

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 7:15 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 November 8, 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. Sumter led the Invocation.

The Township Clerk called the roll.

Present: Ms. Eberle, Ms. Francois (Arrived at 7:35 p.m.), Mayor Levine, Mr. Mettler, Mr. Prasad, Mr. Sumter, Deputy Mayor Vassanella

Absent: Ms. Danile, Mr. Glicklich

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

PROCLAMATIONS

Diwali Month

Mr. Prasad read the following proclamation:

WHEREAS, Diwali, a festival of great significance to Indian Americans and South Asian Americans, is celebrated annually by Hindus, Sikhs, and Jains throughout the United States; and

WHEREAS, there are nearly 2,000,000 Hindus in the United States, approximately 1,250,000 of which are of Indian and South Asian origin; and

WHEREAS, the word "**Diwali**" is a shortened version of the Sanskrit term "Deepavali", which means "a row of lamps"; and

WHEREAS, Diwali is a festival of lights, during which celebrants light small oil lamps, place them around the home, and pray for health, knowledge and peace; and

WHEREAS, celebrants of **Diwali** believe that rows of lamps symbolize the light within the individual that rids the soul of the darkness of ignorance; and

WHEREAS, Diwali falls on the last day of the last month in the lunar calendar and is celebrated as a day of thanksgiving and the beginning of the new year for many Hindus; and

WHEREAS, for Hindus, **Diwali** is a celebration of the victory of good over evil; and

WHEREAS, for Sikhs, **Diwali** is feted as the day that the sixth founding Sikh Guru, or revered teacher, Guru Hargobind, was released from captivity by the Mughal Emperor Jehangir; and

WHEREAS, for Jains, **Diwali** marks the anniversary of the attainment of moksha or liberation by Lord Mahavira, the last of the Tirhankaras, who were the great teachers of Jain dharma, at the end of his life in 527 B.C.;

NOW, THEREFORE, I, MAYOR BRIAN D. LEVINE and COUNCILMAN RAJIV PRASAD, on behalf of the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, do hereby recognize October 15 through November 14 as “**Diwali Month**” in the Township of Franklin and call upon its residents to observe and celebrate **Diwali** with various activities and programs to learn about its religious and historical significance.

Veteran's Day

Mr. Mettler read the following proclamation:

WHEREAS, honorable service performed in the defense of our nation and her cause in time of war is the highest form of citizenship; and

WHEREAS, the men and women who have served in the Armed Forces of the United States of America have made major contributions toward the preservation of the freedom of this nation and her people; and

WHEREAS, the services performed by these millions of gallant Americans have demonstrated the willingness of our nation to meet the challenges of those forces wishing to subjugate individual determination through armed conflict; and

WHEREAS, the nation and the free world are eternally grateful for the contributions of American veterans – men and women – to the advancement of the cause of an honorable world peace; 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 November 11, 2007 as Veterans Day and call upon all citizens to observe the day with appropriate ceremonies in honor of those who have served the principles of Justice, Freedom and Democracy.

MAYOR'S REPORT

Mayor Levine presented the following report:

- Welcomed those attending the meeting and those watching the meeting on television.
- Thanked all the FTTV-25 volunteers and staff.
- Gave a brief overview of how the meeting would be conducted.
- Reminded all meetings are public. Council meetings generally are held on the 2nd and 4th Tuesdays of the month. Changes to the regular meeting schedule are that the next November meeting is on the 20th, which is the third Tuesday. In December, there is only one meeting, which is December 11th. The Public is invited and encourages attending.
- One can see listings on FTTV-25 and the Township website. On the Township's website, one can sign up for updates of meetings, minutes, etc. One can view the agenda with pending ordinances and resolutions.
- Reported that Election Day was November 6th. He congratulated all those who ran for office. He said to those who won should remember the measuring stick of President Dwight Eisenhower: “Is I good for America?” He stated that could be extrapolating to “Is it good for Franklin?”

- Stated that Raritan Valley Community College (RVCC) has a branch in Franklin on Franklin Blvd. Reported that a meeting was held on October 24, 2007 with local board for RVCC.
- Announced that Second Chance for Animals held a “tricky tray” fundraiser at Senior Center on November 2nd. It was well attended. They raised much money for the animal shelter. Second Chance for animals is truly a treasure in Franklin for helping the animals who cannot help themselves. Asked to please contact the Second Chance or Animal Shelter to find out what can needs to be donated.
- Reported the Millstone Valley Fire Company held a pasta dinner fundraiser on November 3rd. Asked all to please give generously to the Township’s fire companies and first aid squads.
- Reported that the New Jersey Regional Coalition wants the distribution of funds from NJ to school districts that does not exclude suburbs. A meeting was held at First Baptist Church of Lincoln Gardens with Senior Pastor DeForest B. Soaries. There were 400+ in attendance. The Mayor gave the greeting on behalf of Franklin. Also in attendance were Mayor Jun Choi of Edison and Mayor Carl Bergmanson of Glen Ridge.
- Spoke of the Somerset Christian College, a four-year college in Zarephath. On November 10th, the installation of new President, Dr. David E. Schroeder. The Mayor to be the representative for the Township and to give greeting.
- Announced Habitat for Humanity ceremony for new homes on November 10th.

DEPUTY MAYOR’S REPORT

Deputy Mayor Vassanella made the following report:

- Congratulated all the winners of the Election.
- Reported that 34% of the registered voters voted in the election as compared to 42% in 2003. He noted it was a bad signal and/or problem when there is a low turnout at the polls. He stated more people need to get involved and vote.
- Spoke of the race; noting it was a good race that remained civil.

MOTION – Direct Township Manager to request to BOA to begin taping of BOA meetings.

A motion was made by Deputy Mayor Vassanella to direct the Township Manager to prepare the process to start taping Board of Adjustment meetings by send a letter to the Board requesting to do so. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

PUBLIC DISCUSSION

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

Walter Howard, 148 Codington Avenue, read a letter from former Township Clerk Jean Pellicane regarding releasing deed restrictions. He requested Council to consider treating his property fair and equal as they did with 416 West Point Avenue.

Phillip Kramer, 429 Canal Road, TUF, congratulated all the winners of the election. He commended both Mayor Levine and Deputy Mayor Vassanella for not allowing the election to

interfere with governing the Township. He reported the Democrats spent approximately \$25,000 and the Republicans spent approximately \$16,000 on the election of which no money was received by developers. He asked that Council treat the Mayor with the respect he deserves. He also asked that the appointments to be made in 2008 not be made as partisan appointments, noting the Mayor appointed a democrat to the Planning Board.

Mr. Kramer spoke of the many election signs that were placed all throughout the Township, noting many were placed illegally by both parties. He expressed his disappointment that Democratic candidates placed their signs on parkland, open space and other Township owned land. He stated he found a sign for the democratic candidates on the Ruffles property which is owned by Jack Morris. He asked who placed that sign. He asked Council to consider amending the sign ordinance since Council members find it restrictive. He expressed his disappointment that the Township Manager does not take signs down that are illegal at the Municipal Complex as well as hunting signs on poles.

Tom Gale, Historic Preservation Commission Chairman, congratulated all the candidates for a successful election. He commended both parties for taking the majority of campaign signs down so soon. He supported the award of the historic grants as recommended by the Open Space Advisory Committee.

In response to Mr. Kramer, Mr. Daly replied by changing the sign ordinance, it would not change the prohibition of signs on poles and on open space and parks, since they are state regulations. He also stated that many locations are too close to the road and are determined to be safety hazards by the Chief of Police. He stated that as soon as he sees an illegal sign, he takes it down.

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

COUNCIL COMMENTS

MOTION – Go into Executive Session to discuss Litigation regarding FRAID lawsuit.

Mr. Prasad moved that Council go into Executive Session after Council Comments to discuss a litigation matter regarding the FRAID lawsuit. Said motion was seconded by Mr. Mettler and carried unanimously upon voice vote.

Mr. Prasad congratulated all involved with the election, noting it was a well fought campaign. He noted now everyone can work for the good of Franklin as a Council.

Ms. Francois congratulated all the winners. She asked Mr. Daly to arrange a meeting with her, Mr. Daly and Mr. Howard to discuss his request to release his deed restriction.

Ms. Eberle read an article regarding New Jersey's fine of \$100 for using a cell phone while driving.

Mr. Mettler congratulated the winners of the election. He announced that Mr. Prasad is the first Indian-American to be elected At-Large. He also announced that no party has held the majority longer than 12 years since 1958 until now, noting with this election the Democrats will hold the majority longer than 12 years. He expressed his support of the two party system.

Mr. Sumter congratulated all the winners and losers of the election. He expressed his concern with the defeat of the public questions regarding stem cell research.

Deputy Mayor Vassanella acknowledged those candidates who did not win and hopes they may be able to serve on a board or commission. He expressed his non-support of the two party system. He announced he is the second Italian-American to lose to Mayor Levine. He

stated the sign ordinance is only good if it is enforced equally and efficiently and if it cannot, then it may need to be changed.

Mayor Levine expressed his support of the two party system. He congratulated all candidates of the election.

Ms. Francois thanked all who voted and noted that they only expected 22-24% of the registered voters to come out and vote. She stated she was that 34% came out.

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: *Litigation – FRAID lawsuit.*
- 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. Prasad, 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>
Eberle	Francois			Danile
Levine	Mettler			Glicklich
Prasad	Sumter			
Vassanella				

The meeting adjourned to Executive Session at 8:04 p.m. The meeting reconvened to public at 9:23 p.m.

A motion was made by Mr. Sumter to adjourn from Executive Session and return to the Regular Meeting. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

COUNCIL DISCUSSION ITEMS

2008 Reorganization Meeting

After a brief discussion by Council led by Deputy Mayor Vassanella, it was the consensus of Council to hold their 2008 Reorganization Meeting on Tuesday, January 1, 2008 at 2:00 p.m. A subcommittee of Mayor Levine, Ms. Francois and Mr. Prasad was established to plan the festivities for the Reorganization Meeting.

2008 Council Meeting Schedule

Mr. Mettler asked Council to consider returning to three (3) meeting per month and to change the time of the meeting to 7:30 p.m.

Deputy Mayor Vassanella stated that he still supports the two (2) meeting per month with the use of the first Tuesday for special topics that need more time for discussion.

After a brief discussion by Council, led by Deputy Mayor Vassanella, it was the consensus of Council to set the 2008 Council Meeting Schedule as follows:

Work Sessions/Regular Meetings	January	8 & 22
	February	12 & 26
	March	11 & 25
	April	8 & 22
	May	13 & 27
	June	10 & 26 (Thurs. 9 a.m.)
	July	8
	August	12
	September	9 & 23
	October	14 & 28
	November	10* (Monday) & 25
	December	9

*The second Tuesday is November 11th, which is Veterans Day. The first Tuesday is Election Day and the third Tuesday is the week of the League.

Said meeting schedule will be placed on the November 20th agenda for adoption.

MOTION – Change 2008 Council Meeting Time

After a brief discussion by Council, a motion was made by Deputy Mayor Vassanella to change the meeting time of Council meetings in 2008 from 7:00 p.m. to 7:30 p.m. Said motion was seconded by Mr. Mettler and carried as follows:

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

A brief discussion ensued regarding changing the Thursday morning meeting to a Saturday morning in which it was the consensus of Council to leave it as Thursday morning.

APPROVAL OF WARRANTS

Deputy Mayor Vassanella presented the following warrants in the amount of \$1,631,727.70 for November 8, 2007 to the Township Council for payment:

1	Current	973,992.62
5	Water Operating	538,430.24
6	Water Capital	4,650.00
4	General Capital	22,904.23
15	Trust Others	12,687.44
19	Self Insurance Trust	2,470.30
11	Recreation Trust	255.04
40	Open Space Trust	5,233.84
2	Grant	21,047.82
3	Collector Trust	14,705.72
30	Payroll Agency	35,350.45
	Subtotal	1,631,727.70
	Grand Total	1,631,727.70

Deputy Mayor Vassanella moved that warrants in the amount of \$1,631,727.70 for November 8, 2007 to be paid. Said motion was seconded by Mr. Prasad and carried as follows upon call of the roll:

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

ORDINANCES – PUBLIC HEARING & FURTHER CONSIDERATION**Ordinance No. 3711**

Deputy Mayor Vassanella 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.

Deputy Mayor Vassanella 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 open the public hearing on the ordinance. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Deputy Mayor Vassanella 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. Mettler moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

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

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

Ordinance No. 3723

Deputy Mayor Vassanella presented the following ordinance:

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

Deputy Mayor Vassanella 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 open the public hearing on the ordinance. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Deputy Mayor Vassanella 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. Prasad and carried unanimously upon call of the roll.

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

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

FY2008 MUNICIPAL BUDGET

Public Hearing

Deputy Mayor Vassanella moved to open the meeting for a public hearing on the FY2008 Municipal Budget as introduced. Said motion was seconded by Mr. Mettler and carried unanimously upon voice vote.

Deputy Mayor Vassanella announced this meeting is open for public discussion on the FY2008 Municipal Budget as introduced. Anyone interested in speaking to raise their hand and when recognized, state your name and address.

There being no comment from the public, Mr. Sumter moved to close the public hearing on the FY2008 Municipal Budget as introduced. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

Resolution #07-544 – Approve DCA Technical Amendments to the Budget

Deputy Mayor Vassanella presented the following resolution:

WHEREAS, the local municipal budget for the Fiscal Year 2008 was approved on the 9th day of October, 2007; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Franklin, County of Somerset, that the following amendments to the approved budget of 2008 be made:

CURRENT FUND BUDGET		
	<u>FROM</u>	<u>TO</u>
CURRENT FUND – ANTICIPATED REVENUES		
General Revenues		
1. Surplus Anticipated	<u>\$14,290,814.00</u>	<u>\$14,516,585.97</u>
3. Miscellaneous Revenues:		
Total Miscellaneous Revenues – Section F		
- Consent of the Director of Local Government Services		
- Public and Private Revenues Offset with Appropriations:		
March of Dime Grant	\$ 2,250.00	\$ 2,200.00
Drunk Driving Enforcement (Unappropriated)		479.94
Planning Partnership Ecotourism (Unappropriated)		\$ 560.00
Recycling Tonnage Grant (Unappropriated)		\$ 18,106.66
You Drink, You Drive, You Lose (Unappropriated)		\$ 2,000.00
Friends of Somerset County Youth (Unappropriated)		\$ 500.00
Somerset County Municipal Planning Transit Feasibility		\$ 25,000.00
NJS 2006 Local Safe Street/Easton Avenue Sidewalks		\$ 40,000.00
2006 Youth Athletic Grant		\$ 15,000.00
2006 MPP Franklin Twp. Pedestrian System Feasibility Study		\$ 29,400.00
Neighborhood Housing Rehab		\$ 200,000.00
Health Community Development		\$ 2,500.00
PHPF		\$ 19,888.00
Planning Partnership/Canal Access Vision		\$ 28,500.00
Total Miscellaneous Revenues – Section F	<u>\$ 719,270.00</u>	<u>\$ 1,101,154.60</u>
Total Miscellaneous Revenues	<u>\$13,985,011.56</u>	<u>\$14,366,896.16</u>
5. Subtotal General Revenues	<u>\$30,475,825.56</u>	<u>\$31,083,482.13</u>
7. TOTAL GENERAL REVENUES	<u>\$58,803,160.80</u>	<u>\$59,410,817.37</u>
CURRENT FUND – APPROPRIATION		
8. General Appropriations: (A) Operations – within “CAPS”		
General Government		
Computerized Data Processing		
Other Expenses	\$ 116,007.00	\$ 127,007.00
Public Safety		
Police Department		
Purchase of Vehicles		
Ford Crown Victoria – 10 Marked Cars		\$ 220,000.00
Ford Crown Victoria – 2 Unmarked Cars		\$ 50,000.00
Total Operations{Item 8(A)} within “CAPS”	<u>\$35,265,594.35</u>	<u>\$35,546,594.35</u>
Total Operations Including Contingent with “CAPS”	<u>\$35,275,594.35</u>	<u>\$35,556,594.35</u>
Detail:		
Salaries & Wages	<u>\$19,111,902.73</u>	<u>\$19,111,902.73</u>
Other Expenses	<u>\$16,163,691.62</u>	<u>\$16,444,691.62</u>
(H-1) Total General Appropriations for Municipal Purposes within “CAPS”	<u>\$36,905,476.50</u>	<u>\$37,186,476.50</u>
8. General Appropriations: (A) Operations – Excluded from “CAPS”		
Public and Private Programs Offset by Revenues		
March of Dime Grant	\$ 2,250.00	\$ 2,200.00

Drunk Driving Enforcement (Unappropriated)		479.94	
Planning Partnership Ecotourism (Unappropriated)	\$	560.00	
Recycling Tonnage Grant (Unappropriated)	\$	18,106.66	
You Drink, You Drive, You Lose (Unappropriated)	\$	2,000.00	
Friends of Somerset County Youth (Unappropriated)	\$	500.00	
Somerset County Municipal Planning Transit Feasibility	\$	25,000.00	
NJS 2006 Local Safe Street/Easton Avenue Sidewalks	\$	40,000.00	
2006 Youth Athletic Grant	\$	15,000.00	
2006 MPP Franklin Twp. Pedestrian System Feasibility Study	\$	29,400.00	
Neighborhood Housing Rehab	\$	200,000.00	
Health Community Development	\$	2,500.00	
PHPF	\$	19,888.00	
Planning Partnership/Canal Access Vision	\$	28,500.00	
Total Public and Private Programs Offset by Revenues	\$	513,870.00	\$ 895,754.60
8. General Appropriations: (A) Capital Improvements – Excluded from “CAPS”			
Employee Group Insurance	\$	161,711.83	\$ 173,964.00
Interlocal Municipal Service Agreements			
Franklin Township Board of Education – Officers	\$	116,875.20	\$ 104,395.00
Total Other Operations – Excluded from “CAPS”	\$	5,953,952.83	\$ 5,953,724.80
8. General Appropriations: (C) Capital Improvements – Excluded from “CAPS”			
Ford Crown Victoria – 10 Marked Cars	\$	220,000.00	
Ford Crown Victoria – 2 Unmarked Cars	\$	50,000.00	
Total Capital Improvements – Excluded from “CAPS”	\$	4,875,398.00	\$ 4,605,398.00
8. General Appropriations: (D) Municipal Debt Service – Excluded from “CAPS”			
Payment of Bond Principal	\$	2,505,000.00	\$ 2,720,000.00
Total Municipal Debt Service – Excluded from “CAPS”	\$	5,457,357.90	\$ 5,672,357.90
(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”			
	\$	17,460,708.45	\$ 17,787,365.02
(O) Total General Appropriations – Excluded from “CAPS”			
	\$	17,460,708.45	\$ 17,787,365.02
(L) Subtotal General Appropriations (Items (H-1) and (O))			
	\$	54,366,184.95	\$ 54,973,841.52
9. TOTAL GENERAL APPROPRIATIONS			
	\$	58,803,160.80	\$ 59,410,817.37

DEDICATED WATER UTILITY BUDGET

10. DEDICATED REVENUES FROM WATER UTILITY			
Operating Surplus Anticipated		\$ 3,075,251.38	\$ 3,086,043.73
Total Water Utility Revenues		\$12,725,251.38	\$12,736,043.73
11. APPROPRIATIONS FOR WATER UTILITY			
Operating			
Other Expenses	\$	8,363,716.47	\$ 8,372,116.47
Debt Service			
Interest on Bonds	\$	273,859.20	\$ 276,251.55
Total Water Utility Appropriations		\$12,725,251.38	\$12,736,043.73

BE IT FURTHER RESOLVED that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2008 local municipal budget so amended.

Mr. Daly, Township Manager, reviewed the amendments in the resolution as per the NJ Department of Community Affairs. He stated they are technical amendments and noted there is no change in taxes.

The aforesaid resolution was moved by Mr. Prasad and seconded by Mr. Mettler. Said resolution was adopted as follows upon call of the roll:

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

Resolution #07-545 – Read Budget by Title

Deputy Mayor Vassanella presented the following resolution:

BE IT RESOLVED, by the Township Council of the Township of Franklin, County of Somerset that it hereby determines that the FY2008 Municipal Budget shall be read by its title, as per NJSA 40A:4-8 and it is declared that all required conditions have been met.

The aforesaid resolution was moved by Mr. Prasad and seconded by Mr. Sumter. Said resolution was adopted as follows upon call of the roll:

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

Resolution #07-546 – Adopt FY2008 Municipal Budget

Deputy Mayor Vassanella presented the following resolution:

BE IT RESOLVED by the Mayor and Township Council of the Township of Franklin, County of Franklin, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$28,327,335.24 (Item 2 below) for municipal purposes

SUMMARY OF REVENUES

1.	General Revenues	
	Surplus Anticipated	\$14,516,585.97
	Miscellaneous Revenues Anticipated	\$14,366,896.16
	Receipts from Delinquent Taxes	<u>\$ 2,200,000.00</u>
2.	Amount to be Raised by Taxation for Municipal Purposes (Item 6(a), Sheet 11)	<u>\$28,327,335.24</u>
	Total Revenues	<u>\$59,410,817.37</u>

SUMMARY OF APPROPRIATIONS

1.	General Appropriations	
	Within "CAPS"	
	(a&b) Operations Including Contingent	\$35,556,594.35
	(e) Deferred Charges and Statutory Charges – Municipal	\$ 1,629,882.15

Excluded from "CAPS"

(a) Operations – Total Operations excluded from "CAPS"	\$ 7,409,609.12
(c) Capital Improvements	\$ 4,605,398.00
(d) Municipal Debt Service	\$ 5,672,357.90
(e) Deferred Charges - Municipal	\$ 100,000.00
(m) Reserve for Uncollected Taxes	\$ 4,436,975.85

Total Appropriations**\$59,410,817.37**

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution by the Governing Body on the 8th day of November 2007. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the SFY 2008 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

The aforesaid resolution was moved by Mr. Mettler and seconded by Mr. Prasad. Said resolution was adopted as follows upon call of the roll:

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

ORDINANCES – INTRODUCTION**Ordinance No. 3727**

Deputy Mayor Vassanella presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 62 - SALARIES & COMPENSATION – SECTION 62-12, HOURLY WAGE SCALE FOR BLUE COLLAR EMPLOYEES AND SECTION 62-13, ANNUAL LONGEVITY FOR BLUE COLLAR EMPLOYEES.

Deputy Mayor Vassanella 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 December 11, 2007 at 7:00 p.m. in the Municipal Complex.

Mayor Levine moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on December 11, 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>
Eberle	Francois			Danile
Levine	Mettler			Glicklich
Prasad	Sumter			
Vassanella				

Ordinance No. 3728

Deputy Mayor Vassanella presented the following ordinance:

AN ORDINANCE REVISING, AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF FRANKLIN, MORE SPECIFICALLY, CHAPTER 112, LAND DEVELOPMENT, ARTICLE IV, SUPPLEMENTARY ZONING REGULATIONS, SECTION 112-33, RECYCLING AND SOLID WASTE REQUIREMENTS FOR NEW DEVELOPMENTS OF MULTI-FAMILY RESIDENTIAL UNITS OR COMMERCIAL, INSTITUTIONAL, GOVERNMENT OR INDUSTRIAL PROPERTIES, CHAPTER 146, CONSTRUCTION CODES UNIFORM, SECTION 146-1, FEES; AND CHAPTER 284, RECYCLING, ARTICLE I, MANDATORY RESIDENTIAL PROGRAM, SECTION 284-1, DEFINITIONS, AND ARTICLE III, MANDATORY COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, GOVERNMENT AND OFFICE PARK, SECTION 284-13, DEFINITIONS.

Deputy Mayor Vassanella 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 December 11, 2007 at 7:00 p.m. in the Municipal Complex.

Mr. Mettler moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on December 11, 2007 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Prasad and carried as follows upon call of the roll:

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

Ordinance No. 3729

Deputy Mayor Vassanella presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, ARTICLE 1, GENERAL PROVISIONS, SECTION 112-4, DEFINITIONS; ARTICLE V, CONDITIONAL USES, SECTION 112-37, CHURCHES AND SIMILAR PLACES OF WORSHIP & SECTION 112-41, HOME OCCUPATIONS; ARTICLE XXIII, SITE PLAN REVIEW, SECTION 112-185, SITE PLAN REVIEW REQUIRED; SIMULTANEOUS REVIEW; EXCEPTIONS; MINOR SITE PLAN APPLICATION; ARTICLE XXVIA, RETAIL OVERLAY DISTRICT, SECTION 112-206.2, PERMITTED USES AND STANDARDS; SCHEDULE 1, PERMITTED USES; SCHEDULE 2, LOT AND YARD REQUIREMENTS AND SCHEDULE 3, HEIGHT, COVERAGE AND BUILDING REQUIREMENTS.

Deputy Mayor Vassanella 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 December 11, 2007 at 7:00 p.m. in the Municipal Complex.

Mr. Prasad moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on December 11, 2007 at 7:00 p.m. at the Municipal Complex. 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>
Eberle	Francois			Danile
Levine	Mettler			Glicklich
Prasad	Sumter			
Vassanella				

CONSENT AGENDA ITEMS

Upon motion by Mr. Mettler, seconded by Mr. Prasad, 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>
Eberle	Francois			Danile
Levine	Mettler			Glicklich
Prasad	Sumter			
Vassanella				

Resolution #07-548 Support the Adoption of S-2039 and A-172, Exempting Municipal Clerks from Penalties of OPRA Violations under certain Circumstances.

WHEREAS, the Township Council of the Township of Franklin is in support of Senate Bill S-2039 and Assembly Bill A-172, which proposes to amend the Open Public Records Act, NJSA 47:1A-1 et seq. (OPRA) to exempt municipal clerks from penalties of OPRA violations under certain circumstances; and

WHEREAS, presently, under OPRA, a requester who believes that they have been unreasonable denied access to a government record files a complaint with the Superior Court of New Jersey or the Government Records Council against the Custodian of Records, who in the case of a municipality is the Municipal Clerk; and

WHEREAS, OPRA does not presently take into account the fact that not all government records or classes of government records are within the access and/or control of the Municipal Clerk; and

WHEREAS, Senate Bill No. S-2039 and Assembly Bill A-172, which proposes to amend the Open Public Records Act, NJSA 47:1A-1 et seq. (OPRA) to exempt municipal clerks from penalties of OPRA violations under certain circumstances, intelligently designates the municipal official in actual possession of the government record as the Custodian of Records for purposes of an allegation of unreasonable denial of access to a government record, if it can be proven that the Municipal Clerk has exercised due diligence in attempting to collect the requested records, by documenting at least two attempts to collect the requested record within seven days of receiving the request; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin that it hereby supports Senate Bill No. S-2039 and Assembly Bill No. A-172 and respectfully urges the Legislature to support the Bills for the reasons expressed herein.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the sponsors of Senate Bill No. S-2039 and Assembly Bill A-172, the members of the Assembly Housing and Local Government Committee, the legislators for Somerset County, the New Jersey League of Municipalities and the Municipal Clerks' Association of New Jersey, Inc.

Resolution #07-549 Award Bid – Beyer Brothers Corp. – Purchase of 3500 Dump Truck with Snow Plow.

WHEREAS, a notice to bidders for the receipt of bids for the Purchase of 3500 Dump Truck with Snow Plow was published in the Courier News and on the Township website on October 1, 2007 and bids were opened on October 12, 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 3500 Dump Truck with Snow Plow

Amount Not to Exceed \$48,950.00

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 #07-550 Award 2007 Historic Grants to Meadow Foundation for the Wycoff-Garrettson HVAC System in the amount of \$29,750; the Hageman House Painting Project in the amount of \$28,500.00 and the Van Liew Suydam Barn Restoration Project in the amount of \$39,640.00/Kingston United Methodist Church for the Historic Door Adjustment and Steeple Repair Projects in the amount of \$25,000.00/Kingston Presbyterian Church for the Historic Door Adjustment Project in the amount of \$13,000.00.

WHEREAS, request for proposals for the 2007 Open Space Historic Preservation Grants were posted on the Township website and published in the Courier News on December 26, 2006 for receipt of proposals on March 1, 2007; and

WHEREAS, there were three proposals received for the 2007 Open Space Historic Preservation Grants; and

WHEREAS, the Open Space Advisory Committee reviewed the proposals and recommended the award to the Kingston United Methodist Church and the Meadows Foundation; 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 2007 Open Space Historic Preservation Grants be awarded as follows:

MEADOWS FOUNDATION

- *Wyckoff-Garrettson HVAC System - \$29,750.00*
- *Hageman House Painting Project - \$28,500.00*
- *Van Liew Suydam Barn Restoration Project - \$39,640.00*

KINGSTON UNITED METHODIST CHURCH

- *Historic Door Adjustment Project & Steeple Repair Project - \$25,000.00*

KINGSTON PRESBYTERIAN CHURCH

- *Historic Door Adjustment Project - \$13,000.00*

Resolution #07-551 Support Bills S1341 and A3291 regarding Statewide Keg Registration.

WHEREAS, the Township Council of the Township of Franklin is in support of Senate Bill S-1341 and Assembly Bill A-3291, which requires a statewide keg registration and makes the unlawful possession of an unregistered keg a petty disorderly persons offense; and

WHEREAS, said legislation requires all kegs that are sold by retailers to consumers be affixed with a keg registration seal which displays a registration number and the name of the licensee offering the keg for sale to the consumer; and

WHEREAS, said legislation requires, at the point of retail sale of a keg, the seller shall complete a keg declaration of receipt form which shall contain the following information: the keg registration seal number, the consumer's telephone number, the name and address of the consumer verified by a valid identification document, and the type and registration number of the identification presented by the consumer; and

WHEREAS, the keg declaration of form shall also contain a statement signed by the consumer stating that the consumer is 21 years of age or older, does not intend to allow persons under 21 years of age to illegally consume any of the alcoholic beverage purchased, and will not remove or obliterate the keg registration seal affixed to the keg or allow its removal or obliteration; and

WHEREAS, the seller would maintain the keg declaration of receipt form for two (2) years following the date of purchase and the information collected could only be released to the Director of the Division of Alcoholic Beverage Control, the Director's authorized representatives, or other law enforcement officials; and

WHEREAS, a seller would also be required to collect a \$50 deposit from the consumer for each keg and would be forfeited if the keg is not returned with the keg registration seal attached; and

WHEREAS, statewide legislation would provide law enforcement with a tool to prevent adults from providing alcohol to minors and to provide equal enforcement across all municipalities in New Jersey; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin that it hereby supports Senate Bill No. S-1341 and Assembly Bill No. A-3291 and respectfully urges the Legislature to support the Bills for the reasons expressed herein.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the sponsors of Senate Bill No. S-1341 and Assembly Bill A-3291, the legislators for Somerset and Middlesex Counties, the New Jersey League of Municipalities and the Municipal Clerks' Association of New Jersey, Inc., and all municipalities in Somerset and Middlesex Counties.

Resolution #07-552 Submission of Township's comments to the Board of Public Utilities regarding tree management activities in connection with Vegetation Management Regulations.

WHEREAS, the Board of Public Utilities (BPU) has suspended its tree management activities after the republication of the Vegetation Management Regulations on September 4, 2007, and

WHEREAS, this provides for a 60 day public comment period, and

WHEREAS, the Township of Franklin has extensive utility line rights-of-way within the Township and extensive vegetation under and around these rights-of-way, and

WHEREAS, the Township Council recognizes the need for safe and efficient transmission of electricity on overhead wires, and

WHEREAS, excessive removal and pruning of vegetation in these utility right-of-ways negatively impacts stormwater runoff, cooling of paved surfaces and homes, wildlife habitat, home values and neighborhood character, energy usage and aesthetics,

WHEREAS, pruning and removal of only the vegetation that directly negatively impacts the utility lines is sufficient to ensure safe and efficient electricity transmission, and

WHEREAS, property owners and residents have not been afforded sufficient notice of vegetation management or the ability to comment on ways to mitigate the impact of vegetation removal, and

WHEREAS, tree species with growth characteristics suitable for planting under and around utility lines and transmission facilities exist, and should be planted to mitigate the negative effects of vegetation removal,

NOW, THEREFORE, BE IT RESOLVED, by Township Council on this 8th day of November, 2007, that the following comments be submitted to the BPU within the 60 day public comment period:

- 1) Property owners and residents should be given sufficient prior notice of vegetation management activities.
- 2) Vegetation should only be removed or pruned to the extent that it is necessary to alleviate negative impacts to transmission lines and facilities.
- 3) Pruning rather than removal of vegetation should be done whenever possible.
- 4) Revegetation of impacted areas with species appropriate for growth under and around transmission wires and facilities should be accomplished.

Resolution #07-553 Authorize Release of Winter Bond – Canal Walk Assoc. LLC – 139 & 143 Saratoga and 6 Delaware.

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:	139 Saratoga Court 143 Saratoga Court 6 Delaware

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 \$1,500.00 be released to the above named applicant.

Resolution #07-554 Approval of Year Two Work Plan of the Neighborhood Preservation Program (NPP).

WHEREAS, the Township of Franklin by resolution authorized the Mayor to enter into an agreement with the State of New Jersey to obtain a Neighborhood Preservation Grant from the Department of Community Affairs; and

WHEREAS, as a condition of the grant, the Department of Community Affairs required the Neighborhood Preservation Program Planning Committee to develop a strategic work plan that will delineate the activities of the program and will describe the manner in which the grant funds are to be expended; and

WHEREAS, the Neighborhood Preservation Program working with the Department of Economic Development within the Township of Franklin has developed Year Two Work Plan and Budget; and

WHEREAS, final approval of said Year Two Work Plan and Budget will permit the Department of Economic Development to proceed with the required activities to fulfill the stipulations of the Neighborhood Preservation Grant; and

WHEREAS, approval of the Township Council is required for the final approval of the Year Two Work Plan by the Department of Community Affairs;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Franklin that they have reviewed the particulars of the Year Two Work Plan of said grant; and

BE IT FURTHER RESOLVED that the said Year Two Work Plan is approved to be enacted by the Township Council of the Township of Franklin.

Resolution #07-555 Authorize Tax Remittals.

BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey that there appears on the books of the Collector of Revenue, taxes to be remitted as a result of a Tax Appeal and should apply the Freeze Act:

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>QTR/YR</u>	<u>AMOUNT</u>
424.12/4.13	Stonehedge Homeowners	3/07	743.20
	Association	4/07	743.20
		Zero	
		Assessment	

Resolution #07-556 Award State Contracts – Furnishings for Building Renovations – Global/Affordable Interior Systems/Allstate Office Interiors, Inc. – Total Amount of all three vendors not to exceed \$45,000.00.

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:

Global

17 West Stow Road, PO Box 563
Marlton, NJ 08053
State Contract T0408

Affordable Interior Systems

4 Bonazzoli Avenue
Hudson, MA 01749
State Contract 57038

Allstate Office Interiors, Inc.

10 Jefferson Plaza
Princeton, NJ 08540
State Contract 57045

ITEMS: Furnishings for Building Renovations
COST: Not to Exceed \$45,000.00

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 #07-557 Authorize Grant Agreement – NJDCA Neighborhood Preservation Program – Neighborhood Housing Rehab Project - \$200,000.00 – Purpose is to provide funds for the Rehabilitation of substandard housing units occupied by low and moderate income households in the NPP neighborhood.

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 NJ Department of Community Affairs Neighborhood Preservation Program – Neighborhood Housing Rehab Project in the amount of \$200,000.00 and does authorize the appropriate Township officials to execute these grant agreements on its behalf.

Resolution #07-558 Authorize Participation in the PARIS Grant Program.

WHEREAS, the Township Council of the Township of Franklin has agreed to apply for a PARIS Grant in the amount of \$200,000.00; and

WHEREAS, the Township Council of the Township of Franklin is acknowledging and accepting the responsibility of acting as applicant for this grant; and

WHEREAS, the State of New Jersey has made PARIS grants available to assist county and municipal governments in their records management, preservation and storage efforts; and

WHEREAS, the purpose of this grant is to provide for a Records Coordinator and the scanning of documents;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin that it hereby approves application for a PARIS Grant for the purpose cited above.

Resolution #07-559 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: Joel Mann
 ADDRESS: 20 Vliet Road
 Hillsborough, NJ 08844
 DOCKET NO. ZBA2005-0196
 BLOCK/LOT: 6/29
 LOCATION: 4222 Route 27

TYPE: Inspection Fees
 AMOUNT DEPOSITED: \$2890.10 (In-Hse)
 AMOUNT CHARGED: 1645.40
 AMOUNT TO BE REFUNDED: \$1244.70

APPLICANT: Raritan Valley Community College
 ADDRESS: PO Box 3300
 Attn: Lester . Miller
 Somerville, NJ 08876

DOCKET NO. ZBA2004-0051
 BLOCK/LOT: 232/1
 LOCATION: 630 Franklin Blvd.
 TYPE: Planning Review
 AMOUNT DEPOSITED: \$330.00 (Heyer) \$2670.00 (In-Hse)
 AMOUNT CHARGED: 330.00 160.00
 AMOUNT TO BE REFUNDED: \$ 0.00 \$2510.00

APPLICANT: Rich Raspolich
 ADDRESS: 172 Grenville Street
 Woodbridge, NJ 07095

DOCKET NO. ZBA2006-0794
 BLOCK/LOT: 276/8
 LOCATION: 2 Lander Street
 TYPE: Planning Review
 AMOUNT DEPOSITED: \$2000.00 (In-Hse)
 AMOUNT CHARGED: 470.75
 AMOUNT TO BE REFUNDED: \$1529.25

Resolution #07-560 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:

<u>NAME OF ORGANIZATION</u>	<u>DATE OF RAFFLE/BINGO</u>
St. Matthias Home School Association 170 JFK Boulevard, Somerset, NJ On-Premise 50/50 – RL#1675 On-Premise Raffle – RL#1676 Drawings: St. Matthias Cafeteria	December 1, 2007 10:00 am – 4:00 pm

Resolution #07-561 Authorize Refund of Deposit of Construction Water Meters.

WHEREAS, the Township of Franklin, Somerset County has received escrow monies for purposes of utilizing fire hydrants for construction water as required by **Section 384-11 of the Code**; and

WHEREAS, the project has been completed and the Director of the Water Division of the Department of Public Works, has certified to the Township Clerk the amount of money actually

due for said construction water and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: Rukh Construction
ADDRESS: 1714 Easton Avenue, Somerset, NJ 08873

AMOUNT DEPOSITED:	\$ 850.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT FOR SERVICE CHARGE & WATER USAGE	\$ 135.00
AMOUNT TO BE REFUNDED:	\$ 715.00

APPLICANT: Gray Supply Corp.
ADDRESS: 28 Howard Street, Piscataway, NJ 08854

AMOUNT DEPOSITED:	\$2,145.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT FOR SERVICE CHARGE & WATER USAGE	\$ 264.50
AMOUNT TO BE REFUNDED:	\$ 1,880.50

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

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

Resolution #07-562 Authorize Refund of Tax 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>
11.01/13.15	TOWNSHIP OF FRANKLIN	2/07 MOVE TO NEXT YEAR	1,493.63
307/5	COUNTRYWIDE	4/07	1,482.01
322/16	PO BOX 10211	BUYER	1,346.27
386.10/217	VAN NUYS, CA 91499-6089	AND SELLER PAID	1,355.85

Resolution #07-563 Authorize Release of Performance Guarantee – Joel Mann LLC – Docket #ZBA2005-0196 – Block 6/Lot 29 – 4222 Route 27 – Site Improvements - \$17,340.61.

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

NAME OF APPLICANT: Joel Mann LLC
ADDRESS OF APPLICANT: 20 Vliet Road, Hillsborough, NJ 08844
ITEM: Performance Bond

NUMBER: 217
 INSURANCE CO./BANK: N/A
 DOCKET: ZBA2005-0196
 IN THE AMOUNT OF: \$17,340.61
 FOR: Block 6/Lot 29 – Site Improvements – 4222 Route 27

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 \$17,340.61 be released to the above named applicant.

Resolution #07-564 Authorize Tax Title Lien Redemptions.

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

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

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

Date of Sale: 6/8/07
Block/Lot: 4/1
Name & Address: Mustafa, Gulam, 19 Laurel Ave., Kingston
Amount: 10,032.78
Make Check Payable To: Staple Sewing Aids Pension
Certificate No.: 070001
Payment Received: 10/18/07

Date of Sale: 6/8/07
Block/Lot: 341/4
Name & Address: Valentine, Gonzalo, 300 Girard Ave., Somerset
Amount: 411.22
Make Check Payable To: James C. Older
Certificate No.: 070181
Payment Received: 10/19/07

Date of Sale: 6/8/07
Block/Lot: 424.02/11.154
Name & Address: Marsicano, Jon & Janet, 149 Carson Ct. Somerset
Amount: 281.10
Make Check Payable To: Almar
Certificate No.: 070220
Payment Received: 10/24/07

Date of Sale: 6/08/06
Block/Lot: 184/13

Name & Address: Murphy, James P., 9 Home St.,Somerset
Amount: 1,931.34
Make Check Payable To: JNH Funding Corp.
Certificate No.: 06-101
Payment Received: 10/26/07

Date of Sale: 6/08/07
Block/Lot: 145/9
Name & Address: Negri, Bruce U.,818 Hamilton St.,Somerset
Amount: 1,159.01
Make Check Payable To: James C. Older
Certificate No.: 070087
Payment Received: 10/30/07

Date of Sale: 6/08/07
Block/Lot: 247/23
Name & Address: Negri,Bruce U.,129 Franklin Blvd.,Somerset
Amount: 890.27
Make Check Payable To: James C. Older
Certificate No.: 070143
Payment Received: 10/30/07

Resolution #07-565 Authorize Execution of Grant Agreement – Municipal Planning Partnership Grant for Canal Access-Vision and Strategic Plan in the amount of \$28,500.00.

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 Somerset County Municipal Planning Partnership Grant Program for the Canal Access-Vision and Strategic Plan in the amount of \$28,500.00 and does authorize the appropriate Township officials to execute these grant agreements on its behalf.

APPOINTMENTS

Mr. Mettler nominated Franklin McLaughlin as a Regular Member of the Trails Advisory Committee for an initial term ending December 31, 2007. Said appointment was approved by Council by acclamation.

Mayor Levine nominated Michael Simpson as the Teen-Age Private School Non-Voting Male Member of the Advisory Recreation Council for an unexpired one-year term ending December 31, 2007 and Sidnee Douyon as the Teen-Age Private School Non-Voting Female Member of the Advisory Recreation Council for an unexpired one-year term ending December 31, 2007. Said appointments were approved by Council by acclamation.

Deputy Mayor Vassanella asked that the appointments not done in 2007 be placed on the listing for 2008 and no longer appear on the agenda. Deputy Mayor Vassanella also asked the Township Clerk to begin to prepare the 2008 Appointment Listing.

ADJOURNMENT

Ms. Francois moved to adjourn the meeting at 10:05 p.m. Said motion was seconded by Mr. Mettler and carried unanimously upon call of the roll.

Approved: *As Submitted.*

Brian D. Levine, Mayor

Date: *November 20, 2007*

Ann Marie McCarthy, Township Clerk