSION

Mr. Sumter moved to open the meeting for public discussion. Said motion was seconded by Mr. Mettler and carried unanimously upon voice vote.

Lisa Aumack, 2037 Amwell Road, spoke of her disfavor of the September 18<sup>th</sup> Open Space Advisory Committee meeting when the Open Space Advisory Committee voted not to allow equestrian use on the Memorial Forest site. She spoke of the confusion of guns being allowed in the Memorial Forest. She stated that hunting of any kind has never been allowed in Memorial Forest. She expressed her disappointment of John Loos, Open Space Consultant. She spoke of the filling in of wetlands and trail signs attached to trees, which damage the trees. She requested Council look into the trails matter. She asked what was the Township's trail policy. She provided a petition that stated, "We the undersigned are Franklin Township residents who live along or near the abandoned Galdi railroad bed. There has been on-going construction of a pathway in this right-of-way. The Township has done little to publicize this work nor have our valid concerns been addressed. By this petition, we request that the Township Council cease all work and promise no further development of this "open space". She also provided photographs of the trail signs on the trees as well as the pathway. She also provided a copy of a hunting application.

Bill O'Donnell, 1983 Amwell Road, expressed his concerns regarding the proposal trails at the railroad bed on Elizabeth Avenue.

Jennifer Benning, 1995 Amwell Road, provided a copy of the audio recording of the June 13 Trails Advisory Committee hearing on the trails. She expressed her disappointment of John Loos and John Clyde who did not do what they stated they would do. She reviewed the timeline of events regarding these trails that border numerous people's backyards. She stated that the only signs allowed on trees are those provided by the Fish and Game Commission. She stated that she has concerns with the Trails Advisory Committee and stated more consideration should have been given to residents whose backyards border the area.

Justin Marcketta, Franklin First Aid Squad, thanked the Council for their consideration of purchasing a new vehicle in the budget and noted he looks forward to working with the Township.

Carole Francis, 82 Smith Road, stated the proposed trail would infringe on her backyard privacy. She thanked the Mayor and Council members who took the time to walk the trail. She addressed the incident as stated by Open Space Advisory Committee Chair Randy Jones and stated that no one was hostile and reached out to meet with Mr. Jones.

Scott Slobodzian, 94 Smith Road, addressed the incident with Open Space Advisory Committee Chair Randy Jones and expressed his concern and apologies that his actions were

perceived as intimidating. He stated that he and his neighbors were only interested in discovering who was walking behind their homes and wished to speak with him regarding the trail. He further expressed concern over the proximity of the trail to private homes and thanked Mr. John Clyde for speaking with him at an Open Space Advisory meeting, stating that he had a fair and open approach to the matter.

Eileen Florida, 72 Smith Road, expressed her opposition to trails being located at the railroad bed, citing privacy and safety issues.

Frank McLaughlin, 9 Leiv Eirikson Avenue, stated that his experiences with Open Space Trails behind his home have been positive and neither he nor his neighbors have had any problems regarding an increase in crime around their homes. He further expressed support for the Open Space and Trails Committees in the Township and stated that he was concerned that a culture of fear would restrict future Open Space and Trail development. He also stated that State funding for Open Space has run out and he believes that the State may no longer provide funding unless proposed Open Space projects include heavy access by the public.

Louise LeGoff, 27 Bedford Road, spoke about the criminal activities of John Lynch and the connection Jack Morris has with him. She claimed to be totally non-partisan and encouraged the Council to cut ties to Jack Morris on the grounds of morality. She further pointed out through newspaper articles, that Mayor Gallagher of Somerville had his records seized by the FBI for dealings with Jack Morris. She proceeded to supply the Manager with further articles substantiating illegal activities conducted by Jack Morris.

Thorton Long, 18 Lexington Road, spoke in favor of the trail behind Smith Road. He recognized the legitimate concerns of the people who live along the trail but stated that it was the right of the public to use the land and without a trail it would be difficult to impossible to do. He further stated that trails help to unite a community and make it nicer to live in.

Lynne O'Carroll, 91 Smith Road, stated that she supports the Pathways and Trail Plan along Smith Road. She claimed that she used to ride a bicycle all the time along the roads but current traffic makes that dangerous. She stated that it was her hope that the trail would eventually be connected to the Delaware-Raritan Park to provide a safe, off-road path to the park. She addressed the safety concerns regarding the path pointing out the path would be regulated and would help stop illegal uses such as the riding of All Terrain Vehicles (ATVs). She further recommended that people look at the Rails to Trails website.

Michael Rose, 68 Winchester Way, expressed his support of the Smith Road Trail, reiterating statements made by Mr. McLaughlin, Mr. Long and Ms. O'Carroll.

Tom Wyckoff, 1975 Old Amwell Road, in regards to the railroad bed trail, stated that he doesn't want people behind his house.

Chris Williams, 70 Magnolia Road, in regards to the railroad bed trail, stated that crime occurs all the time to all residents and that it is not limited to people with trails behind their homes. He stated that he was in support of John Loos and his work for endangered species.

Tom Squindo, 76 Smith Road, stated that the residents of Smith Road are arguing against the proximity of the trail to their homes and not against Open Space in general. He further stated that he has a right to his privacy and that would be taken away by the proposed trail as it runs no more than twenty feet from his property.

Matthew Zavatsky, 1935 Old Amwell Road, claimed that the railroad bed path would be the equivalent of putting a sidewalk behind his house. With no lights and limited police accessibility he cited safety concerns. He further stated that he is against where the trail is projected to cross Amwell Road, at a point commonly referred to as "Crash Curve", stating that it is unsafe due to traffic.

Phillip Kramer, 429 Canal Road, stated that he supports Open Space Trails. He further claimed that he walked the proposed path and that it was literally in people's back yards and was against the proximity of the path to private homes. He stated that open space must be subject to the same regulations as private developers. He further stated that the traffic light where the trail is supposed to cross Amwell Road is too dangerous and that the public should have a say in how Open Space funds are spent by the Township.

Pat Colligan, Franklin Township Police Department and State Delegate to the Policeman's Benevolent Association (PBA), spoke before the Council regarding a department matter, stating that Council had asked the question of why the PBA can't regulate its own sports games using off-duty police officers. He stated that there are two problems with using off-duty police officers. First, if an off-duty police officer is injured that officer can't go to work the next day as they would not be fit for duty. Second, due to the Security Officer's Registration Act, an off-duty police officer can't act as security on his own and has to be registered with the New Jersey State Police. No police officer in New Jersey can work off-duty in the capacity as a police officer. All work has to be regulated through the town. Officer Colligan further explained what the PBA does in terms of fundraising and generally assisting the town.

Dominic Abottella, 73 Old Georgetown Road, spoke as a member of the Trails Advisory Committee. He expressed his displeasure at the verbal attacks laid against the members of the committee. He explained that working on the committees is volunteer work and that a lot of work went into the proposed trial plan.

George Everett, 2027 Amwell Road, spoke as a business owner and a resident whose property is affected by the proposed trail. He spoke of an instance where three people were walking along the path and was surprised to see them there. He claimed that the three people started to laugh at his surprise. He stated that the proposed path is disrespectful to the residents who live along it.

Donald Bell, 63 Smith Road, stated that the proposed trail along Smith Road did not directly affect him. However, he spoke against it in support of his friends and neighbors who would be affected.

Jean Gierlich, 42 Como Drive, stated that she was in support of open space in general but was against this railroad bed trail. She further asked for an examination of the management of Open Space Funds, claiming that there is a lack of oversight, communication, planning and public relations consideration.

Ms. Francois moved to close the meeting for public discussion. Said motion was seconded by Ms. Danile and carried unanimously upon voice vote.

### **COUNCIL COMMENTS**

Motion was made by Deputy Mayor Vassanella to forego the Council Comments and move directly to the Trails Discussion Item. Said motion was seconded by Ms. Francois and carried unanimously upon voice vote.

### **DISCUSSION ITEM**

#### **Trails**

Mayor Levine pointed out that the purpose of this discussion of the Galdi Railroad Bed proposed trail was only to assess the situation and to fix the problems. Deputy Mayor Vassanella pointed out that the problem seems to largely be one of miscommunication. At this point the Mayor introduced Randy Jones, Chairman of the Open Space Advisory Committee, John Loos, the Open Space Consultant and John Clyde, Chairman of the Trails Advisory Committee.

John Clyde made a short presentation to the Council. He started by thanking Don Bell for his assistance and advice over the course of twenty years. He also responded to Mr. Everett's comments that three people were laughing at him for being startled at seeing people on the trail. Mr. Clyde clarified that he and his associates were not on the trail but were walking in a wooded section of the Toto-Gierlich Farm. He explained that they were not laughing at him but were laughing at their own conversation with two people on horses.

Mr. Clyde explained that the Trail Plan is a work in progress and stated that another meeting would be held the following night, October 10, 2007, in the Council Chambers. He commented on the four proposals laid out by Deputy Mayor Vassanella and said that in principle they were good suggestions.

Mr. Clyde pointed out that it was incorrect that the Trail Plan proposed a mid-block crossing on "Crash Curve". He clarified that the trail instead runs up to Van Cleef Road, crosses that road and then comes back using an existing bike path. He addressed concerns regarding emergency services and pointed out that such problems will exist any time access to a site is not directly on a road. He pointed out that the proposed trails are relatively small in comparison to others in the Township and State.

Mr. Clyde expressed that, as Chair of the Committee, he was not pleased with the extent of the work done on the access path. He also pointed out that he was pleased with the years of service performed by the Open Space Committee, including John Loos and Randy Jones.

Mr. Clyde pointed out that the purpose of the proposed trail was to provide connections to other sites and provide an alternative to using Amwell Road and other roadways to reach other park locations.

Mr. Clyde stated that because of a meeting held in June the Trails Advisory Committee agreed to take a look at the proposed trail site. However, when they got there they discovered that the trail was difficult to traverse due to the overabundance of plant growth. At the end of that meeting John Loos stated that there would be some clearing along the trail. The purpose of this work was for the sole purpose of clearing a path so committee members could access the property. He reiterated that he was not happy with the extent of the work performed, particularly on the Smith Road side.

Mr. Clyde pointed out that at the October 10<sup>th</sup> meeting a sub-group of the Open Space Committee that had walked the proposed path would be making a presentation. At that presentation the path would be addressed in two parts. The first part would be concerned with the connection between Amwell Road and Elizabeth Avenue. The second part would deal with the part that runs along Smith Road.

Mr. Clyde stated that the Amwell Road to Elizabeth Avenue trail begins north of the rail bed and not on the actual rail bed. He pointed out that the path itself is only a proposed access path at this point. He further explained the course of the proposed path, citing that residents would be limited in their exposure. He further stated that the Open Space Committee is willing to work with any residents that would be affected by the trail by offering a buffer between their properties and the path.

Mr. Clyde stated that the Smith Road trail was different than the Amwell Road to Elizabeth Avenue trail. He explained that the Open Space Committee thought about moving the trail to the south to keep it as close to the Galdi Farm as possible. He stated that with buffering a footpath might be appropriate for that area. He further stated that the amount of clearing on the rail bed has made this plan difficult as too much vegetation has been cleared. He explained that hikers would not be comfortable with hiking so close to private homes either. He stated that the sub-committee would not recommend the Smith Road trail without far more buffering than what is there now.

Mr. Jones pointed out that at the June 13<sup>th</sup> meeting of the Open Space Advisory Board, John Loos stated that they would clear an access way for the examination of the Galdi Railroad Bed site. He stated that after his own examination of the site he firmly believed that the majority of the Trails Committee would agree that the trial was not comfortable and would not recommend proceeding without changes.

Mr. Jones further pointed out that New Jersey is one of the most densely populated areas in the world and it is going to be impossible to get a trail completely away from someone's property. He stated that the Trails Advisory Committee does a good job but can't please everyone. He also pointed out that the Committee doesn't need regulation but conceded that it does need better communication.

Mr. Jones gave an example of an incident where a car that had been making an illegal left hand turn struck two pedestrians. He pointed out that it was the responsibility of the Trails Advisory Committee to take these kinds of residents, who wouldn't be attending a meeting, into consideration. He stated that there are locations in the Township where sidewalks are not available.

Mr. Jones gave his support of John Loos and pointed out Mr. Loos was implementing the policies of the Open Space Committee. Said policies have been used at least three times before. He pointed out that Council accepted a grant specifically for the consideration of a trail along the Galdi Railroad Bed. As Chairman of the Open Space Committee he accepted full responsibility for recommending said grant.

There was a brief question and answer period by Council regarding the aforesaid presentation. Deputy Mayor Vassanella recommended the use of volunteer labor to perform any work along the proposed trail. Council recommended the use of certified mail with return receipts as a way to inform the public of intended work on open space property that will affect nearby residents.

Ms. Francois made a motion to wait upon the receipt of the Trails Advisory Report before Council makes a decision regarding the proposed trail along the Galdi Railroad bed. Said motion was seconded by Mr. Glicklich and was carried unanimously upon voice vote.

#### **APPROVAL OF MINUTES**

Mayor Levine presented the meeting minutes of August 14, 2007, as amended and September 18, 2007. Mr. Glicklich moved the approval of the meeting minutes of August 14, 2007, as amended and September 18, 2007. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

	<u>August 14, 1007, as amended</u>	<u>September 18, 2007</u>
Danile	Aye	Abstain
Eberle	Aye	Aye
Francois	Aye	Aye
Glicklich	Aye	Aye
Levine	Aye	Aye
Mettler	Abstain	Aye
Prasad	Absent	Absent
Sumter	Aye	Aye
Vassanella	Aye	Aye

#### **APPROVAL OF WARRANTS**

Mayor Levine presented the following warrants in the amount of \$2,045,603.63 for October 9, 2007 to the Township Council for payment:

1	Current	1,277,957.89
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5	Water Operating	566,266.96
6	Water Capital	30,755.00
4	General Capital	4,711.05
15	Trust Others	922.00
11	Recreation Trust	422.00
40	Open Space Trust	92,185.48
2	Grant	15,482.85
3	Collector Trust	13,075.13
17	Animal Control	187.80
50	County Imp Auth Fund	6,450.00
30	Payroll Agency	37,187.47
	Subtotal	2,045,603.63
25	Escrow Account	0.00
	Grand Total	2,045,603.63

Ms. Danile moved that warrants in the amount of \$2,045,603.63 for October 9, 2007 to be paid. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

#### ORDINANCES – PUBLIC HEARING & FURTHER CONSIDERATION

##### Ordinance No. 3710, As Amended

Mayor Levine presented the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 5, ADMINISTRATION OF GOVERNMENT, ARTICLE II EXECUTIVE AND LEGISLATIVE, SECTION 5-4, MEETINGS OF TOWNSHIP COUNCIL, SUBSECTION B – AGENDA.**

Mayor Levine stated that this ordinance is called up for second reading and final passage. He stated that the Township Attorney has approved the Affidavit of Publication and a public hearing is in order.

Ms. Danile moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

Mayor Levine stated that the meeting is open for public discussion on this ordinance. He stated that anyone interested in speaking to raise their hand and when recognized, state your name and address.

There being no public discussion, Mr. Sumter moved to close the public hearing on the ordinance. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

Ordinance No. 3711

Mayor Levine presented the following ordinance:

**AN ORDINANCE AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 50, POLICE DEPARTMENT, SECTION 50-10, ELIGIBILITY FOR PROMOTION.**

Mayor Levine stated that this ordinance is called up for second reading and final passage. He stated that the Township Attorney has approved the Affidavit of Publication and a public hearing is in order.

Deputy Mayor Vassanella moved to amend the ordinance as follows:

- (2) Lieutenant: a minimum of two years of service at the rank of Sergeant and a minimum of an Associate's Degree from an accredited college or university/ or 60 college credits towards a bachelor's degree.

Said motion was seconded by Mr. Glicklich and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

Mr. Glicklich moved to amend the ordinance and directed the Township Clerk to advertise as required by law as follows:

**CHAPTER 50 – POLICE DEPARTMENT**

§ 50-10. Eligibility for promotion.

- A. A list of eligible candidates for promotion to an available position shall be compiled by the Township Manager (hereinafter “Manager”) or his designee and shall be posted in a conspicuous location in the Department no less than six weeks in advance of the promotional examination. The Manager shall also advise candidates of recommended study materials relevant to the promotional examinations.
- B. Eligibility criteria shall be as follows:
- (1) Sergeant: a minimum of five years of service as a regular Franklin Township patrol officer.
  - (2) Lieutenant: a minimum of two years of service at the rank of Sergeant.
  - (3) Captain: a minimum of two years of service at the rank of Lieutenant.
  - (4) Deputy Chief of Police: a minimum of one year of service at the rank of Captain. A Lieutenant shall also be eligible if he/she served a total of four years at the rank of Lieutenant.
  - (5) Chief of Police: a minimum of one year of service at the rank of Deputy Chief of Police or two years of service at the rank of Captain. A Lieutenant shall also be eligible if he/she served a total of six years at the rank of Lieutenant.

***Eligibility criteria shall be as follows effective January 1, 2010:***

- (1) Sergeant: a minimum of five years of service as a regular Franklin Township patrol officer.
  - (2) Lieutenant: a minimum of two years of service at the rank of Sergeant and a minimum of an Associate's Degree from an accredited college or university/ or 60 college credits towards a bachelor's degree.
  - (3) Captain: a minimum of two years of service at the rank of Lieutenant and a minimum of a Bachelor's Degree from an accredited college or university.
  - (4) Deputy Chief of Police: a minimum of one year of service at the rank of Captain. A Lieutenant shall also be eligible if he/she served a total of four years at the rank of Lieutenant. Additionally required is a minimum of a Master's Degree from an accredited college or university.
  - (5) Chief of Police: a minimum of one year of service at the rank of Deputy Chief of Police or two years of service at the rank of Captain. A Lieutenant shall also be eligible if he/she served a total of six years at the rank of Lieutenant. Additionally required is a minimum of a Master's Degree from an accredited college or university.
- C. Written examination results shall be accepted for a period of one year. After one year from the availability of said results, same shall not be acceptable for promotion process except at the discretion of the Township Manager.

Said motion was seconded by Mr. Mettler and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

Ordinance No. 3717

Mayor Levine presented the following ordinance:

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226 - VEHICLES AND TRAFFIC, SECTION 226-20 – STOP INTERSECTIONS (CEDAR BROOK DRIVE AND ROLLING ROAD AREA)**

Mayor Levine stated that this ordinance is called up for second reading and final passage. He stated that the Township Attorney has approved the Affidavit of Publication and a public hearing is in order.

Ms. Francois moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

Mayor Levine stated that the meeting is open for public discussion on this ordinance. He stated that anyone interested in speaking to raise their hand and when recognized, state your name and address.

There being no public discussion, Mr. Sumter moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Mettler and carried unanimously upon call of the roll.

Mr. Glicklich moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Mr. Mettler and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

**Ordinance No. 3719**

Mayor Levine presented the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 333, STREETS AND SIDEWALKS, ARTICLE 1, STREET OPENINGS.**

Mayor Levine stated that this ordinance is called up for second reading and final passage. He stated that the Township Attorney has approved the Affidavit of Publication and a public hearing is in order.

Ms. Danile moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

Mayor Levine stated that the meeting is open for public discussion on this ordinance. He stated that anyone interested in speaking to raise their hand and when recognized, state your name and address.

Rayann Raya, Wilson Road, asked for clarification of the ordinance as it would pertain to her sewer hook-up. Mr. Rainone stated that the ordinance applies to street openings only.

Phillip Kramer, 429 Canal Road, asked for clarification of the elimination of fees. It was clarified as follows: The ordinance eliminates the inspection escrow and includes it in the permit fee. This would eliminate the \$150.00 deposit required for each application. The proposed permit fee will be based on the square feet of road opening and no portion of the fee will be returned.

Jennifer Benning, Amwell Road, asked how the ordinance applies to her fixing her sump pump connection. Mr. Rainone replied it would apply only if she caused the opening of a street.

There being no further public discussion, Ms. Danile moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Mettler and carried unanimously upon call of the roll.

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Francois and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

**ORDINANCES – INTRODUCTION**

**Ordinance No. 3723**

Mayor Levine announced that the following ordinance was removed from the agenda:

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

Mayor Levine stated that the foregoing ordinance is presented to the Township Council for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on November 8, 2007 at 7:00 p.m. in the Municipal Complex.

Mr. Glicklich moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on November 8, 2007 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

**CONSENT AGENDA ITEMS**

Upon motion by Ms. Danile, seconded by Ms. Francois, the following consent agenda items 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			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

**Resolution #07-499** Authorize Release of Planning/Building Escrows.

**WHEREAS**, the Township of Franklin, Somerset County has received escrow monies for purposes of professional fees incurred for review of and/or testimony concerning an application for development in accordance with Section 112-214 of the Code of the Township of Franklin; and

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

APPLICANT:	Roy Taetsch	
ADDRESS:	118 Bunkerhill Road Princeton, NJ 08540	
DOCKET NO.	PLN2005-0057	
BLOCK/LOT:	20.02/19	
LOCATION:	118 Bunkerhill Road	
TYPE:	Plan Review	
AMOUNT DEPOSITED:	\$887.50 (Heyer)	\$2,112.50 (In-Hse)
AMOUNT CHARGED:	<u>887.50</u>	<u>914.80</u>
AMOUNT TO BE REFUNDED:	\$ 0.00	\$1,197.70

APPLICANT: Thomas Patron

ADDRESS: 116 Old Forge Road  
 Monroe, NJ 08831

DOCKET NO. PLN2005-0065

BLOCK/LOT: 194/41-46

LOCATION: 119 Green Street

TYPE: Plan Review

AMOUNT DEPOSITED: \$1,082.50 (Heyer) \$1,967.50 (In-Hse)

AMOUNT CHARGED: 1,082.50 613.82

AMOUNT TO BE REFUNDED: \$ 0.00 \$1,353.68

APPLICANT: Leslie Graham

ADDRESS: P.O. Box 822  
 Plainfield, NJ 07061

DOCKET NO. PLN2002-0084

BLOCK/LOT: 193/18-24

LOCATION: 69 Highland Avenue

TYPE: Plan Review

AMOUNT DEPOSITED: \$300.00 (Ritchie) \$1,700.00 (In-Hse)

AMOUNT CHARGED: 300.00 360.00

AMOUNT TO BE REFUNDED: \$ 0.00 \$1,340.00

APPLICANT: Michael Dalton, William & Susan Belfiore

ADDRESS: 180 Old Georgetown Road  
 Princeton, NJ 08540

DOCKET NO. PLN2001-0031

BLOCK/LOT: 9/50

LOCATION: Old Georgetown Road

TYPE: Plan Review

AMOUNT DEPOSITED: \$2,000.00 (In-Hse)

AMOUNT CHARGED: 587.50

AMOUNT TO BE REFUNDED: \$1,412.50

APPLICANT: A&L Holding

ADDRESS: 4 Dickinson Road  
 Kendall Park, NJ 08824

DOCKET NO. PLN-06-00018

BLOCK/LOT: 558/20.01

LOCATION: 431 Equator Avenue

TYPE: Plan Review

AMOUNT DEPOSITED: \$87.50 (Attny) \$562.50 (Heyer) \$1,350.00 (In-Hse)

AMOUNT CHARGED: 87.50 562.50 264.17

AMOUNT TO BE REFUNDED: \$ 0.00 \$ 0.00 \$1,085.83

**Resolution #07-500** Authorize Tax Title Lien Redemption – Outside Buyer.

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the amounts covering the certificates of sale, together will 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:

**Date of Sale:** 6/8/07  
**Block/Lot:** 249/38  
**Name & Address:** Deutsche Bank 26 Rodney Ave, Somerset  
**Amount:** 8,016.42  
**Make Check Payable To:** Elliot Loeb-Keogh Plan  
**Certificate No.:** 070144  
**Payment Received:** 9/20/07

**Date of Sale:** 6/8/07  
**Block/Lot:** 151/14  
**Name & Address:** Ukaegbu,Comfort 653 Somerset St.,Somerset  
**Amount:** 318.81  
**Make Check Payable To:** Daxuan Wang  
**Certificate No.:** 070094  
**Payment Received:** 9/26/07

**Date of Sale:** 6/8/07  
**Block/Lot:** 332/1  
**Name & Address:** Onyejiaka, C.&C.  
 26 Lexington Rd.,Somerset  
**Amount:** 1266.02  
**Make Check Payable To:** Plym Pk Tax Services LLC  
**Certificate No.:** 070174  
**Payment Received:** 9/28/07

**Date of Sale:** 6/8/07  
**Block/Lot:** 447/19  
**Name & Address:** McCall, Arthur  
 55 Willow Ave.,Somerset  
**Amount:** 571.95  
**Make Check Payable To:** James C. Older  
**Certificate No.:** 070244  
**Payment Received:** 9/28/07

**Date of Sale:** 6/8/07  
**Block/Lot:** 108/38  
**Name & Address:** 48 Berry St. Corp 48 Berry St. Somerset  
**Amount:** 843.79  
**Make Check Payable To:** JNH Funding Corp.  
**Certificate No.:** 070079  
**Payment Received:** 10/1/07

**Date of Sale:** 6/8/07  
**Block/Lot:** 85/56.03c0156  
**Name & Address:** Alburg,Raoul 156 Kingsberry Dr. Somerset  
**Amount:** 2058.14.  
**Make Check Payable To:** JNH Funding Corp.  
**Certificate No.:** 070065  
**Payment Received:** 10/1/07

**Resolution #07-501** Authorize Refund of 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.

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>QTR/YR</u>	<u>AMOUNT</u>
468.12/5.02	Township of Franklin	1/05	91,224.67
		4/05	70,732.90
469/1.03		4/05	36,496.72
		4/06	35,212.52
469/1.04		4/05	36,494.72
		4/06	35,212.52
		Tax Appeals	

**Resolution #07-502** Authorize Refund of Water Overpayments.

**WHEREAS**, there appears on the books of the Collector of Revenue, refunds due, resulting from Tax/Water 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.

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>QTR/YR</u>	<u>AMOUNT</u>
375/17	Drumm, Skip	1/07	77.22
	139 Drake Road	2/07	429.00
	Somerset, NJ 08873	New meter overbilled	

**Resolution #07-503** Authorize Release of Winter Bond – A.S. Builder, LLC – Block 386/Lot 71.01 – 53 Viking Avenue - \$500.00.

**WHEREAS**, the Township Clerk of the Township of Franklin, Somerset County, New Jersey 08873 has received the following:

ITEM:	Winter Bond
NAME OF APPLICANT:	A. S. Builder, LLC
ADDRESS OF APPLICANT:	387 Spring Street Union, NJ 07083-8269
NUMBER:	N/A
INSURANCE CO./BANK:	N/A
DOCKET:	N/A
IN THE AMOUNT OF:	\$500.00
FOR:	Block 286, Lot 71.01 – 53 Viking Avenue

**WHEREAS**, the aforesaid applicant has requested release of the aforesaid Performance Guarantee; and

**WHEREAS**, the Township Engineer, after inspection, recommended release of the aforesaid Performance Guarantee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee in the amount of \$500.00 be released to the above named applicant.

**Resolution #07-505** Authorize Reduction of Performance Guarantee – Corporate Development Enterprise – Block 502/Lots 1, 60-61 – Elizabeth Avenue – ZBA2005-0854 – From \$1,360,991.94 to \$530,786.86.

**WHEREAS**, the Township Clerk of the Township of Franklin, Somerset County, New Jersey 08873 has received the following:

ITEM:	Irrevocable Letter of Credit
NAME OF APPLICANT:	Corporate Development Enterprise
ADDRESS OF APPLICANT:	One International Blvd., Suite 400 Mahwah, NJ 07495
SITE PLAN DOCKET:	ZBA2005-0854
NUMBER:	#SM222646W
INSURANCE CO./BANK:	Wachovia Bank, National Association
IN THE AMOUNT OF:	\$1,360,991.94
FOR:	Site Improvements for Block 502/Lots 1, 60-61 Elizabeth Avenue

**WHEREAS**, the Township Engineer, after inspection, recommends reduction of the aforesaid Irrevocable Letter of Credit;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Irrevocable Letter of Credit #SM222646W from \$1,360,991.94 to \$530,786.86 to the above named applicant.

**Resolution #07-506** Authorize March of Dimes Grantee Agreement – Having a Health Baby – Grant Amount: \$2200.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize execution of a grant agreement with the March of Dimes – Having a Healthy Baby Education Program in the amount of \$2,200.00 and does authorize the appropriate Township officials to execute these grant agreements on its behalf.

**Resolution #07-507** Approve Issuance of Special Event Permit – Somerset Volunteer Fire & Rescue Company #1 – 5<sup>th</sup> Annual Open House – October 13, 2007 – 11:00 am to 4:00 pm – 14 Hollywood Avenue.

**WHEREAS**, a request has been received from the Somerset Volunteer Fire & Rescue Company #1 for permission to have an “Open House” celebration, on October 13, 2007, at the Somerset Volunteer Fire & Rescue Company #1 firehouse at 14 Hollywood Avenue, Somerset, New Jersey, from 11:00 am to 4:00 pm; and,

**WHEREAS**, the Somerset Volunteer Fire & Rescue Company #1 has requested that the Permit Fee of \$125.00 be waived since they represent a non-profit organization; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the Somerset Volunteer Fire & Rescue Company #1 for permission to have an “Open House” celebration on October 13, 2007 from 11:00 am to 4:00 pm, to be conducted at the firehouse, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Assistant Director of Health; and,

**BE IT FURTHER RESOLVED** that the permit fee of \$125.00 be waived since said organization is a non-profit organization.

**Resolution #07-508** Approve Issuance of Special Event Permit – Meadows Foundation “Living History Program” – Colonial Reenactment – October 13, 2007 (10:00 am to 5:00 pm) & October 14, 2007 (11:00 am to 4:00 pm) – Wyckoff-Garretson House & Grounds – 215 South Middlebush Road.

**WHEREAS**, a request has been received from the Meadows Foundation for permission to have a “Living History Program” on October 13, 2007, from 10:00 am to 5:00 pm, and on October 14, 2007 from 11:00 am – 4:00 pm at the Wyckoff-Garretson House and grounds at 215 South Middlebush Road, Somerset, New Jersey; and,

**WHEREAS**, the Meadows Foundation has requested that the Permit Fee of \$125.00 be waived since they represent a non-profit organization; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the Meadows Foundation to have a Colonial Reenactment – “Living History Program” on October 13, 2007 from 10:00 am to 5:00 pm, and on October 14, 2007 from 11:00 am – 4:00 pm, to be conducted at the Wyckoff-Garretson House and grounds, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Assistant Director of Health; and,

**BE IT FURTHER RESOLVED** that the permit fee of \$125.00 be waived since said organization is a non-profit organization.

**Resolution #07-509** Approve Issuance of Special Permit – Franklin Park Fire Company – Annual Fire Prevention “Open House” – October 20, 2007 – 11:00 am to 6:00 pm – 2 Claremont Road.

**WHEREAS**, a request has been received from the Franklin Park Fire Company for permission to have a Fire Prevention “Open House” celebration, on October 20, 2007, at the Franklin Park firehouse at 2 Claremont Road, Franklin Park, New Jersey, from 11:00 am to 6:00 pm; and,

**WHEREAS**, the Franklin Park Volunteer Company has requested that the Permit Fee of \$125.00 be waived since they represent a non-profit organization; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the Franklin Park Volunteer Fire Company for permission to have an “Open House” celebration on October 20, 2007 from 11:00 am to 6:00 pm, to be conducted at the firehouse, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Assistant Director of Health; and,

**BE IT FURTHER RESOLVED** that the permit fee of \$125.00 be waived since said organization is a non-profit organization.

**Resolution #07-510** Authorize Discharge of Mortgage & Affordable Housing Agreement – Block 20.10, Lott 11.02.366 – 63 DeLeon Circle.

**BE IT AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing Agreement and Repayment Mortgage for the premises known as 63 DeLeon Circle, Block 20.10, Lot 11.02.366 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

**Resolution #07-511** Authorize NJDOT Traffic Signal/Pre-Emption Agreement – Route 27 and Henderson Road – Stewart Avenue.

**WHEREAS**, a traffic condition exists at the intersection of Route 27 and Henderson Road – Stewart Avenue, in the Townships of Franklin and South Brunswick, in the Counties of Somerset and Middlesex, which requires the installation of an emergency pre-emption operation in addition to the semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection in order to minimize the possibility of accidents; and

**WHEREAS**, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

**WHEREAS**, the State of New Jersey has proposed a form of agreement pertaining to the installation and maintenance of said traffic signal;

**NOW, THEREFORE, BE IT RESOLVED** that the Franklin Township Mayor and Clerk be and hereby is authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part thereof.

**Resolution #07-512** Authorize NJDOT Traffic Signal//Pre-Emption Agreement – Route 27 and Finnegans Lane – Bennington Parkway.

**WHEREAS**, a traffic condition exists at the intersection of Route 27 and Finnegans Lane – Bennington Parkway, in the Townships of Franklin and South Brunswick, in the Counties of Somerset and Middlesex, which requires the installation of an emergency pre-emption operation in addition to the semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection in order to minimize the possibility of accidents; and

**WHEREAS**, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

**WHEREAS**, the State of New Jersey has proposed a form of agreement pertaining to the installation and maintenance of said traffic signal;

**NOW, THEREFORE, BE IT RESOLVED** that the Franklin Township Mayor and Clerk be and hereby is authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part thereof.

**Resolution #07-513** Amend Resolution #07-222 – Somerset County Coalition on Affordable Housing Contract – July 1, 2007 to June 30, 2008 – Correct the total to \$84,000.00.

**WHEREAS**, at a Regular Meeting held on April 24, 2007, the Township Council adopted Resolution #07-222, which awarded a contract to Somerset County Council on Affordable Housing for the period of July 1, 2007 to June 30, 2008 for Affordable Housing Administration in the amount not to exceed \$70,770.00, which said amount is incorrect;

**BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bid award is hereby amended as follows:

**Somerset County Coalition on Affordable Housing**  
600 1<sup>st</sup> Avenue, Suite 3  
Raritan, NJ 08869

**Affordable Housing Administration**

**Amount not to exceed \$84,000.00; and**

**BE IT FURTHER RESOLVED** that the Mayor and the Township Clerk be and the same are hereby authorized to enter into an amended contract with the above listed company.

**Resolution #07-514** Award Bid – Beyer Brothers Corp. – Purchase of 8500 dump truck with snowplow – Amount Not to Exceed \$113,250.00.

**WHEREAS**, a notice to bidders for the receipt of bids for the Purchase of 8500 Dump Truck with Snow Plow was published in the Courier News and on the Township website on August 16, 2007 and bids were opened on September 6, 2007; and

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

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

**Beyer Brothers Corporation**

109 Broad Avenue

Fairview, New Jersey 07022

**Purchase of 8500 Dump Truck with Snow Plow****Amount Not to Exceed \$113,250.00**

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

**Resolution #07-515** Authorize Grant Agreement – U.S. Department of Housing and Urban Development Block Grant – 2007 Program Year - \$332,772.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize execution of a grant agreement with the U.S. Department of Housing and Urban Development Community Block Grant – 2007 Program Year – Amount: \$332,772.00 and does authorize the appropriate Township officials to execute these grant agreements on its behalf.

**Resolution #07-516** Authorize Franklin Township Community Development Block Grant Program 2007 Subgrant Agreement – Somerset County Coalition on Affordable Housing – Housing Counseling - \$13,470.00

**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 Somerset County Coalition on Affordable Housing for the 2007 CDBG Project for Housing Counseling in the amount of \$13,470.00.

**Resolution #07-517** Authorize Franklin Township Community Development Block Grant Program 2007 Subgrant Agreement – Homesharing Inc. – Homesharing Match Program - \$7,500.00.

**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 Homesharing Inc. for the 2007 CDBG Project for Homesharing Program in the amount of \$7,500.00.

**Resolution #07-518** Authorize Franklin Township Community Development Block Grant Program 2007 Subgrant Agreement – Major Group Foundation – Youth Connection After School Program - \$10,000.00.

**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 Major Group Foundation for the 2007 CDBG Project for After School Program in the amount of \$10,000.00.

**Resolution #07-519** Authorize Franklin Township Community Development Block Grant Program 2007 Subgrant Agreement – Family & Community Services of Somerset County – ARISE Program – Youth Counselor - \$18,945.00.

**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 Family and Community Services for the 2007 CDBG Project for Youth Counselor in the amount of \$18,945.00.

**Resolution #07-520** Authorize Franklin Township Community Development Block Grant Program 2007 Subgrant Agreement – The Center for Great Expectations – Site Improvement - \$25,000.00.

**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 Center for Great Expectations for the 2007 CDBG Project for Fence and Playground in the amount of \$25,000.00.

**Resolution #07-521** Authorize Discharge of Mortgage & Affordable Housing Agreement – Block 34.09/Lot 50.02 – 32 Ruby Court.

**BE IT AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing Agreement and Repayment Mortgage for the premises known as 32 Ruby Court, Block 34.09, Lot 59.02 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

**Resolution #07-522** Award State Contract – Motorola Communications – Trunked Radio System – Elizabeth Avenue Tower – Amount Not to Exceed \$675,000.00.

**WHEREAS**, the Township of Franklin desires to purchase items as follows through State Contract, which items when combined with prior purchases exceed the prevailing bid threshold:

**VENDORS:**

*Motorola Inc.*  
PO Box 29  
Chester, NJ 07930-0029  
*State Contract A53804*

**ITEMS:** Trunked Radio System – Elizabeth Avenue Tower

**COST:** \$675,000.00

**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** that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute a contract with the above named vendor to purchase the specified items under State Contract.

**Resolution #07-523** Authorize Interlocal Services Agreement – Somerset County – Commodity Resale Agreement – January 1, 2008 to December 31, 2012.

**BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Council interlocal service agreements with the Somerset County as permitted by NJSA 40:8A-1 et. seq. for Commodity Resale Agreement for the period January 1, 2008 through December 31, 2012.

**Resolution #07-524** Authorize Release of Maintenance Bond – Woodlands at Somerset – P98005P – Block 582.02/Lot 3 – Weston Road - \$92,424.90.

**WHEREAS**, the Township Clerk of the Township of Franklin, Somerset County, New Jersey 08873 has received the following:

NAME OF APPLICANT:	Woodlands @ Somerset
ADDRESS OF APPLICANT:	1065 Route 22 West Bridgewater, NJ 08807
ITEM:	2-year Maintenance Bond
NUMBER:	0402314
INSURANCE CO./BANK:	International Fidelity Insurance Co.
DOCKET:	P98005P
IN THE AMOUNT OF:	\$93,424.90
FOR:	Block 582.02/3 – Weston Road

**WHEREAS**, the aforesaid applicant has requested release of the aforesaid Maintenance Bond; and

**WHEREAS**, the Township Engineer, after inspection, recommended release of the aforesaid Maintenance Bond;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Maintenance Bond in the amount of \$93,424.90 be released to the above named applicant.

**Resolution #07-525** Authorize Release of Performance Guarantee – R.P. Scherer, Inc./Cardinal Health Inc. – P200-037P – Block 514/Lot 20.01 & 20.03 – 14 Schoolhouse Road - \$900,106.80 – Site Improvements.

**WHEREAS**, the Township Clerk of the Township of Franklin, Somerset County, New Jersey 08873 has received the following:

NAME OF APPLICANT:	R.P. Scherer Inc./Cardinal Health Inc.
ADDRESS OF APPLICANT:	7000 Cardinal Place Dublin, Ohio 43017
ITEM:	Performance Bond
NUMBER:	929167078
INSURANCE CO./BANK:	American Casualty Company of Reading PA
DOCKET:	P2000-037P
IN THE AMOUNT OF:	\$900,106.80
FOR:	Block 514/Lot 20.01 & 20.03 – Site Improvements

**WHEREAS**, the aforesaid applicant has requested release of the aforesaid Performance Guarantee; and

**WHEREAS**, the Township Engineer, after inspection, recommended release of the aforesaid Performance Guarantee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee in the amount of \$900,106.80 be released to the above named applicant.

**Resolution #07-526** Rescind Resolution #07-493 & Award Extraordinary, Unspecifiable Services – Civil Solutions – GIS Related work for Open Space - \$10,000.00.

**WHEREAS**, on September 25, 2007 Resolution #07-493 was adopted by Township Council awarding a State Contract to Civil Solutions for GIS-Related Work for Open Space in the amount not to exceed \$10,000.00; and

**WHEREAS**, it was found that the work for said contract was not covered by New Jersey State Contract;

**WHEREAS**, a need exists for an Extraordinary, Unspecifiable Services Contract for GIS-Related Work; and

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

**WHEREAS**, the Local Public Contracts Law (**N.J.S.A. 40A:11-5(m)**) requires that the resolution authorizing the award of contracts for "EXTRAORDINARY UNSPECIFIABLE 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) Resolution #07-493 is hereby rescinded.
- (2) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (3) This agreement is awarded without competitive bidding as a "EXTRAORDINARY UNSPECIFIABLE SERVICE" under the provisions of the Local Public Contracts Law.
- (4) 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.
- (5) 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 Extraordinary Unspecifiable Service Agreement authorized herein.
- (6) 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 Extraordinary Unspecifiable Service Agreement authorized herein.

**VENDOR NAME:** CIVIL SOLUTIONS  
**ADDRESS:** 850 S. White Horse Pike  
 PO Box 579  
 Hammonton, NJ 08037  
**CONTRACT AMOUNT:** Not to Exceed \$10,000.00  
**SERVICE:** GIS Related Work for Open Space

**Resolution #07-527** Award Bid – Bragaton Construction Inc. – Removal, Disposal of old and Purchase and Installation of new chain link fence – Amount Not to Exceed \$86,660.00.

**WHEREAS**, a notice to bidders for the receipt of bids for the Removal and Disposal of Old and Purchase and Installation of New Chain Link Fence was published in the Courier News on August 12, 2007 and posted on the Township website starting on August 9, 2007 with one addendum dated September 6, 2007 and bids were opened on September 19, 2007; and

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

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

**Bragaton Construction Inc.**

1700 Klem Avenue  
 Linden, NJ 07036

**Removal and Disposal of Old and Purchase and Installation of New Chain Link Fence  
 Amount Not to Exceed \$86,660.00**

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

**Resolution #07-528** Approve Tax Sale Settlement – Franklin Development (ME) LLC – Ramada Inn – Block 530.04, Lot 1.01 – 60 Cottontail Lane.

**WHEREAS**, Franklin Development (ME) LLC is the owner of certain property known as 60 Cottontail Lane and identified as Block 530.04, Lot 1.01 on the tax maps of Franklin Township; and

**WHEREAS**, the owner has filed appeals to the Tax Court of New Jersey for said premises for the years 2006 and 2007; and

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

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

**WHEREAS**, the following reduced assessment is proposed for 2006:

	Original Assessment	Proposed Assessment
Land	\$570,000	\$570,000
Improvements	\$4,440,000	\$3,336,000
<b>Total</b>	<b>\$5,010,000</b>	<b>\$3,906,000</b>

**WHEREAS**, the following reduced assessment is proposed for 2007:

	Original Assessment	Proposed Assessment
Land	\$570,000	\$570,000
Improvements	\$4,440,000	\$3,210,000
<b>Total</b>	<b>\$5,010,000</b>	<b>\$3,780,000</b>

**WHEREAS**, the owner has agreed to waive all interest due on any refund; 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 interests of the Township of Franklin;

**NOW, THEREFORE, BE IT RESOLVED** this 9<sup>th</sup> day of October, 2007, by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is hereby approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

**Resolution #07-529** Authorize Issuance of Special Event Permit – Meadows Foundation – “Sinterklaas” – Arrival of Dutch Santa Claus – December 2, 2007 – 1:00 p.m. to 4:00 p.m. – Van Wickle House – Easton Avenue.

**WHEREAS**, a request has been received from the Meadows Foundation for permission to have a celebration of the arrival of Dutch Santa Claus, “Sinterklaas”, a festive event for the children of the Township of Franklin on December 2, 2007, at the Van Wickle House at 1289 Easton Avenue, Somerset, New Jersey, from 1:00 pm to 4:00 pm; and,

**WHEREAS**, the Meadows Foundation has requested that the Permit Fee of \$125.00 be waived since they represent a non-profit organization; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the Meadows Foundation for permission to have a celebration of the arrival of “Sinterklaas” and related activities on December 2, 2007 from 1:00 pm to 4:00 pm, to be conducted at the Van Wickle House, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Assistant Director of Health; and,

**BE IT FURTHER RESOLVED** that the permit fee of \$125.00 be waived since said organization is a non-profit organization.

**Resolution #07-530** Authorize Issuance of Special Event Permit – 30<sup>th</sup> Anniversary – October 13, 2007 – 6:00 – 10:00 p.m. – Hageman Barn Property – 209 South Middlebush Road.

**WHEREAS**, a request has been received from the Meadows Foundation for permission to have a celebration of the 30<sup>th</sup> Anniversary of the founding of the Meadows Foundation on October 13, 2007, from 6:00 pm to 10:00 pm, at the Hageman Barn *Property*, 209 South Middlebush Road, Somerset, New Jersey; and,

**WHEREAS**, the Meadows Foundation has requested that the Permit Fee of \$125.00 be waived since they represent a non-profit organization; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the Meadows Foundation to hold a celebration of the 30<sup>th</sup> Anniversary of the Meadows Foundation on October

13, 2007 from 6:00 pm to 10:00 pm, to be conducted at the Hageman Barn Property, 209 South Middlebush Road, Somerset, with the condition that the event is to take place outside the barn with the utilization of tents and/or canopies (the Hageman Barn does not have a certificate of occupancy or a temporary certificate of occupancy), and subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Assistant Director of Health; and,

**BE IT FURTHER RESOLVED** that the permit fee of \$125.00 be waived since said organization is a non-profit organization.

**Resolution #07-531** Grant Permission to Serve Alcoholic Beverages on Township Owned Property – 30<sup>th</sup> Anniversary – October 13, 2007 – 6:00 – 10:00 p.m. – Hageman Barn – 209 South Middlebush Road. – *Removed from Agenda.*

**Resolution #07-532** Authorize Issuance of Raffles Licenses.

**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:

<b><u>NAME OF ORGANIZATION</u></b>	<b><u>DATE OF RAFFLE/BINGO</u></b>
Church of St. Matthias 168 JFK Boulevard, Somerset, New Jersey On-Premise 50/50 – RL#1663 On-Premise Raffle – RL#1664 Off-Premise 50/50 – RL#1665 Drawings: DoubleTree Hotel, Somerset	February 2, 2008 7:00 pm – 11:00 pm
Rutgers Preparatory School 1345 Easton Avenue, Somerset On-Premise 50/50 Raffles – RL#1666 Drawings: Rutgers Preparatory School	October 13, 2007 11:00 am – 5:00 pm Nov. 9, 2007 7:00 pm – 11:00 pm Nov. 10, 2007 12:00 pm – 4:00 pm Feb. 29, 2008 7:00 pm – 12:00 am
Spartan Club of Immaculata High School 240 Mountain Avenue, Somerville, NJ Off-Premise 50/50 – R1667 Drawing: DoubleTree Hotel, Somerset	April 19, 2008 10:00 am – 4:00 pm

#### **RESOLUTIONS VOTED ON SEPARATELY**

**Resolution #07-504** Authorize Release of Winter Bonds – Canal Walk Association LLC – Various Blocks and Lots – Eleven (11) Winter Bonds at \$500.00 each.

**WHEREAS**, the Township Clerk of the Township of Franklin, Somerset County, New Jersey 08873 has received the following:

ITEM: Winter Bonds  
NAME OF APPLICANT: Canal Walk Associates, LLC  
ADDRESS OF APPLICANT: 112 Schoolhouse Road  
Somerset, NJ 08873  
NUMBER: N/A  
INSURANCE CO./BANK: N/A  
DOCKET: N/A  
IN THE AMOUNT OF: \$500.00 each  
FOR: Block 513.33, Lot 3 – 120 Saratoga Court  
Block 513.33, Lot 9 – 132 Saratoga Court  
Block 513.33, Lot 10 – 134 Saratoga Court  
Block 513.33, Lot 11 – 136 Saratoga Court  
Block 513.34, Lot 31 – 105 Saratoga Court  
Block 513.29, Lot 23 – 134 Canal Walk Blvd.  
Block 513.34, Lot 13 – 141 Saratoga Court  
Block 513.34, Lot 18 – 131 Saratoga Court  
Block 513.33, Lot 6 – 126 Saratoga Court  
Block 513.34, Lot 25 – 117 Saratoga Court  
Block 513.34, Lot 26 – 115 Saratoga Court

**WHEREAS**, the aforesaid applicant has requested release of the aforesaid Performance Guarantee; and

**WHEREAS**, the Township Engineer, after inspection, recommended release of the aforesaid Performance Guarantee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee in the amount of \$500.00 each, total \$5,500.00 be released to the above named applicant.

The aforesaid resolution was moved by Ms. Danile, seconded by Mr. Mettler and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

**FY2008 MUNICIPAL BUDGET – INTRODUCTION & SET PUBLIC HEARING DATE**

**Resolution #07-533** Introduce and Set Public Hearing Date for FY2008 Municipal Budget

Mayor Levine presented the following resolution:

The aforesaid resolution was moved by Ms. Danile, seconded by Mr. Sumter and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

**EXECUTIVE SESSION**

Mayor Levine presented the following resolution:

**WHEREAS**, Section 8 of the Open Public Meetings Act, (N.J.S.A. 10:4-12 (b) (1-9), Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

**WHEREAS**, the Township Council of the Township of Franklin is of the opinion that such circumstances do exist;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, as follows:

- 1 The public shall be excluded from discussion of and action upon the hereinafter specified subject matters;
- 2 The general nature of the subject matter to be discussed is as follows:

***Personnel: Interview Tax Assessor Candidate  
Litigation: Litigation Update***

- 3 The Township Council may take official action on those items discussed in Executive Session upon completion of the Execution Session.
- 4 The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
- 5 This resolution shall take effect immediately.

The aforesaid resolution was moved by Mr. Glicklich, seconded by Ms. Francois and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Prasad
Francois	Glicklich			
Levine	Mettler			
Sumter	Vassanella			

The meeting adjourned to Executive Session at 10:48 p.m. The meeting reconvened to public at 12:20 a.m.

**ADJOURNMENT**

Mr. Glicklich moved to adjourn the meeting at 12:20 a.m. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Approved: *As Submitted.*

Brian D. Levine, Mayor

Date: *November 20, 2007*

Ann Marie McCarthy, Township Clerk