

**REORGANIZATION MEETING OF THE TOWNSHIP COUNCIL  
TOWNSHIP OF FRANKLIN, SOMERSET COUNTY  
JANUARY 1, 2010 – 2:00 P.M.**

The Reorganization Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by Mayor Levine at 2:15p.m.

Mayor Levine called the 2010 Reorganization Meeting of the Township Council to order. Mayor Levine stated "In accordance with Section 5 of the Open Public Meeting Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Reorganization Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, a list of dates, annually, indicating that this Reorganization Meeting would take place at the Franklin Township Municipal Complex at 2:00 p.m. on January 1, 2010. 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."

Boy Scout Troop 135 of First Baptist Church of Lincoln Gardens conducted the flag ceremony. Everyone present participated in the Pledge of Allegiance led by Boy Scout Troop 135 and Girl Scout Troop 655. "God Bless America" was performed by the Silent Choir of Central Jersey.

The Township Clerk administered oaths of office to the following, each for a four-year term, ending December 31, 2013: Theodore Chase, Councilman Ward 1; Rozalyn Sherman, Councilwoman Ward 2; Phillip Kramer, Councilman Ward 3; Carl R. A. Wright, Councilman Ward 4; and James Vassanella, Councilman Ward 5.

The Invocation was led by Deacon Russell Demkovitz, St. Matthias Church and Rabbi Eli Garfinkel, Temple Beth-El.

Remarks were given by all the newly-elected Council members: Mr. Chase, Ms. Sherman, Mr. Kramer, Mr. Wright and Mr. Vassanella.

The Township Clerk called the roll.

Present: Mr. Chase, Ms. Francois, Mr. Glicklich, Mr. Kramer, Mayor Levine, Mr. Prasad, Ms. Sherman, Mr. Vassanella, Mr. Wright.

Absent: None.

Also present: Leslie G. London, Township Attorney, Kenneth W. Daly and Ann Marie McCarthy, Township Clerk.

**NOMINATIONS FOR DEPUTY MAYOR**

Mayor Levine called for nominations for Deputy Mayor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich nominated Kimberly Francois for Deputy Mayor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Vassanella moved to close the nominations for Deputy Mayor. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

The nomination for Deputy Mayor for Deputy Mayor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Kimberly Francois</u></b>
Chase	✓
Francois	✓

Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Kimberly Francois as Deputy Mayor for Deputy Mayor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010. The Township Clerk administered the Oath of Office. Deputy Mayor Francois thanked everyone for bestowing him this honor.

### **NOMINATIONS FOR ATTORNEYS**

#### **Township Attorney**

Mayor Levine called for nominations for Township Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Wright nominated Leslie G. London for Township Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Vassanella moved to close the nominations for Township Attorney. Said motion was seconded by Deputy Mayor Francois and carried unanimously upon call of the roll.

Said nomination for Township Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

<b><u>Leslie G. London</u></b>	
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Leslie G. London as Township Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010. The Township Clerk administered the Oath of Office.

#### **Special Counsel**

Mayor Levine called for nominations for Special Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Deputy Mayor Francois nominated John Belardo as Special Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Special Counsel. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Special Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

<b><u>John Belardo</u></b>	
Chase	✓
Francois	✓

Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared John Belardo as Special Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010. The Township Clerk administered the Oath of Office.

### **Labor Attorney**

Mayor Levine called for nominations for Labor Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Vassanella nominated Avis Bishop-Thompson as Labor Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Labor Attorney. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Labor Attorney for Labor Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Avis Bishop-Thompson</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Avis Bishop-Thompson as Labor Attorney for Labor Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

### **Litigation Attorney**

Mayor Levine called for nominations for Litigation Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Ms. Sherman nominated Michael J. Perrucci as Litigation Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Litigation Attorney. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Litigation Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Michael J. Perrucci</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓

Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Michael J. Perrucci as Litigation Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

### **Land Use Attorney**

Mayor Levine called for nominations for Land Use Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Wright nominated Linda Herlihy as Land Use Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Land Use Attorney. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Land Use Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Linda Herlihy</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Linda Herlihy as Land Use Attorney for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

### **Bond Counsel**

Mayor Levine called for nominations for Bond Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Deputy Mayor Francois nominated Everett Johnson as Bond Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Bond Counsel. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Bond Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Everett Johnson</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Everett Johnson as Bond Counsel for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

**Township Prosecutor**

Mayor Levine called for nominations for Township Prosecutor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Prasad nominated Hector Rodriguez as Township Prosecutor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Deputy Mayor Francois moved to close the nominations for Township Prosecutor. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Township Prosecutor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Hector Rodriguez</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Hector Rodriguez as Township Prosecutor for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to amend the agenda and add nominations for two (2) alternate prosecutors. Said motion was seconded by Mr. Prasad and carried unanimously upon call voice vote.

**Associate Prosecutor/Alternate Prosecutors**

Mayor Levine called for nominations for Associate Prosecutor and two (2) Alternate Prosecutors, each for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich nominated Joseph DeMarco as Associate Prosecutor and James Key and Douglas Singleterry as Alternate Prosecutors, each for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Chase moved to close the nominations for Associate Prosecutor and two (2) Alternate Prosecutors. Said motion was seconded by Mr. Glicklich and carried unanimously upon call of the roll.

Said nomination for Associate Prosecutor and two (2) Alternate Prosecutors, each for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b>(Associate) <u>Joseph DeMarco</u></b>	<b>(Alternate) <u>James Key</u></b>	<b>(Alternate) <u>Douglas Singleterry</u></b>
Chase	✓	✓	✓
Francois	✓	✓	✓
Glicklich	✓	✓	✓
Kramer	✓	✓	✓
Levine	✓	✓	✓
Prasad	✓	✓	✓

Sherman	✓	✓	✓
Vassanella	✓	✓	✓
Wright	✓	✓	✓

Mayor Levine declared Joseph DeMarco as Associate Prosecutor and James Key and Douglas Singleterry as Alternate Prosecutors, each for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

### **Public Defender**

Mayor Levine called for nominations for Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Kramer nominated Dennis Auciello as Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Wright moved to close the nominations for Public Defender. Said motion was seconded by Mr. Kramer and carried unanimously upon call of the roll.

Said nomination for Public Defender for Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Dennis Auciello</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Dennis Auciello as Public Defender for Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

### **Special Public Defender**

Mayor Levine called for nominations for Special Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Chase nominated William Kohlhepp as Special Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Special Public Defender. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Special Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>William Kohlhepp</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared William Kohlhepp as Special Public Defender for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

**BOARD AND COMMISSION APPOINTMENTS**

**Environmental Commission**

**a) Environmental Commission Chairman for a one (1) year term expiring December 31, 2010.**

Mayor Levine called for nominations for Environmental Commission Chairman for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Vassanella nominated Arnold Vernick as Environmental Commission Chairman for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Deputy Mayor Francois moved to close the nominations for Environmental Commission Chairman. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Environmental Commission Chairman for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Arnold Vernick</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Arnold Vernick as Environmental Commission Chairman for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

**b) Two (2) Regular Members of the Environmental Commission, each for a three (3) year term expiring December 31, 2012.**

Mayor Levine called for nominations for two (2) Regular Members of the Environmental Commission, each for three (3) year terms commencing January 1, 2010 and expiring December 31, 2012.

Mr. Chase nominated Dianne Pydeski and John Walker as two (2) Regular Members of the Environmental Commission, each for three (3) year terms commencing January 1, 2010 and expiring December 31, 2012.

Deputy Mayor Francois moved to close the nominations for two (2) Regular Members of the Environmental Commission. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nominations for two (2) Regular Members of the Environmental Commission each for three (3) year terms commencing January 1, 2010 and expiring December 31, 2012 carried as follows upon call of the roll:

	<b><u>Dianne Pydeski</u></b>	<b><u>John Walker</u></b>
Chase	✓	✓
Francois	✓	✓

Glicklich	✓	✓
Kramer	✓	✓
Levine	✓	✓
Prasad	✓	✓
Sherman	✓	✓
Vassanella	✓	✓
Wright	✓	✓

Mayor Levine declared Dianne Pydeski and John Walker as two (2) Regular Members of the Environmental Commission, each for three (3) year terms commencing January 1, 2010 and expiring December 31, 2012.

**c) Regular Member of the Environmental Commission for an unexpired three (3) year term expiring December 31, 2010. (Representative Member to Planning Board)**

Mayor Levine called for nominations for a Regular Member of the Environmental Commission for an unexpired three (3) year term commencing January 1, 2010 and expiring December 31, 2010 (Representative Member to the Planning Board).

Mr. Chase nominated Cecile MacIvor as Regular Member of the Environmental Commission for an unexpired three (3) year term commencing January 1, 2010 and expiring December 31, 2010 (Representative Member to the Planning Board).

Mr. Glicklich moved to close the nominations for Regular Member of the Environmental Commission (Representative to the Planning Board). Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Regular Member of the Environmental Commission for an unexpired three (3) year term commencing January 1, 2010 and expiring December 31, 2010 (Representative Member to the Planning Board) carried as follows upon call of the roll:

	<u>Cecile MacIvor</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Cecile MacIvor as Regular Member of the Environmental Commission for an unexpired three (3) year term commencing January 1, 2010 and expiring December 31, 2010 (Representative Member to the Planning Board).

Mr. Chase made a motion to amend the agenda and include nominations for Alternate #1 Member of the Environmental Commission for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

**d) Alternate Member #1 of the Environmental Commission for an unexpired two (2) year term expiring December 31, 2010 and Alternate Member #2 of the Environmental Commission for a two (2) year term expiring December 31, 2011.**

Mayor Levine called for nominations for Alternate Member #1 of the Environmental Commission for an unexpired two (2) year term commencing January 1, 2010 and expiring

December 31, 2010 and Alternate Member #2 of the Environmental Commission for a two (2) year term expiring December 31, 2011.

Mr. Chase nominated Lawrence Lewis as Alternate Member #1 of the Environmental Commission for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010 and Paul Wolenski as Alternate Member #2 of the Environmental Commission for a two (2) year term expiring December 31, 2011.

Mr. Glicklich moved to close the nominations for Alternate Nos. 1 & 2 of the Environmental Commission. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nominations for Alternate Member #1 of the Environmental Commission for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010 and Alternate Member #2 of the Environmental Commission for a two (2) year term expiring December 31, 2011 carried as follows upon call of the roll:

	<u>Lawrence Lewis (Alt. #1)</u>	<u>Paul Wolenski (Alt. #2)</u>
Chase	✓	✓
Francois	✓	✓
Glicklich	✓	✓
Kramer	✓	✓
Levine	✓	✓
Prasad	✓	✓
Sherman	✓	✓
Vassanella	✓	✓
Wright	✓	✓

Mayor Levine declared Lawrence Lewis as Alternate Member #1 of the Environmental Commission for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010 and Paul Wolenski Alternate Member #2 of the Environmental Commission for a two (2) year term expiring December 31, 2011.

### **Planning Board**

#### **a) Nominations for Two (2) Class IV Planning Board Members, each for a four (4) year term expiring December 31, 2013.**

Mayor Levine called for nominations for two (2) Class IV Members of the Planning Board, each for four (4) year terms commencing January 1, 2010 and expiring December 31, 2013.

Mr. Wright nominated Michael Orsini as a Class IV Member of the Planning Board, for a four (4) year terms commencing January 1, 2010 and expiring December 31, 2013. There were no nominations made for the second appointment.

Deputy Mayor Francois moved to close the nominations for two (2) Class IV Members of the Planning Board. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for one (1) Class IV Member of the Planning Board for four (4) year terms commencing January 1, 2010 and expiring December 31, 2013 carried as follows upon call of the roll:

	<u>Michael Orsini</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓

Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Michael Orsini as a Regular Member of the Planning Board four (4) year terms commencing January 1, 2010 and expiring December 31, 2013.

**b) Nominations for One (1) Class IV Planning Board Member for an unexpired four (4) year term commencing January 1, 2010 and expiring December 31, 2012.**

Mayor Levine called for nominations for a Class IV Member of the Planning Board for an unexpired four (4) year term commencing January 1, 2010 and expiring December 31, 2012.

No nominations were made at this time.

Deputy Mayor Francois moved to close the nominations for a Class IV Member of the Planning Board for an unexpired four (4) year term. Said motion was seconded by Mr. Glicklich and carried unanimously upon call of the roll.

**c) Nominations for One (1) Class IV (Environmental Commission) Planning Board Member, term concurrent with Environmental Commission term.**

Mayor Levine called for nominations for a Class IV (Environmental Commission) Planning Board Member, term concurrent with Environmental Commission term.

Mr. Chase nominated Cecile MacIvor as a Class IV (Environmental Commission) Planning Board Member, term concurrent with Environmental Commission term.

Mr. Glicklich moved to close the nominations for a Class IV (Environmental Commission) Planning Board Member. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for a Class IV (Environmental Commission) Planning Board Member, term concurrent with Environmental Commission term carried as follows upon call of the roll:

	<u>Cecile MacIvor</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Cecile MacIvor as a Class IV (Environmental Commission) Planning Board Member, term concurrent with Environmental Commission term.

**d) Nominations for One (1) Class III (Governing Body) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.**

Mayor Levine called for nominations for a Class III (Governing Body) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Ms. Sherman nominated Theodore Chase as a Class III (Governing Body) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for a Class III (Governing Body) Planning Board Member. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for a Class III (Governing Body) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<u>Theodore Chase</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Theodore Chase as a Class III (Governing Body) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

**e) Nominations for One (1) Class II (Township Official) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.**

Mayor Levine called for nominations for a Class II (Township Official) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Wright nominated Maureen Sturgeon as a Class II (Township Official) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for a Class II (Township Official) Planning Board Member. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for a Class II (Township Official) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<u>Maureen Sturgeon</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Maureen Sturgeon as a Class II (Township Official) Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

- f) Mayor – Acknowledge service as Class I Planning Board Member or appoint a designee for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.**

Mayor Levine acknowledged the appointment of his designee, Anthony Mazzola as the Class I Planning Board Member for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

- g) Nominations for One (1) Planning Board Member Alternate #1 for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.**

Mayor Levine called for nominations for Planning Board Alternate #1 Member for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

Mr. Wright nominated Marvin Coble as Planning Board Alternate #1 Member for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

Mr. Glicklich moved to close the nominations for Planning Board Alternate #1 Member. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Planning Board Alternate #1 Member for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011 carried as follows upon call of the roll:

	<u>Marvin Coble</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Marvin Coble as Planning Board Alternate #1 Member for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

### **Board of Adjustment**

- a) Nominations for One (1) Regular Member of the Board of Adjustment for a four (4) year term commencing January 1, 2010 and expiring December 31, 2013.**

Mayor Levine called for nominations for one (1) Regular Member of the Board of Adjustment for a four (4) year term commencing January 1, 2010 and expiring December 31, 2013.

Mr. Kramer nominated Robert Shepherd as a Regular Member of the Board of Adjustment for a four (4) year terms commencing January 1, 2010 and expiring December 31, 2013.

Deputy Mayor Francois moved to close the nominations for as a Regular Member of the Board of Adjustment. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for a Regular Member of the Board of Adjustment for a four (4) year term commencing January 1, 2010 and expiring December 31, 2013 carried as follows upon call of the roll:

**Robert Shepherd**

Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Robert Shepherd as a Regular Member of the Board of Adjustment for a four (4) year term commencing January 1, 2010 and expiring December 31, 2013.

**b) Nominations for Alternate #1 and Alternate #4 Members of the Board of Adjustment, each for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.**

Mayor Levine called for nominations for Alternate #1 and Alternate #4 Members of the Board of Adjustment, each for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

Mr. Prasad nominated Anthony Caldwell as Alternate #1 Member of the Board of Adjustment. There were no nominations made for Alternate #4 Member of the Board of Adjustment.

Mr. Prasad moved to close the nominations for Alternate #1 and Alternate #4 Members of the Board of Adjustment. Said motion was seconded by Mr. Glicklich and carried unanimously upon call of the roll.

Said nomination for Alternate #1 Member of the Board of Adjustment for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011 carried as follows upon call of the roll:

**Anthony Caldwell**

Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Anthony Caldwell as Alternate #1 Member of the Board of Adjustment for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

**c) Nominations for Alternate #2 Member of the Board of Adjustment for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010.**

Mayor Levine called for nominations for Alternate #2 Member of the Board of Adjustment, for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Vassanella nominated Gary Rosenthal as Alternate #2 Member of the Board of Adjustment, for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Alternate #2 Member of the Board of Adjustment. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Said nomination for Alternate #2 Member of the Board of Adjustment for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Gary Rosenthal</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Gary Rosenthal as Alternate #2 Member of the Board of Adjustment for an unexpired two (2) year term commencing January 1, 2010 and expiring December 31, 2010.

### **Historic Preservation Commission**

#### **a) Nominations for Four (4) Regular Members of the Historic Preservation Commission, each for a two (2) year term expiring December 31, 2011.**

Mayor Levine called for nominations for four (4) Regular Members of the Historic Preservation Commission, each for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

Ms. Sherman nominated Barbara Lawrence, Robert LaCorte, Jean Ambrose and Susan Goldey as Regular Members of the Historic Preservation Commission, each for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

Deputy Mayor Francois moved to close the nominations for four (4) Regular Members of the Historic Preservation Commission. Said motion was seconded by Mr. Glicklich and carried unanimously upon voice vote.

Said nomination for four (4) Regular Members of the Historic Preservation Commission, each for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011 carried as follows upon call of the roll:

	<b><u>Barbara Lawrence</u></b>	<b><u>Robert LaCorte</u></b>
Chase	✓	✓
Francois	✓	✓
Glicklich	✓	✓
Kramer	✓	✓
Levine	✓	✓
Prasad	✓	✓
Sherman	✓	✓
Vassanella	✓	✓
Wright	✓	✓

	<u>Jean Ambrose</u>	<u>Susan Goldey</u>
Chase	✓	✓
Francois	✓	✓
Glicklich	✓	✓
Kramer	✓	✓
Levine	✓	✓
Prasad	✓	✓
Sherman	✓	✓
Vassanella	✓	✓
Wright	✓	✓

Mayor Levine declared Barbara Lawrence, Robert LaCorte, Jean Ambrose and Susan Goldey as Regular Members of the Historic Preservation Commission, each for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

**b) Nominations for One (1) Alternate #1 Member of the Historic Preservation Commission for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.**

Mayor Levine called for nominations for one (1) Alternate #1 Member of the Historic Preservation Commission, for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

Deputy Mayor Francois nominated Nancy Hohnstine as Alternate #1 of the Historic Preservation Commission, for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

Deputy Mayor Francois moved to close the nominations for Alternate #1 Member of the Historic Preservation Commission. Said motion was seconded by Mr. Wright and carried unanimously upon voice vote.

Said nomination for Alternate #1 Member of the Historic Preservation Commission for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011 carried as follows upon call of the roll:

	<u>Nancy Hohnstine</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Nancy Hohnstine as Alternate #1 of the Historic Preservation Commission for a two (2) year term commencing January 1, 2010 and expiring December 31, 2011.

**STANDING COMMITTEE APPOINTMENTS**

Mayor Levine called for nominations for the following Standing Committees: Administration and Financial Oversight; Public Safety; Land Use, Open Space, Parks & Recreation; and Public Works, each with four (4) Council members for an one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Deputy Mayor Francois made the following nominations of Standing Committees, each with four (4) Council members for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010:

**Administration/Financial Oversight**

Daniel Glicklich  
Phillip Kramer  
Brian D. Levine  
Kimberly Francois

**Land Use, Open Space, Parks & Recreation**

Theodore Chase  
Carl Wright  
Rajiv Prasad  
James Vassanella

**Public Safety**

Phillip Kramer  
Rozalyn Sherman  
James Vassanella  
Carl Wright

**Public Works**

Theodore Chase  
Rajiv Prasad  
Brian D. Levine  
Rozalyn Sherman

Mr. Glicklich moved to close nominations of Standing Committees. Said motion was seconded by Mr. Wright and carried unanimously upon voice vote.

The aforesaid nominations for Standing Committees, each with four (4) Council members for an one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried unanimously by acclamation.

Mayor Levine declared the following Council members on the following Standing Committees, each with four (4) Council members for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010:

**Administration/Financial Oversight**

Daniel Glicklich  
Phillip Kramer  
Brian D. Levine  
Kimberly Francois

**Land Use, Open Space, Parks & Recreation**

Theodore Chase  
Carl Wright  
Rajiv Prasad  
James Vassanella

**Public Safety**

Phillip Kramer  
Rozalyn Sherman  
James Vassanella  
Carl Wright

**Public Works**

Theodore Chase  
Rajiv Prasad  
Brian D. Levine  
Rozalyn Sherman

**CONSENT AGENDA**

Upon motion by Mr. Glicklich, seconded by Deputy Mayor Francois, the following Consent Agenda was adopted as follows upon call of the roll:

**AYES**

Chase  
Glicklich  
Levine  
Sherman  
Wright

**AYES**

Francois  
Kramer  
Prasad  
Vassanella

**NAYS**

**ABSTAIN**

**ABSENT**

**Resolution #10-001** Depositories – All Township Funds

**BE IT AND IT IS HEREBY RESOLVED** that the following named banks shall be Depositories for all Township Funds and the Custodian shall be the Treasurer of the Township of Franklin, County of Somerset and State of New Jersey for the period January 1, 2010 to December 31, 2010:

**BANK OF AMERICA  
PNC  
OCWEN FEDERAL BANK  
WACHOVIA BANK  
NEW MILLENIUM BANK  
TD BANK  
INVESTORS SAVINGS BANK  
MAGYAR SAVINGS BANK  
OCEAN FIRST BANK  
THE PROVIDENT BANK  
SOVEREIGN BANK  
NEW JERSEY CASH MANAGEMENT FUND  
NEW JERSEY ASSET AND REBATE MANAGEMENT PROGRAM  
COMMUNITY FIRST BANK**

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

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

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

**Resolution #10-002** Depositories – Special

**BE IT AND IT IS HEREBY RESOLVED** that **BANK OF AMERICA** shall be the Depositor for the following funds of the Township of Franklin, County of Somerset and State of New Jersey and the Custodian shall be designated as follows for the period January 1, 2010 to December 31, 2010:

**DEPARTMENT OF COLLECTOR TRUST FUND  
MUNCIPAL COURT  
MUNICIPAL COURT BAIL**

**TAX COLLECTOR  
COURT ADMINISTRATOR  
COURT ADMINISTRATOR**

**Resolution #10-003** Adopt Cash Management Plan

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Franklin, County of Somerset and State of New Jersey, hereby adopts the following "Cash Management Plan" policy to be utilized by the Township of Franklin for the year 2010; and

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

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

**STATEMENT OF PURPOSE**

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis of deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Franklin, pending the use of such funds for the intended purposes. The Plan is intended to assure that all

public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments herein after referred to. The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity, (regarding its availability for the intended purposes), and the maximum investment return within such limits. The plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

## **I. DEFINITIONS**

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

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

“GUDPA” requires a bank that accepts public funds to be a public depository. A “Public Depository” is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation, and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from, banks which are located in New Jersey and which meet the requirements of the “GUDPA”.

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

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

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

- Current Fund
- Grant Fund
- Trust Assessment Fund
- General Trust Fund
- Animal Control Fund
- Unemployment Insurance Trust Fund
- Self Insurance Trust Fund
- Serial Bonds Refunding Trust Fund
- General Capital Fund
- Water Utility Operating Fund
- Water Utility Capital Fund
- Public Assistance Fund
- Bond & Interest Fund
- Affordable Housing Trust Fund
- Open Space Trust Fund

Acquisition and Preservation of Historical Structures Account  
 Green Acres Trust Account  
 Employee Payroll Deduction Account  
 Payroll Account  
 Environmental Impairment Account  
 Workers Compensation Account  
 Warrant Account  
 Developers Escrow

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

### **III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF FRANKLIN AUTHORIZED TO MAKE DEPOSTS AND INVESTMENTS**

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

### **IV. STANDARDS OF CARE**

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

### **V. PROCEDURES FOR THE RECEIPT OF MONIES**

#### **A. Department Procedures**

1. A receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the duplicate shall be maintained by the receiving department. All payments and receipts must be recorded.

2. All monies collected or received from any source by or on behalf of the Township shall be deposited within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A : 5-15.
3. All monies received shall be placed in a secured place until forwarded for deposit.
4. No department, division or agency shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is prohibited.

B. Chief Financial Officer (Designated Official)

1. The Chief Financial Officer shall:
  - a. Deposit all monies collected or received from any source by or on behalf of the Township within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.
  - b. Ensure that all monies deposited are in interest bearing accounts.
  - c. Make recommendations of legal public depositories to the Township Council who shall by resolution designate said depositories at the first meeting of the calendar year.
  - d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement by the end of the following month.
  - e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Banking and Insurance, Governmental Unit Deposit Protection Act notification of Certificate of Eligibility, which must be filed semi-annually in the Department of Banking as of June 30<sup>th</sup> and December 31<sup>st</sup> of each year.

**VI. DESIGNATION OF DEPOSITORIES**

The Township Council authorized resolution on January 1, 2010 which designated the following banks and financial institutions as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposits which are not otherwise invested in "Permitted Investments as provided for in this Plan".

BANK OF AMERICA  
PNC  
OCWEN FEDERREAL BANK FSB  
WACHOVIA BANK  
NEW MILLENIUM BANK  
TD BANK  
INVESTORS SAVINGS BANK  
MAGYAR SAVINGS BANK  
OCEAN FIRST BANK  
THE PROVIDENT BANK  
SOVEREIGN BANK  
NEW JERSEY CASH MANAGEMENT FUND  
NEW JERSEY ASSET AND REBATE MANAGEMENT PROGRAM  
COMMUNITY FIRST BANK

**VII. AUTHORIZED INVESTMENTS**

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

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America
2. Government Money Market Mutual Funds
3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment pools.
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4) or
8. Agreements for the repurchase of fully collateralized securities if:
  - a. The underlying securities are permitted investments pursuant to paragraphs "1" and "3" of this subsection a;
  - b. The custody of collateral is transferred to a third party;
  - c. The maturity of the agreement is not more than 30 days;
  - d. The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (c.17:9-41); and
  - e. A master repurchase agreement providing for the custody and security of collateral is executed.

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

**A. GOVERNMENT MONEY MARKET MUTUAL FUND**

An Investment company or Investment Trust:

- a. Which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. Sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec, 270. 2a-7.
- b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270. 2a-7 and
- c. repurchase agreements that are collateralized by such U.S. Government Securities; and
- d. Which has:

- (i) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
- (ii) Retained an investment advisor registered or exempt from registration with the security and exchange commission pursuant to the "Investment Advisors Act of 1940," is U.S.C. Sec 806-1 et seq., with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

"Local Government Investment Pool". An investment pool:

- a. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. Which is rated in the highest category by a nationally recognized statistical rating organization;
- c. Which is limited to U.S. Government securities that meet the definition of eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that collateralized by such U.S. Government securities.
- d. Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.
- e. Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in an borrowing on such U.S. Government securities.

#### **VIII. SAFEKEEPING CUSTODY PAYMENT**

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

## **X. REPORTING REQUIREMENTS**

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

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

## **XI. TOWNSHIP AUDITOR**

The Township Investment practices (including compliance with N.J.S.A. 40A:5-14) and the agreement for banking services and compensation thereof shall be reviewed by the Township Auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a conflict exists between this Cash Management Plan and State Statute, the applicable State Statute shall apply.

## **XII. SURETY BONDS**

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

## **XIII. TERM OF PLAN**

This Plan shall be in effect from January 1, 2010 to December 31, 2010. Attached to this Plan is a resolution of the governing body of the Township of Franklin approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**Resolution #10-004** Appoint Joyce Miller as Public Agency Compliance Officer

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that Joyce Miller, Purchasing Administrator be appointed as the Public Agency Compliance Officer for a one-year term ending December 31, 2010.

**Resolution #10-005** Fix the Rate of Interest to be charged on delinquent taxes or assessments

**WHEREAS**, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

**WHEREAS**, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500. of the delinquency and 18% per annum on any amount in excess of \$1,500. and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000. on properties that fail to pay the delinquency prior to the end of the calendar year; now

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500. of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500. becoming delinquent after due date and if a delinquency is in excess of \$10,000. and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency.
2. Effective January 1, 2010 there will be a ten (10) day grace period of quarterly tax payments made by cash, check or Money Order.
3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of the resolution.
4. A certified copy of the resolution shall be provided by the Municipal Clerk to the Tax Collector, Township Attorney, and Township Auditor for the Township of Franklin.

Mr. Kramer moved to amend the agenda to add appointments to the Advisory Board of Health and the Municipal Ethics Board. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

**Advisory Board of Health**

- **Nominations for two (2) Regular Members of the Advisory Board of Health, each for a three (3) year term commencing January 1, 2010 and expiring December 31, 2012.**

Mayor Levine called for Nominations for two (2) Regular Members of the Advisory Board of Health, each for a three (3) year term commencing January 1, 2010 and expiring December 31, 2012.

Mr. Kramer nominated Christine Hardison and Shivani Pathak as Regular Members of the Advisory Board of Health, each for a three (3) year term commencing January 1, 2010 and expiring December 31, 2012.

Mr. Glicklich moved to close the nominations for Regular Members of the Advisory Board of Health. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

Said nominations for two (2) Regular Members of the Advisory Board of Health, each for a three (3) year term commencing January 1, 2010 and expiring December 31, 2012 carried as follows:

	<u>Christine Hardison</u>	<u>Shivani Pathak</u>
Chase	✓	✓
Francois	✓	✓
Glicklich	✓	✓
Kramer	✓	✓
Levine	✓	✓
Prasad	✓	✓
Sherman	✓	✓
Vassanella	✓	✓
Wright	✓	✓

Mayor Levine declared Christine Hardison and Shivani Pathak as Regular Members of the Advisory Board of Health, each for a three (3) year term commencing January 1, 2010 and expiring December 31, 2012.

### **Municipal Ethics Board**

- **Nominations for one (1) Regular Member of the Municipal Ethics Board for a five (5) year term commencing January 1, 2010 and expiring December 31, 2014.**

Mayor Levine called for nominations for one (1) Regular Member of the Municipal Ethics Board for a five (5) year term commencing January 1, 2010 and expiring December 31, 2014.

Mr. Kramer nominated John Paff of the Libertarian Party as a Regular Member of the Municipal Ethics Board for a five (5) year term commencing January 1, 2010 and expiring December 31, 2014.

Mr. Glicklich moved to close nominations for a Regular Member of the Municipal Ethics Board. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

Said nomination for a Regular Member of the Municipal Ethics Board for a five (5) year term commencing January 1, 2010 and expiring December 31, 2014 carried as follows:

	<u>John Paff</u>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared John Paff as a Regular Member of the Municipal Ethics Board for a five (5) year term commencing January 1, 2010 and expiring December 31, 2014.

**Advisory Board of Health Council Liaison**

- **Nominations for Council Liaison to the Advisory Board of Health for a one (1) year term commencing January 1, 2010 and expiring December 31, 2010.**

Mayor Levine called for Nominations for a Council Liaison to the Advisory Board of Health, for an one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich nominated Phillip Kramer as the Council Liaison to the Advisory Board of Health, for an one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

Mr. Glicklich moved to close the nominations for Council Liaison to the Advisory Board of Health. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

Said nomination for Council Liaison to the Advisory Board of Health for an one (1) year term commencing January 1, 2010 and expiring December 31, 2010 carried as follows upon call of the roll:

	<b><u>Phillip Kramer</u></b>
Chase	✓
Francois	✓
Glicklich	✓
Kramer	✓
Levine	✓
Prasad	✓
Sherman	✓
Vassanella	✓
Wright	✓

Mayor Levine declared Phillip Kramer as the Council Liaison to the Advisory Board of Health for an one (1) year term commencing January 1, 2010 and expiring December 31, 2010.

**ADJOURNMENT**

Motion was made by Deputy Mayor Francois and seconded by Mr. Prasad to adjourn to the Reorganization Meeting at 3:53 p.m. Motion was carried unanimously.

Approved: *As Submitted*

Brian D. Levine, Mayor

Date: *March 9, 2010*

Ann Marie McCarthy, Township Clerk