

REGULAR MEETING OF THE TOWNSHIP COUNCIL
TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY
JANUARY 8, 2002

The Regular Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, held at 475 DeMott Lane, Somerset, New Jersey, was called to order by the Mayor at 8:03 P.M.

The Mayor read a statement indicating all requirements of P.L. 1975, Chapter 231 (The Open Public Meeting Act) had been met.

The Township Clerk called the roll.

Present: Mayor Eberle, Deputy Mayor Grippo, Ms. Barrier, Mr. Levine, Mr. McKenzie, Mr. Mettler, Mr. Sumter. Mr. Chivukula and Mr. Mazzola were absent at roll all but arrived shortly thereafter.

Absent: No One

Also Present: Louis N. Rainone, Esq., Township Attorney, Kenneth W. Daly, Township Manager, Jean C. Pellicane, RMC, Township Clerk

PROCLAMATION - FRANKLIN TOWNSHIP POP WARNER ASSOCIATION

Read by Mayor Eberle

WHEREAS, the Franklin Township Pop Warner Association has served the youth of our Community for twenty nine (29) years by providing scholastic, athletic and social goals and recognition; and

WHEREAS, the Franklin Township Pop Warner Association in its 2001 Season has achieved success and honors in football, cheerleading and scholastic accomplishments; and

NOW, THEREFORE, I, SHIRLEY EBERLE, MAYOR of the Township of Franklin, County of Somerset, State of New Jersey on behalf of the Township Council, all residents of the Township of Franklin, especially our young residents who particularly benefit from the efforts and talents of so many volunteers, do hereby thank

MATTHEW E. PERRY, PRESIDENT
PAMELA EDEEN, VICE PRESIDENT
CHERYL WALLACE, TREASURER
LORETTA HALL, SECRETARY
ANN BONDS, DIRECTOR OF PARENTS
MARCUS BONDS, ATHLETIC DIRECTOR
MALCOM BERNARD, ASSISTANT ATHLETIC DIRECTOR
FOY ROBINSON, ASSISTANT ATHLETIC DIRECTOR
SCOTTI THOMPSON, CHEERLEADING DIRECTOR
LELA HUGHES, ASSISTANT CHEERLEADING DIRECTOR

and do commend the Franklin Township Pop Warner Association participants for the honors they have bestowed upon our community during their 2001 Season.

Proclamation presented to Matthew Perry, President of Pop Warner Association by Mayor Eberle and Deputy Mayor Grippo.

Mr. Chivukula arrived at this time.

REGULAR MEETING - JANUARY 8, 2002**MINUTES - SPECIAL MEETING - 12/04/01; WORK SESSION 12/04/01; REGULAR MEETING 12/11/01**

Motion was made by Mr. Chivukula and seconded by Mr. Mettler to approve the Minutes of the Special Meeting of December 4, 2001, the Work Session of December 4, 2001 and the Regular Meeting of December 11, 2001.

Motion was carried by those members of Council present at those meetings.

WARRANTS - JANUARY 8, 2002**Read by Mayor Eberle**

1	Current Fund	6,561,117.31
5	Water Operating	334,651.09
6	Water Capital	8,028.59
4	General Capital	63,656.85
15	General Trust	58,958.88
18	Self Insurance Trust Fund	7,578.67
21	Recreation Trust	462.82
12	Open Space Trust	0
2	Grant Fund	6,687.95
17	Workers' Compensation	16,234.37
	Unemployment Trust	0
	Employee Payroll Deduction	0
3	Collector Trust	106,768.66
14	Dog Revenue	0
	Community Foundation	0
22	General Ledger: Current	222,767.83
13	Redevelopment Agency	310.00
23	Agency Payroll	168,525.97
	SUB-TOTAL	7,555,748.99
25	Escrow Account	65,148.20
19	Voided Checks	0
20	Adjustments	0
	GRAND TOTAL	<u>\$7,620,897.19</u>

Motion was made by Deputy Mayor Grippo and seconded by Mr. Chivukula to approve the Warrants. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

PUBLIC DISCUSSION

Mr. Mazzola arrived at this time.

Motion was made by Deputy Mayor Grippo and seconded by Mr. Sumter to open the meeting for public discussion; motion was carried unanimously.

John Grosso, 61 Hollywood Avenue:

1. Congratulated Councilman Chivukula on being sworn in as State Assemblyman.

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2. Noted 1995 newspaper articles dealing with developer contributions to North Brunswick of a park and rescue squad building and the need to get Franklin developers to contribute such items when they are seeking waivers of ordinance provisions.
3. Requested a progress report on Franklin/Somerset Rescue Squad Building issue. Township Manager Daly responded that the Council's Financial Oversight Subcommittee met with squad members in December and had a fruitful discussion. Both entities are pursuing and researching information on best location for squad building.
4. Spoke in reference to the Dunham-Lebed Park, questioning the expenditure of over \$6,000 to relocate the driveways to the park which could have been done in house, noted the need to provide fencing and landscape buffering to protect the adjacent residential neighbors, and the continued need for a road behind the Kozar house to provide access to both portions of the park without having to use Willow Avenue.
5. Expressed his dismay over a January 2nd Home News & Tribune article dealing with the 2002 mayoral position.
6. Questioned the action taken by Council on the Middlebush Traffic Improvements which appeared on the January 3rd Work Session. Township Manager Daly responded that the report from Orth-Rodgers was received and transmitted to Council at that Work Session. Therefore, the item was deferred to the Council Retreat in February.
7. Questioned the grant amount being applied for by Consent Agenda resolution T (Grant Application - NJ Transit - Section 5310 - Senior Transportation Grant). Township Manager Daly responded that the amount is unknown but must be sufficient to purchase a mini-bus for senior transportation.
8. Questioned the ability of Township staff to perform the Character Development Program authorized by Consent Agenda resolution Z (Professional Service Agreement - Character Assets, Inc. - Character Development Program for Teen Recreation Program - \$3,200.00). Township Manager Daly responded that this is a specialized program being funded by the Juvenile Justice Commission which requires highly trained people not available on our staff.
9. Questioned the cost to the taxpayers of the Planning Review, Engineering Review and Inspection Services authorized by Consent Agenda resolution DD (Appointment - Consultants to Provide Planning Review, Engineering Review and Inspection Services - Applicant Escrow Funds). Township Attorney Rainone responded that the cost is paid by developers through escrow deposits with the Township.
10. Questioned the purpose and cost to the taxpayers of Consent Agenda resolution FF (Appointment - Marc Dashield - Public Agency Compliance Officer). Township Attorney Rainone responded that the position is required by the Local Public Contracts Law to assign responsibility for Township affirmative action documentation and that there is no additional pay to the employee or cost to the Township for this position.

Lucretia Cortelyou, 1892 Amwell Road:

1. Congratulated Mayor Eberle, Deputy Mayor Grippo & Assemblyman Chivukula on their elections.
2. Questioned Council progress towards controlling traffic violations by tractor-trailers using local roads. Mayor Eberle noted that she will be serving on the Council's Traffic Management Committee in 2002 and the Committee will be discussing the matter of controlling these vehicles on local and county roads.

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3. Questioned the lack of newspaper reporters at Council meetings and the practice of the media getting information from individual Council members.

Chip Hoever, 9 Stallion Court, Countryside at Franklin Condominium Association:

1. Congratulated Mayor Eberle, Deputy Mayor Grippo & Assemblyman Chivukula on their elections.
2. Commended the staff in the Township Clerk's office for their polite and helpful manner.
3. Questioned if the developer of the Villages and Country Homes at Countryside requested release or reduction of their performance guarantees as rejected by Consent Agenda resolution P (Performance Guarantee Release Rejection - Parkside Realty Associates - Docket #P94010P - Countryside - The Villages and Country Homes - \$130,870.00). Township Attorney Rainone responded that the developer did request release or reduction, but a list of items generated by staff resulted in the resolution rejecting the request.
4. Noting continuing problems with the garbage compactors serving the garden apartments adjacent to the condominiums, report from the Health Department on the Association's suggested dumpster locations that the "trash system is adequate" and "over last six months no significance nuisance has existed", advise from the Health Department that the County has jurisdiction over dumpsters when the County only deals with recyclable materials

Township Attorney Rainone requested clarification of the issue of garbage compactor versus dumpster, noting the perception that the compactors were required by the Planning Board as a result of complaints by the condominium association. Mr. Hoever noted that he served on the board at the time of the compactor decision, has tapes of all meetings, and finds no record of the board insisting on or suggesting that a compactor should be installed. The owners took control of the Condominium Association in 1997.

A meeting of the Condominium Association with the Township Manager, Township Attorney and Director of Health is scheduled for next week to deal with these issues.

5. Noted the amount of fines due and owing by the developer for violations on the steps/stoops in the development, and that Township Engineer Russo has not yet heard from the bonding company on the drainage issue.

Carol Jenkins, 10 Reins Court, Countryside at Franklin Condominium Association, spoke in objection to a summons issued to the Condominium Association by the Health Department for debris in the detention basin when the debris results from the apartment unit garbage compactor. Township Manager Daly responded that the Health Department enforces the Health Codes based on State Statutes and he cannot interfere on issues of enforcement.

David Fan, 5 Barmouth Court noted the need for fencing and landscape buffering between Dunham-Lebed Park and the Barmouth Court residents, noting problems being experienced by residents with trespassing, deer and soccer balls.

Michael Orsini, 24 Nepote Drive:

1. Noted his dismay with the quality of the Somerset Spectator newspaper coverage of Council Reorganization.
2. Expressed his hope for a successful 2002 in terms of open space acquisition and a possible referendum to increase the open space tax for November.
3. Noted the need to develop solutions for traffic problems other than developing new roads.

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Motion was made by Deputy Mayor Grippo and seconded by Mr. Sumter to close the public portion of the meeting; motion was carried unanimously.

ORDINANCE INTRODUCTION - AMEND CODE - CHAPTER 112, DEVELOPMENT - SECTION 112-9B(25), SUBSECTION (3), LOCATIONS WHERE WIRELESS COMMUNICATION ANTENNAS ARE PERMITTED, PARAGRAPH (2), SECOND PRIORITY LOCATIONS AND (3), THIRD PRIORITY LOCATIONS

Township Clerk Pellicane read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT - SECTION 112-9B(25) WIRELESS COMMUNICATIONS ANTENNAS (ADD NEW SILOS, STEEPLES & WINDMILLS TO EXISTING SILOS AND STEEPLES FOR SECOND PRIORITY LOCATIONS) (SPECIFY TOWNSHIP OWNED THIRD PRIORITY LOCATIONS)" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Mr. Mazzola so moved. Ms. Barrier seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

ORDINANCE INTRODUCTION - AMEND CODE - CHAPTER 112, DEVELOPMENT - SECTION 112-26C(1)a - ENGINEERING FEES FOR RESIDENTIAL DEVELOPMENT' SECTION 112-29, ESCROW DEPOSITS (SINGLE LOT RESIDENTIAL APPLICATIONS FOR ONE DWELLING)

Township Clerk Pellicane read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT - SECTION 112-26C, INSPECTION OF IMPROVEMENTS AND SECTION 112-29, ESCROW DEPOSITS" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Mr. Mazzola so moved. Mr. Chivukula seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

REGULAR MEETING - JANUARY 8, 2002

ORDINANCE INTRODUCTION - LEASE - CAPITAL EQUIPMENT FROM THE SOMERSET COUNTY IMPROVEMENT AUTHORITY

Township Clerk Pellicane read by title:

"ORDINANCE AUTHORIZING THE LEASE OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF FRANKLIN, NEW JERSEY FROM THE SOMERSET COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Mr. Chivukula so moved. Ms. Barrier seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

ORDINANCE INTRODUCTION - AMEND CODE - CHAPTER 47, POLICE DEPARTMENT - POLICY ON SUSPENSION OF POLICE OFFICERS

Township Clerk Pellicane read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 47, POLICE DEPARTMENT - SECTION 47-14, SUSPENSION AND REMOVAL OF MEMBERS" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Mr. Chivukula so moved. Mr. Levine seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

ORDINANCE INTRODUCTION - AMEND CODE - CHAPTER 44, PERSONNEL POLICIES - SECTION 44-10, EMPLOYMENT BENEFITS, SUBSECTION F, HOLIDAYS - ADD LABOR DAY

Township Clerk Pellicane read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 44, PERSONNEL POLICIES - SECTION 44-10, EMPLOYMENT BENEFITS - SUBSECTION F, HOLIDAYS" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

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Mr. Chivukula so moved. Mr. Sumter seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

ORDINANCE INTRODUCTION - AUTHORIZE LEASE - TRAP ROCK INDUSTRIES, INC. - COMMUNICATIONS ANTENNA/TRANSMISSION LINE & RECEIVING EQUIPMENT

Township Clerk Pellicane read by title:

"AN ORDINANCE AUTHORIZING A LEASE AMENDMENT FOR CERTAIN PREMISES OWNED BY TRAP ROCK INDUSTRIES, INCORPORATED TO THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET AND STATE OF NEW JERSEY FOR THE INSTALLATION OF COMMUNICATIONS ANTENNA AND TRANSMISSION LINE/RECEIVING EQUIPMENT" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Mr. Chivukula so moved. Mr. Sumter seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

ORDINANCE INTRODUCTION - ACCEPT DEDICATION - COMMERCE BANK NA - BEEKMAN ROAD AT ITS INTERSECTION WITH STATE HIGHWAY 27

Township Clerk Pellicane read by title:

"AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE FROM COMMERCE BANK NA - ROAD DEDICATION - BEEKMAN ROAD AT ITS INTERSECTION WITH NEW JERSEY STATE HIGHWAY 27" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Mr. Chivukula so moved. Mr. Sumter seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried

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ORDINANCE INTRODUCTION - AMEND CODE - ADD CHAPTER, JOINT ADVISORY COMMITTEE FOR THE VILLAGE OF KINGSTON

Township Clerk Pellicane read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY ADDING A NEW CHAPTER 29, JOINT TOWNSHIP ADVISORY COMMITTEE/VILLAGE OF KINGSTON" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Ms. Barrier so moved. Mr. Chivukula seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

ORDINANCE INTRODUCTION - AMEND CODE - CHAPTER 226, VEHICLES & TRAFFIC - ELIMINATE PARKING ON JFK SERVICE ROADS

Township Clerk Pellicane read by title:

"AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226, VEHICLES & TRAFFIC - SECTION 226-13, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS (JFK FRONTAGE ROADS)" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

Mr. Chivukula so moved. Mr. Sumter seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

ORDINANCE INTRODUCTION - AMEND CODE - CHAPTER 226, VEHICLES & TRAFFIC - DELETE ON-STREET PARKING SPACE - 134 VICTOR STREET

Township Clerk Pellicane read by title:

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226, VEHICLES AND TRAFFIC, SECTION 226-30 (ON-STREET HANDICAPPED PARKING SPACE (DELETE 134 VICTOR STREET))" which is presented to Council for adoption on first reading, posting, publication in accordance with law for public hearing on February 12, 2002.

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Mr. Mazzola so moved. Mr. Chivukula seconded the motion. Township Clerk Pellicane polled the Board, the vote being as follows:

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

Motion was carried.

RESOLUTION - CONSENT AGENDA**Read by Township Clerk Pellicane**

The items listed within the Consent Agenda portion of this meeting have been referred to the Township Council for reading and study, are considered routine and will be enacted by one motion of the Township Council with no separate discussion. If separate discussion is required, the item may be removed from the agenda by request of a Township Council member and placed on the regular agenda.

Township Clerk Pellicane noted the revision to the amount authorized by Consent Agenda Resolution I (Agreement - Middlesex County Health Department - Interlocal Services - STD Services - \$6,500.00)

I move that the Consent Agenda Resolutions as they appear on the prepared agenda be and the same are hereby approved:

A. Tax Title Lien Redemptions:

Chawla – Block 34.07/Lot 16.07C0053 – \$1,071.43 - 15 Chelsea Court
 Wen – Block 34.09/Lot 59.02C0354 - \$843.44 – 2 Jade Court
 Patel – Block 34.12/Lot 21 - \$33,306.84 – 8 Garretson Drive (1998)
 Patel – Block 34.12/Lot 21 - \$37,246.10 – 8 Garretson Drive (2000)
 Veronica Plaza Investors – Block 88.01/Lot 43 - \$675.80 – 1165 Route 27
 Sirmans – Block 142/Lot 1 - \$1,473.19 – 37 Millstone Road
 Johnson – Block 222/Lot 14 - \$351.94 – 54 Dewald Avenue (1998)
 Johnson – Block 222/Lot 14 - \$338.49 – 54 Dewald Avenue (1999)
 Johnson – Block 222/Lot 14 - \$290.05 – 54 Dewald Avenue (2000)
 Johnson – Block 222/Lot 14 - \$244.93 – 54 Dewald Avenue (2001)
 WFIP Realty – Block 237/Lot 27 \$25,937.37 – 51 Roberts Road
 White – Block 274/Lot 36.01 - \$296.77 – 183 Arlington Avenue
 Sivetz – Block 340/Lot 40 - \$575.36 – 28 Abbott Road
 Velez – Block 383/Lot 12 - \$3,836.12 – 27 Foxwood Drive
 Dumas – Block 417.02/Lot 444C0048 - \$201.56 – 47 Norwich Place
 Lara – Block 432/Lot 3 - \$79.28 – 120 Hollywood Ave

B. Tax Overpayments - Various**C. Budget – FY2002 Insertion in Budget – Drunk Driving Enforcement Fund - \$16,733.09****D. Purchase – Elizabethtown Water Co. – Fire Hydrant Charges – 1/1/02 to 6/30/02 - \$12,213.50****E. Purchase – Office Supplies – Amend Resolution- delete Allied Strauss & Oak Tree Supply/add Staples and Somerset Office Supplies – State Contract****F. Purchase – Central Jersey Joint Insurance Fund – Premiums for 1/1/02 to 6/30/02 - \$255,048.87**

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- G. Contract Rescission – IMSoftech – Meter Reading Billing System - \$61,500 minus \$9,225 for services performed
- H. Contract – Somerset County – 2002 Recycling Services - \$23.85 per household
- I. Agreement – Middlesex County Health Department – Interlocal Services – STD Services – ~~\$3,461~~ [**\$6,500.00**]
- J. Approve Annual Compensation - Fire Commissioners – Fire District No. 1
- K. Approve Annual Compensation – Fire Commissioners – Fire District No. 3
- L. Discharge of Affordable Housing Mortgage – Hall to Robinson – Block 34.10/Lot 59.01C1219 - 73 Amethyst Way
- M. Escrow Release – Construction Water Meter:
US Homes Corp. - \$715.00
- N. Escrow Release – Inspection Fees:
PSE&G Co. Substation, Docket #P99062P - \$300.00
- O. Performance Guarantee Release – PSE&G Company Sub-station – Docket #P99062P - \$138,000.00
- P. Performance Guarantee Release Rejection – Parkside Realty Associates – Docket #P94010P - Countryside – The Villages and Country Homes - \$130,870.00
- Q. Performance Guarantee Reduction – Whitehall Manor, Section 8 – Docket #SP507, \$504,263.00, minus \$201,705.20; balance \$302,557.80
- R. Grant Application – NJ Agricultural Development Committee – Farmland Preservation Planning Incentive \$1.5 million
- S. Grant Application – Safe and Secure Communities Program – Continuation of Funding - \$60,000.00
- T. Grant Application – NJ Transit – Section 5310 Senior Transportation Grant
- U. Authorize Raffle/Bingo Licenses
- V. Authorize temporary left-turn prohibition – Matilda Avenue and Pine Street
- W. Professional Service Agreement – Dennis Kowal Architects- Architectural Services/Library Expansion - \$286,843.00
- ~~X. Professional Service Agreement – Animal Shelter Services~~
- Y. Professional Service Agreement – Community Visiting Nurses - Medical Clinic for Township Seniors - \$3,000.00
- Z. Professional Service Agreement – Character Assets, Inc. – Character Development Program for Teen Recreation Program - \$3,200.00
- AA. Professional Service Agreement – Family and Community Services – PT social worker/psychologist for ARISE Program
- BB. Professional Service Agreement – Schoor DePalma – Hamilton Street Revitalization Program - \$5,700.00 - County grant
- CC. Professional Service Agreement – Schwartz Sterling Associations – 2002 Tax Appeal/Franklin Industrial Partners - \$7,000.00

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- DD. Appointment – Consultants to Provide Planning Review, Engineering Review and Inspection Services – Applicant Escrow Funds
- EE. Appointment – Youth Service Commission – General Public Members – 1/1/02 to 12/31/02
- FF. Appointment – Marc Dashield - Public Agency Compliance Officer – 1/1/02 to 12/31/02
- GG. Appointment – Joint Committee for the Village of Kingston

THE FOLLOWING ARE THE ITEMS OF THE CONSENT AGENDA:**A. 02-006 RESOLUTION - TAX TITLE LIEN REDEMPTION - OUTSIDE BUYER**

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

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

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

<u>DATE OF SALE</u>	<u>BLOCK/LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
June 7, 2001	34.07/16.07 C0053	CHAWLA, BRIJINDER & SONIA 15 Chelsea Court Franklin Park NJ 08823	\$ 1,071.43
CHECK # CERT #01-185	PAID: LIENHOLDER:	December 6, 2001 Plymouth Financial Company PO Box 2288 Morristown NJ 07962-2288	
April 10, 1997	34.09/59.02 C0354	WEN, SHUFEI 10 Painted Wagon Road Holmdel NJ 07733 (2 Jade Court)	843.44
CHECK # CERT #97-204	PAID: LIENHOLDER:	December 3, 2001 George Shrier 201 South 2nd Avenue, Box 16 Highland Park NJ 08904	
June 11, 1998 June 08, 2000	34.12/21	PATEL, URVIM & KASHMIRA V. 13 Wood Acres Drive North Brunswick NJ 08902 (8 Garretson Drive)	33,306.84 37,246.10
CHECK # CERT #98-48 CERT #20-67	PAID: LIENHOLDER:	December 6, 2001 Plymouth Financial Company PO Box 2288 Morristown NJ 07962-2288	
June 7, 2001	88.01/43	VERONICA PLAZA INVESTORS 1165 Route 27 Somerset NJ 08873	675.80

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CHECK #		PAID:	November 29, 2001
CERT #01-211		LIENHOLDER:	Crusader Servicing Corporation 6526 Castor Avenue Philadelphia PA 19149
June 8, 2000	142/1	SIRMANS, YOUNG & EULA	1,473.18
		37 Millstone Road	
		Somerset NJ 08873	
CHECK #		PAID:	December 11, 2001
CERT #20-186		LIENHOLDER:	James Pilewski 346 South Avenue Fanwood NJ 07023
June 11, 1998	222/14	JOHNSON, ALTON & ANNA	351.94
June 10, 1999		54 DeWald Avenue	338.49
June 08, 2000		Somerset NJ 08873	290.05
June 07, 2001			244.93
CHECK #		PAID:	December 12, 2001
CERT #98-99		LIENHOLDER:	JNH Funding Corporation 90 Dayton Avenue, #6C Passaic NJ 07055
CERT #99-95			
CERT #20-102 & CERT #01-62			
April 10, 1997	237/27	WFIP REALTY COMPANY	25,937.37
		C/o Joel Werbel	
		PO Box 3012	
		Edison NJ 08818	
CHECK #		PAID:	December 6, 2001
CERT #97-107		LIENHOLDER:	J & M Land Company PO Box 238 Northfield NJ 08225
June 7, 2001	274/36.01	WHITE, LEROY & ELSIIE	296.77
		183 Arlington Avenue	
		Somerset NJ 08873	
CHECK #		PAID:	December 6, 2001
CERT #01-163		LIENHOLDER:	James Pilewski 346 South Avenue Fanwood NJ 07023
June 7, 2001	340/40	SIVETZ, MICHAEL JR.	575.36
		& LISA M.	
		28 Abbott Road	
		Somerset NJ 08873	
CHECK #		PAID:	November 26, 2001
CERT #01-111		LIENHOLDER:	National Tax Assistance Corporation 30 Federal Street Boston MA 02110
June 7, 2001	383/12	VELEZ, APOLINAR	3,836.12
		& VILMA O.	
		27 Foxwood Drive	
		Somerset NJ 08873	
CHECK #		PAID:	December 21, 2001
CERT #01-75		LIENHOLDER:	Elliot Loeb 1 Lakeview Road Saratoga Springs NY 12866
June 8, 2000	417.02/444 C0048	DUMAS, CATHERINE	201.56
		47 Norwich Place	
		Somerset NJ 08873	
CHECK #		PAID:	December 3, 2001
CERT #20-27		LIENHOLDER:	Frank Bachkai 2 Gleneagles Drive Lebanon NJ 08833

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June 7, 2001 432/3 LARA, EULALIO & LILLIAN 79.28
 120 Hollywood Avenue
 Somerset NJ 08873

CHECK # PAID: December 20, 2001
CERT #01-37 LIENHOLDER: Fernwood Funding
92 Main Avenue Wallington NJ 07057

B. 02-007 RESOLUTION - TAX OVERPAYMENTS

WHEREAS, there appears on the books of the Collector of Revenue, refunds due, resulting from Tax Overpayments; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer of the Township of Franklin, Somerset County, be instructed to draw checks in the amounts covering the overpayments and to deliver said checks to the proper persons.

BLOCK/LOT	NAME/ADDRESS	QTR/YR	AMOUNT
VARIOUS	TOWNSHIP OF FRANKLIN 475 DeMott Lane Somerset NJ 08873	FY2001	10,153.11
34.09/59.02C0015	TRANSAMERICA FINANCE CORP. Attn: 3 RD Floor Recovery 1201 Elm Street, Suite 400 Dallas TX 75270	4/01	1,144.03
57.01/23.02	ROSENWASSER, ROBERT PO Box 5189 Somerset NJ 08873	4/01	150.00
57.01/62.01	KAPP CONSTRUCTION 30 First Street Somerset NJ 08873	4/01	1843.44
86.03/1.08	TICES PROPERTIES, L.L.C. C/O Zipp & Tannenbaum, L.L.C. 479 Spotswood-Englishtown Monroe Township NJ 08831	4/01	20,326.67
267/7	PIEKLIK, MARK 145 Rodney Avenue Somerset NJ 08873	4/01	150.00
424.13/301C0047	WHITEHILL, WILLIAM 47 Beaconsfield Place Somerset NJ 08873	4/01	150.00
430/31	ALEXANDRO, JOSEPHINE 60 13 TH Street Somerset NJ 08873	4/01	250.00
99999/98	FRANKLIN TOWNSHIP WATER DEPT. 475 DeMott Lane Somerset NJ 08873	4/01	1,004.18
99999/98	OSTROW, DOLORES 64 Claremont Road Franklin Park NJ 08823	4/01	502.09

C. 02-008 RESOLUTION – INSERTION IN FY02 BUDGET – NEW JERSEY DEPARMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES - DRUNK DRIVING ENFORCEMENT FUND - \$16,733.09

WHEREAS, N.J.S.A. 40A: 4-87 provided that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the Budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Franklin in the County of Somerset, State of New Jersey will receive \$16,733.09 for Grant for **NJ DEPARTMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES - DRUNK DRIVING ENFORCEMENT FUND**, for a total of

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\$16,733.09, and wishes to amend its SFY-2002 Budget to include a portion of this additional amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, Somerset County hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget for the year SFY-2002 in the sum of \$16,733.09 which is now available as revenue from:

**NJ DEPARTMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES
DRUNK DRIVING ENFORCEMENT FUND**

BE IT FURTHER RESOLVED that a like sum of \$16,733.09 for NJ DEPARTMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES - DRUNK DRIVING ENFORCEMENT FUND for a total contract of \$70,000.00 and the same is hereby appropriated under the caption of:

**NJ DEPARTMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES
DRUNK DRIVING ENFORCEMENT FUND**

BE IT FURTHER RESOLVED that the Township Clerk forward three (3) copies of this Resolution to the Director of Local Government Services.

D. 02-009 RESOLUTION - AUTHORIZE PURCHASE - EXCEPTION TO BID THRESHOLD/OVER \$4,500.00 - ELIZABETHTOWN WATER COMPANY - MUNICIPAL FIRE SERVICE FEES - AN AMOUNT NOT TO EXCEED \$12,213.50 - JANUARY 1, 2002 TO JUNE 30, 2002

WHEREAS, the Township of Franklin desires to purchase items as follows which are an exception to the bid threshold as set forth in NJSA 40A:11-5(2) but which exceed the limits set forth in Chapter 3, Section 3-13; and

**VENDOR: ELIZABETHTOWN WATER COMPANY
600 South Avenue POB 788
Westfield NJ 07091-0788**

ITEMS: Water Service for Fire Hydrants in the South Bound Brook and Kingston areas, Elizabethtown owned water mains:

**@ \$2,035.88 per month from January 1, 2002 to June 30, 2002
Total \$12,213.50**

COST: Not to exceed \$12,213.50; and

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

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.

E. 02-010 RESOLUTION - AMEND AUTHORIZATION TO PURCHASE UNDER STATE CONTRACT - OFFICE SUPPLIES - JULY 1, 2001 TO JUNE 30, 2002 - AN AMOUNT NOT TO EXCEED \$60,000.00

WHEREAS, by resolution adopted September 11, 2001, the Township Council authorized the purchase of Office Supplies under State Contract to four vendors; and

WHEREAS, in the interim, the State has issued new contracts requiring the removal of certain vendors and the addition of certain vendors to the September 11, 2001 resolution;

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NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby amend the September 11, 2001 resolution to

- (1) Remove from the vendors authorized therein:

ALLIED STRAUSS OFFICE PRODUCTS**65 Route 17 South****Hasbrouck Heights NJ 07604****State Contract No. A84511****OAK TREE OFFICE SUPPLY, INCORPORATED****50 Williams Parkway****East Hanover NJ 07936****State Contract No. A84558**

- (2) Continue and/or add to the vendors authorized therein:

RARITAN VALLEY OFFICE SUPPLIES**1952 Woodbridge Avenue****Edison NJ 08818****State Contract No. A84565****SOMERSET OFFICE SUPPLIES****101 Cedar Grove Lane, Suite D1****Somerset NJ 08873****State Contract No. A49031****STAPLES BUSINESS ADVANTAGE****45 East Wesley Street****South Hackensack NJ 0760-1498****State Contract No. A49012****STATE OF NJ DISTRIBUTION & SUPPORT****PO Box 234****Trenton NJ 08625**

and does hereby authorize the Mayor and Township Clerk to execute a contract with the above named vendors to purchase the specified items under State Contract.

E. 02-011 RESOLUTION - AUTHORIZE PURCHASE – CENTRAL JERSEY JOINT INSURANCE FUND - INSURANCE POLICIES - FIRST INSTALLMENT FOR 2002 - AMOUNT NOT TO EXCEED \$255,048.87

WHEREAS, the Township of Franklin desires to purchase items as follows which are exempt from the bidding requirements of the Local Public Contracts Law and meeting the requirements for an Extraordinary Unspecifiable Service:

VENDOR: CENTRAL JERSEY JOINT INSURANCE FUND

ITEMS: Workers' Compensation including Employer's Liability, USL&H and Harbor Marine/Jones Act.

General Liability including Police Professional Liability, Employee Benefits Liability, Quasi-Municipal Organization Liability, Garage Keeper's Liability, Failure to Supply (gas, water and electricity), Riot, Civil Commotion or Mob Action, Good Samaritan, disinfecting release hazard and skateboard facility.

Automobile Liability including PIP and Uninsured/Underinsured Motorists' Coverage.

Blanket Public Employees Bond including employee dishonesty and public faithful performance; forgery or alteration; theft, disappearance and destruction; robbery and safe burglary; and computer fraud with funds transfer.

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Property including Boiler and Machinery.

Excess Workers' Compensation

Excess General Liability

Non-Owned Aircraft Liability

Excess Auto Liability

Public Officials Liability/Employment Practices Liability

Optional Excess POL/EPL

Directors and Officers Liability

Optional Excess Liability

Excess Public Employees Bond

Excess Public Officials Bond

Annual Aggregate Insurance

COST: Not to exceed \$255,048.87 for the period January 1 to June 30, 2002

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

G. 02-012 RESOLUTION - RESCIND CONTRACT - IM SOFTECH - METER READING BILLING SYSTEM - \$61,500.00 MINUS 15% / \$9,225.00

WHEREAS, by resolution adopted October 24, 2000, bid for a Meter Reading System was awarded to:

**IM SOFTECH
112 E. Line Street
Tyler TX 75702**

An amount not to exceed \$61,500.00; and

WHEREAS, after our staff began working with the company to convert our files onto their system, it became clear that their system could not provide full functionality of all features concurrently for the proper functioning of the billing system;

WHEREAS, it is desired to rescind the contract authorized by said bid award and to recognize that IM Softech spent time and effort in an attempt to convert the Township files; and

WHEREAS, a negotiated price to cancel the contract for the software in the amount of 15% of the total price or \$9,225.00 has been agreed upon; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby rescind the contract to IM Softech as authorized by resolution adopted October 24, 2000 subject to the payment to IM Softech of \$9,225.00 representing 15% of the bid price in compensation for work performed to effectuate the aforesaid software.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey:

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- (1) Authorizes the Mayor and Township Clerk to execute a contract with the above named vendor to purchase the specified items, which contract shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This contract is awarded without competitive bidding and in accordance with the requirements for Extraordinary Unspecifiable Services in accordance with NJSA 40A:11-5(1) (M) of the Local Public Contracts Law.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Extraordinary Unspecifiable Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Extraordinary Unspecifiable Service Agreement authorized herein.

H. 02-013 RESOLUTION - SOMERSET COUNTY 2002 RECYCLING SERVICES

WHEREAS, the County of Somerset provides recycling services to the Township of Franklin and has submitted a renewal agreement for the period January 1, 2002 to December 31, 2002;

NOW, THEREFORE, BE IT AND IT IS HEREBY 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 on behalf of the Township Agreement with the County of Somerset providing for Recycling Services for 2002 at a rate of \$23.85 per household per year.

I. 02-014 RESOLUTION - AGREEMENTS - INTERLOCAL SERVICES - MIDDLESEX COUNTY COMMUNICABLE DISEASE - STD SERVICES

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute on behalf of the Township an Interlocal Services Agreement with the County of Middlesex as permitted by **NJSA 40:8A-1 et. seq. and NJAC 5:23 for Communicable Diseases STD Services for the period January 1, 2002 to December 31, 2002 at a cost of \$6,500.00.**

J. 02-015 RESOLUTION - ANNUAL COMPENSATION BOARD OF FIRE COMMISSIONERS - FIRE DISTRICT NO. 1

WHEREAS, NJSA 40A:14-88 provides in pertinent part:

"EACH MEMBER OF THE BOARD OF FIRE COMMISSIONERS SHALL RECEIVE AS COMPENSATION SUCH AMOUNT AS THE BOARD SHALL FIX SUBJECT TO REVIEW BY THE GOVERNING BODY WHEREIN THE FIRE DISTRICT IS LOCATED;" and

WHEREAS, by Resolution No. 01-23 adopted December 10, 2001, the Board of Commissioners, Fire District No. 1, has proposed Annual Compensation for various members of the Board of Fire Commissioners at \$2,000.00 each; and

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WHEREAS, the Township Council has carefully considered such proposed salaries; and

WHEREAS, the Township Council is of the opinion that the public interest would be best served by the approval of said proposed salaries;

NOW, THEREFORE, BE IT RESOLVED THIS 8TH DAY OF JANUARY, 2002 by the Township Council of the Township of Franklin, in the County of Somerset and State of New Jersey that the Township Council does hereby approve payment of the salaries as proposed in the resolution adopted December 10, 2001 by the Board of Commissioners for Fire District No. 1.

K. 02-016 RESOLUTION - ANNUAL COMPENSATION BOARD OF FIRE COMMISSIONERS - FIRE DISTRICT NO. 3

WHEREAS, NJSA 40A:14-88 provides in pertinent part:

"EACH MEMBER OF THE BOARD OF FIRE COMMISSIONERS SHALL RECEIVE AS COMPENSATION SUCH AMOUNT AS THE BOARD SHALL FIX SUBJECT TO REVIEW BY THE GOVERNING BODY WHEREIN THE FIRE DISTRICT IS LOCATED;" and

WHEREAS, by letter dated December 12, 2001, the Board of Commissioners, Fire District No. 3, has proposed Annual Compensation for various members of the Board of Fire Commissioners at \$3,150.00 each; and

WHEREAS, the Township Council has carefully considered such proposed salaries; and

WHEREAS, the Township Council is of the opinion that the public interest would be best served by the approval of said proposed salaries;

NOW, THEREFORE, BE IT RESOLVED THIS 8TH DAY OF JANUARY, 2002 by the Township Council of the Township of Franklin, in the County of Somerset and State of New Jersey that the Township Council does hereby approve payment of the salaries as proposed in the a letter dated December 12, 2001 by the Board of Commissioners for Fire District No. 3.

L. 02-017 RESOLUTION - DISCHARGE OF MORTGAGE – DELMI & BRENDA HALL TO ANTHONY C. ROBINSON - AFFORDABLE HOUSING MANAGEMENT SERVICES - BLOCK 34.10/LOT 59.01 C1219 - 73 AMETHYST WAY, FRANKLIN PARK NJ

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing Management Services Mortgage for the premises known as 73 Amethyst Way, Block 34.10, Lot 59.01 C1219 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

M. 02-018 RESOLUTION - RELEASE OF CONSTRUCTION WATER METER ESCROW MONIES

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

WHEREAS, the project has been completed and the 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:

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APPLICANT: US HOMES CORPORATION
ADDRESS: 800 West Main Street
 Freehold NJ 07728

AMOUNT DEPOSITED: \$850.00
AMOUNT TO BE REFUNDED: \$715.00

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

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

N. 02-019 RESOLUTION - RELEASE OF INSPECTION ESCROW MONIES - PSE&G COMPANY SUB-STATION - DOCKET NO. P99062P - \$300.00

WHEREAS, the Township Clerk of the Township of Franklin, County of Somerset and State of New Jersey, has received escrow monies for purposes of anticipated inspection fees as noted below; 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: PSE&G COMPANY SUB-STATION
ADDRESS: 80 Park Place Newark NJ 07102-4194

DOCKET NO: P99062P
BLOCK/LOT: 517.02/35.01 523.02/3-30
LOCATION: Belmont Drive & Pierce Street
AMOUNT DEPOSITED: \$1,000.00
AMOUNT CHARGED: 700.00
AMOUNT TO BE REFUNDED: \$ 300.00

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

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

0. 02-020 RESOLUTION - PERFORMANCE GUARANTEE RELEASE - PSE&G COMPANY SUB-STATION - DOCKET NO. P99062P - \$138,000.00

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

ITEM: PERFORMANCE BOND
NAME OF APPLICANT: PSE&G COMPANY SUB-STATION
ADDRESS OF APPLICANT: 80 Park Place Newark NJ 07102-4194
NUMBER: 11133504370
INSURANCE CO./BANK: Fireman's Insurance Company California
IN THE AMOUNT OF: \$138,000.00

FOR: Site Improvements for Site Plan Docket No. P99062P - Block 517.02/Lot 35.10 and Block 523.02/Lot 3-30, Belmont Drive & Pierce Street; and

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

WHEREAS, the Township Engineer, after inspection, recommends 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 be released to the above named applicant.

P. 02-021 RESOLUTION - PERFORMANCE GUARANTEE REJECT RELEASE – PARKSIDE REALTY ASSOCIATION, LP – COUNTRYSIDE/THE VILLAGES AND COUNTRY HOMES - \$130,870.00

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

ITEM: PERFORMANCE BOND

NAME OF APPLICANT: PARKSIDE REALTY ASSOCIATION, LP

ADDRESS OF APPLICANT: 2 Yolanda Drive PO Box 41 Edison NJ 08818

INSURANCE COMPANY: First Indemnity of America Insurance Company
119 Littleton Road Parsippany, NJ 07054

NUMBER: SO2796

IN THE AMOUNT OF: \$130,870.00

FOR: Site Improvement, Site Plan Docket No. P94010P - Block 57/Lot 30.03 & 34 - Route 27 & Cortelyou Lane; and

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

WHEREAS, by report dated November 30, 2001, the Township Engineer recommends rejection of the request based upon incomplete improvements; and

WHEREAS, the **Municipal Land Use Law** requires the Governing Body, by resolution, to release or reject the release of Performance Guarantee within forty five (45) days of the report from the Township Engineer;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, Somerset County, New Jersey does hereby reject the request from Parkside Realty Associate, LP to release the aforesaid referenced Performance Guarantee for the reasons set forth above.

Q. 02-022 RESOLUTION - PERFORMANCE GUARANTEE REDUCTION - WHITEHALL MANOR - SITE PLAN DOCKET NO. 507 SECTION 8 - \$504,263.00 -MINUS \$201,705.20 - BALANCE REMAINING \$302,557.80

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

ITEM: PERFORMANCE BOND

NAME OF APPLICANT: WHITEHALL MANOR

ADDRESS OF APPLICANT: 820 Morris Turnpike
Short Hills NJ 07078

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NUMBER: AMSI-000052-SD-R1

INSURANCE CO./BANK: The Mountbatten Surety Company, Incorporated
33 Rock Hill Road Bala Cynwly PA

IN THE AMOUNT OF: \$504,263.00

FOR: Site Improvements for Site Plan Docket No. 507 Section 8 - Block 37/Lot 3, Route 27 & Cortelyou Lane; and

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

WHEREAS, the Township Engineer, after inspection, recommends reduction of the aforesaid Performance Guarantee by the amount of \$201,705.20;

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 be released to the above named applicant upon receipt of a reduced performance guarantee in the amount of \$302,557.80.

R. 02-023 RESOLUTION - GRANT APPLICATION - NEW JERSEY AGRICULTURE DEVELOPMENT COMMITTEE - FARMLAND PRESERVATION PLANNING INCENTIVE GRANT

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, Somerset County, New Jersey does hereby authorize the submission of an application for the New Jersey Agriculture Development Committee Farmland Preservation Planning Incentive Grant in the amount of \$1.5 million; and

BE IT FURTHER RESOLVED that the appropriate officials of the Township are hereby authorized to execute said Grant Application on its behalf.

S. 02-024 RESOLUTION - GRANT APPLICATION - NJ SAFE AND SECURE COMMUNITIES PROGRAM - TWO POLICE POSITIONS - \$60,000

WHEREAS, the Township of Franklin in the County of Somerset, State of New Jersey wishes to apply for funding a project under the Safe and Secure Communities Program (**Grant No. P-1846**); and

WHEREAS, the Township of Franklin has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Township of Franklin for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Mayor and Council that

- (1) As a matter of public policy Franklin Township wishes to participate to the fullest extent possible with the department of Law and Public Safety.
- (2) The Attorney General will receive funds on behalf of the applicant.
- (3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
- (4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the filing of a Grant Application to NJ Transit, Section 5310 - Senior Transportation Grant - Purchase of Extended Mini-Bus; and

BE IT FURTHER RESOLVED that the appropriate Township Officials are hereby authorized to execute this Grant Application on its behalf.

U. 02-026 RESOLUTION - AUTHORIZE RAFFLE/BINGO

WHEREAS, the following have made application to the Township of Franklin, Somerset County, for a Raffle/Bingo License; and

WHEREAS, said applications have been presented to the Mayor and the Chief of Police for Findings and Determinations; and

WHEREAS, the Clerk has reported that the proper fees have been paid;

NOW, THEREFORE, BE IT RESOLVED That the Clerk be instructed to issue a **RAFFLE/BINGO LICENSE** to the following:

<u>NAME & ADDRESS OF ORGANIZATION</u>	<u>DATE OF BINGO/RAFFLE</u>
NORTHWEST JERSEY READING COUNCIL 1 SCHOOL ROAD, NEWTON, NJ 07860 ON-PREMISE RAFFLE - RL#1329 ON-PREMISE RAFFLE - RL#1330 DRAWINGS: DOUBLE TREE HOTEL	FEBRUARY 7, 2002 9:00 AM - 7:00 PM FEBRUARY 8, 2002 8:00 AM - 4:00 PM
ST. MATTHIAS HOME SCHOOL ASSOC. 168 JFK BOULEVARD, SOMERSET, NJ OFF-PREMISE 50/50 - RL#1331 DRAWING: ST. MATTHIAS SCHOOL CAFETERIA	MARCH 4, 2002 7:00 PM - 10:00 PM
MUHLENBERG HOSPITAL FOUNDATION, INC. PARK AVENUE & RANDOLPH ROAD, PLAINFIELD, NJ 07061 OFF-PREMISE 50/50 - RL#1332 DRAWING: SOMERSET MARRIOTT HOTEL	MARCH 2, 2002 6:00 PM - 11:30 PM
ST. MATTHIAS CHURCH 168 JFK BOULEVARD, SOMERSET ON-PREMISE 50/50 - RL#1333 DRAWING: SOMERSET MARRIOTT	FEBRUARY 3, 2002 7:00 PM - 12:00 AM

V. 02-027 AMEND RESOLUTION - TEMPORARY LEFT TURN PROHIBITION - PINE STREET TO ROUTE 27

WHEREAS, NJSA 39:4-197.3 provides that the governing body of any municipality may, upon the adoption of a resolution declaring that an emergent or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in **Revised Statute 39:4-197, Section (1)**, provide by said resolution for such special traffic regulation and for a period of effectiveness thereof not in excess of three (3) months from the effective date thereof; and

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WHEREAS, the Township of Franklin has made certain improvements to Naaman William Park within the Township, which improvements have resulted in the realignment of roads and traffic patterns in the area of Matilda Avenue and Pine Street; and

WHEREAS, within this three month period, the Township will be seeking NJDOT approval for a permanent left-turn prohibition at this intersection as well as other traffic regulations;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby declare an emergent condition warranting a temporary three (3) month left turn prohibition for preservation of the public safety, health and welfare; and does authorize the left turn prohibition from Pine Street to Route 27, for the three (3) month period commencing upon approval of New Jersey Department of Transportation and ending (3) months therefrom;

BE IT FURTHER RESOLVED that the effectiveness of this resolution shall be contingent upon receipt of approval from the Commissioner of Transportation pursuant to Revised Statute 39:4-202.

W. 02-028 RESOLUTION - PROFESSIONAL SERVICE - ARCHITECTURAL SERVICES - FRANKLIN TOWNSHIP PUBLIC LIBRARY EXPANSION - DENNIS KOWAL ARCHITECTS - AN AMOUNT NOT TO EXCEED \$286,843.00

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

WHEREAS, the Chief Financial Officer has certified in writing, hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

REGULAR MEETING - JANUARY 8, 2002**VENDOR NAME: DENNIS KOWAL ARCHITECTS****ADDRESS: 52 West Main Street Somerville NJ 08876****CONTRACT AMOUNT: Not to exceed \$286,843.00****SERVICE: Architectural Services for the expansion of the Franklin Township Public Library.****X. Removed from Agenda****Y. 02-029 RESOLUTION - PROFESSIONAL SERVICE - COMMUNITY VISITING NURSES - MEDICAL CLINICS FOR TOWNSHIP SENIOR CITIZENS - AMOUNT NOT TO EXCEED \$3,000.00**

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

WHEREAS, the Chief Financial Officer has certified in writing, hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: COMMUNITY VISITING NURSES**ADDRESS: 586 E Main Street Bridgewater NJ 08807****CONTRACT AMOUNT: Not to exceed \$3,000.00****SERVICE: Medical Clinics for Township Senior Citizens for the period February 1, 2002 through January 1, 2003.****Z. 02-030 RESOLUTION - PROFESSIONAL SERVICE - CHARACTER ASSETS - CHARACTER DEVELOPMENT PROGRAM FOR TEEN RECREATION PROGRAM - AN AMOUNT NOT TO EXCEED \$3,200.00**

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

REGULAR MEETING - JANUARY 8, 2002

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced amended agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This amended agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: CHARACTER ASSETS

ADDRESS: 8 MORGAN COURT BEDMINISTER NJ 07921

CONTRACT AMOUNT: Not to exceed \$3,200.00

SERVICE: Character Development Program for the participants of the Teen Recreation Program for the period January 1, 2002 through September 30, 2002

AA. 02-031 RESOLUTION - PROFESSIONAL SERVICE - FAMILY & COMMUNITY SERVICES - PT SOCIAL WORKER/PSYCHOLOGIST FOR ARISE PROGRAM - AMOUNT NOT TO EXCEED \$7,084.00

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

WHEREAS, the Chief Financial Officer has certified in writing, hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form; and

REGULAR MEETING - JANUARY 8, 2002

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: FAMILY & COMMUNITY SERVICES

ADDRESS: 339 West 2nd Street Bound Brook NJ 08805

CONTRACT AMOUNT: Not to exceed \$7,084.00

SERVICE: Clinician to assist with the services of the ARISE Program for the period January 1, 2002 through September 30, 2002.

BB. 02-032 RESOLUTION - PROFESSIONAL SERVICE – SCHOOR DE PALMA, INCORPORATED – HAMILTON STREET REVITALIZATION STUDY - AN AMOUNT NOT TO EXCEED \$5,700.00

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced amended agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This amended agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.

REGULAR MEETING - JANUARY 8, 2002

- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: SCHOOR DE PALMA, INC.

ADDRESS: PO BOX 900 MANALAPAN NJ 07726

CONTRACT AMOUNT: Not to exceed \$5,700.00 representing the difference between Somerset County's Economic Development Incentive Program Grant and Contract entered into by Somerset County at Township Council's recommendation

SERVICE: Hamilton Street Revitalization Study

CC. 02-033 RESOLUTION - PROFESSIONAL SERVICE - APPRAISAL SERVICES - SCHWARTZ, STERLING & ASSOCIATES - 2000 & 2001 TAX YEAR APPEALS - FRANKLIN INDUSTRIAL PARTNER/FRANK GREEK - BLOCK 517.01/LOTS 2.01, 2.02, 2.08, 2.10 & 2.11

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available; and

WHEREAS, the Municipal Attorney has reviewed the attached certificate of the Chief Financial Officer and is satisfied that said certificate is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the **LEAGL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC

REGULAR MEETING - JANUARY 8, 2002

17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.

- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: SCHWARTZ, STERLING & ASSOCIATES

**ADDRESS: 145 West End Avenue POB 977
Somerville NJ 08876**

AMOUNT: \$4,000.00 Preliminary Analysis / \$3,000.00 Complete Report - An amount not to exceed \$7,000.00

SERVICE: Appraisal Services for Franklin Industrial Partners/Frank Greek - Block 517.01/Lots 2.01, 2.02, 2.08, 2.10 & 2.11

(1) Preliminary Analysis: Preparation of a restricted report in a summary format. Work will include inspection of property, researching and analyzing comparable data; utilize the Sales Comparison Approach only. The results of analysis will be contained in a summary appraisal format in accordance with the departure provisions of the Uniform Standards of Professional Appraisal Practice.

(2) Complete Appraisal: If the case can not be settled a complete narrative appraisal report will be required for Tax Court. This report will contain a thorough property description, Highest & Best Use Analysis, and appropriate valuation approaches. All comparable data will be thoroughly researched, verified and analyzed. The report will conform with the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

DD. 02-034 RESOLUTION - APPOINTMENT - PROFESSIONAL CONSULTANTS FOR PLANNING REVIEW, ENGINEERING REVIEW AND INSPECTION SERVICES - SCHOOR DEPALMA; CME ASSOCIATES; AND KELLER & KIRPATRICK, INCORPORATED

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey that the following professional firms be and they are hereby appointed to provide professional services for Planning Review, Engineering Review and Inspection Services in accordance with Chapter 112, Section 112-29, Escrow deposits of the Development Ordinance for the period January 1, 2002 to December 31, 2002:

**SCHOOR DEPALMA
200 State Highway Nine
PO Box 900
Manalapan NJ 07726-0900**

**CME ASSOCIATES
3141 Bordentown Avenue
Parlin NJ 08859-1162**

**KELLER & KIRKPATRICK, INCORPORATED
900 Lanidex Plaza
Parsippany NJ 07054**

REGULAR MEETING - JANUARY 8, 2002**EE. 02-035 RESOLUTION – APPOINTMENTS – YOUTH SERVICE COMMISSION/
ALLIANCE AGAINST SUBSTANCE ABUSE – JANUARY 1, 2002 TO
DECEMBER 31, 2002**

BE IT RESOLVED that the Township Council of the Township of Franklin does hereby appoint the following persons to the Youth Service Commission/Alliance Against Substance Abuse for one year terms beginning January 1,2002 and expiring December 31, 2002:

General Public Representatives:

Bruce Medley Teen Recreation PO Box 6084 Somerset NJ 08873	Avis Price General Public Member 1 Kaufman Street Somerset NJ
Jeffrey Green, Esquire Municipal Court Judge 3 Denise Court Somerset NJ 08873	DeWayne Cruse, Executive Director Franklin Twsp. Housing Authority 1 Parkside Street Somerset NJ
Martha Camarda General Public Member 22 Newkirk Road Somerset NJ 08873	Marie Thompson County Liaison 322 Hillcrest Avenue Somerset NJ
William Major General Public Member 740 New Brunswick Rd. Somerset NJ 08873	LaVern Staten-Sanders General Public Member PO Box 1255 Somerset NJ
Brian Reavy Youth Administrator 168 JFK Boulevard Somerset NJ 08873	Dennis Sanders General Public Member 126 Girard Avenue Somerset NJ
Ronnie Weiner Somerset County Alliance 614 First Avenue Raritan NJ 08869	Phyllis Beal General Public Member Wild Flower Ridge Somerset NJ
Tony Marano General Public Member 24 Bedford Road Somerset NJ 08873	Bruce McCracken Fundraising Chairperson 15 Dahlia Road Somerset NJ
Doris Robinson, Director ARISE 103 Coventry Circle Piscataway NJ 08854	Cheryl Ambrose SCYS Representative PO Box 3000 Somerville NJ

Representatives of Police Department

Chief Craig R. Novick
Sergeant Richard A. Grammar
Detective Sean Hebbon

**FF. 02-036 RESOLUTION – APPOINTMENT – MARC DASHIELD, ASSISTANT
TOWNSHIP MANAGER/PERSONNEL DIRECTOR – AFFIRAMATIVE
ACTION PUBLIC AGENCY COMPLIANCE OFFICER**

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that, in accordance with N.J.A.C. 17:27, Marc Dashield, Assistant Township Manager/Personnel Director, be and he is hereby designated as the affirmative action Public Agency Compliance Officer (P.A.C.O.) for the Township for the period January 1, 2002 to December 31, 2002.

REGULAR MEETING - JANUARY 8, 2002Wandra Ashley Williams

Mr. Chivukula

Mayor Eberle

Mr. Grippo

Mr. McKenzie

Mr. Sumter

Michael Kish

Ms. Barrier

Mr. Levine

Mr. Mazzola

Mr. Mettler

Township Clerk Pellicane declared Wandra Ashley Williams appointed Alternate No. 1 Planning Board Member.

NOMINATIONS - ONE (1) REGULAR MEMBER OF THE BOARD OF ADJUSTMENT - FOUR (4) YEAR TERM - 01/01/02 TO 12/31/05

Mayor Eberle called for nominations for one (1) Regular Member of the Board of Adjustment for a four (4) year term commencing January 1, 2002 and expiring December 31, 2005.

Mr. Sumter nominated Robert Shepherd.

Mr. Mettler nominated Anthony Denning. Mr. Mazzola seconded the nomination.

There being no further nominations, upon a motion made, seconded and unanimously agreed, nominations were closed.

Township Clerk Pellicane polled the Board, the vote being as follows:

Robert Shepherd

Mr. Chivukula

Mayor Eberle

Mr. Grippo

Mr. McKenzie

Mr. Sumter

Anthony Denning

Ms. Barrier

Mr. Levine

Mr. Mazzola

Mr. Mettler

Township Clerk Pellicane declared Robert Shepherd appointed Regular Member of the Board of Adjustment.

NOMINATIONS TWO (2) REGULAR RENT LEVELING BOARD MEMBERS - THREE (3) YEAR TERMS - 01/01/02 TO 12/31/04

Mayor Eberle called for nominations for two (2) Regular Rent Leveling Board Members for three (3) year terms commencing January 1, 2002 and expiring December 31, 2004.

Mr. McKenzie nominated Debbie Sherwen and Hinton Clark. Mr. Chivukula seconded the nominations.

Mr. Mettler nominated Irene Denning. Mr. Mazzola seconded the nomination.

There being no further nominations, upon a motion made, seconded and unanimously agreed, nominations were closed.

Township Clerk Pellicane polled the Board, the vote being as follows:

Debbie Sherwen

Ms. Barrier

Mr. Chivukula

Mayor Eberle

Mr. Grippo

Mr. Levine

Mr. Mazzola

Mr. McKenzie

Mr. Mettler

Mr. Sumter

Hinton Clark

Mr. Chivukula

Mayor Eberle

Mr. Grippo

Mr. McKenzie

Mr. Sumter

Irene Denning

Ms. Barrier

Mr. Levine

Mr. Mazzola

Mr. Mettler

REGULAR MEETING - JANUARY 8, 2002

Township Clerk Pellicane declared Debbie Sherwen and Hinton Clark appointed Regular Rent Leveling Board Members.

NOMINATIONS - TWO (2) ALTERNATE MEMBERS OF THE RENT LEVELING BOARD - ONE (1) YEAR TERMS - 1/01/02 TO 12/31/02

Mayor Eberle called for nominations for two (2) Alternate Members of the Rent Leveling Board for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Mr. Sumter nominated Eugene Armstead and Annette Britton. Mr. Chivukula seconded the nominations.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS - EIGHT (8) REGULAR MEMBERS OF THE RECREATION COUNCIL - THREE (3) YEAR TERMS - 01/01/02 TO 12/31/04

Mayor Eberle called for nominations for eight (8) Regular Members of the Recreation Council for three (3) year terms commencing January 1, 2002 and expiring December 31, 2004.

Deputy Mayor Grippo nominated Heidi Kearnan, Paul Curry, Diane Negri, John Moon, Linda Smith, Joyce Zaborowski, Matthew Perry. Mr. Chivukula seconded the nominations.

There being fewer nominations than positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS - FOUR (4) TEENAGE NON-VOTING MEMBERS OF THE RECREATION COUNCIL - ONE (1) YEAR TERMS - 1/01/02 TO 12/31/02

Mayor Eberle called for nominations for four (4) Teenage Non-Voting Members of the Recreation Council for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Kyle Heyman - Public School/Male and Chantae Stone - Public School/Female.

Parochial/Private School - Male and Parochial/Private School - Female nominations were deferred to the January 22, 2002 meeting.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS - FIVE (5) MEMBERS OF THE HUMAN RELATIONS COMMISSION - THREE (3) YEAR TERMS - 1/01/02 TO 12/31/04

Mayor Eberle called for nominations for five (5) Members of the Human Relations Commission for three (3) year terms commencing January 1, 2002 and expiring December 31, 2004.

Mr. Chivukula nominated Geraldine Fudge, Melanie Sullivan, Paul Curry, Eileen Ignatoff and Leah Marden.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS - ONE (1) NON-MEMBER SENIOR MEMBER OF THE SENIOR CITIZEN ADVISORY COMMITTEE - ONE (1) YEAR TERM - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Non-Member Senior Member of the Senior Citizen Advisory Committee for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

REGULAR MEETING - JANUARY 8, 2002

Deputy Mayor Grippo nominated Mary Bartha.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation.

NOMINATIONS - ONE (1) NON-SENIOR RESIDENT MEMBER OF THE SENIOR CITIZEN ADVISORY COMMITTEE - ONE (1) YEAR TERM - 01/01/02 TO 12/31/02

Mayor Eberle called the nominations for one (1) Non-Senior Resident Member of the Senior Citizen Advisory Committee for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Donald Schilke.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation.

NOMINATION - TWO (2) MEMBERS OF THE MUNICIPAL ETHICS BOARD - FIVE (5) YEAR TERMS - 01/01/02 TO 12/31/06

Mayor Eberle called for nominations for two (2) Members of the Municipal Ethics Board for five (5) year terms commencing January 1, 2002 and expiring December 31, 2006.

Deputy Mayor Eberle nominated Patricia Bacon and Agnes Messineo.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS - BUSINESS & INDUSTRY ADVISORY COMMITTEE TWO (2) REPRESENTATIVES OF TOWNSHIP COUNCIL - ONE (1) YEAR TERMS - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for two (2) Representatives of Township Council as members of the Business and Industry Advisory Committee for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Mr. McKenzie nominated Catherine Barrier and Mayor Shirley Eberle.

ONE (1) REPRESENTATIVE OF PLANNING BOARD - ONE (1) YEAR TERM - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Representative of the Planning Board for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mr. McKenzie nominated Bernie Schrum.

ONE (1) REPRESENTATIVE OF THE BOARD OF ADJUSTMENT - ONE (1) YEAR TERM - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Representative of the Board of the Board of Adjustment for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mr. McKenzie nominated Alfred Ceaser.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

REGULAR MEETING - JANUARY 8, 2002**NOMINATIONS - FIVE (5) MEMBERS OF AGRICULTURAL ADVISORY COMMITTEE - ONE (1) YEAR TERMS - 01/01/02 TO 12/31/02**

Mayor Eberle called for nominations for five (5) Members of the Agricultural Advisory Committee for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Robert Puskas, Ryke Suydam, Berit Marshal, Frank Hasner and Lura Gund.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS - CABLE TELEVISION ADVISORY COMMITTEE - TWO (2) YEAR TERMS - 01/01/02 TO 12/31/03
TWO (2) BOARD OF EDUCATION REPRESENTATIVES

Mayor Eberle called for nominations for two (2) Board of Education Representatives for two (2) year terms commencing January 1, 2002 and expiring December 31, 2003.

Mr. Chivukula nominated Eva Nagy and Frank Pepe.

ONE (1) TOWNSHIP STAFF REPRESENTATIVE

Mayor Eberle called for nominations for one (1) Township Staff Representative for a two (2) year term commencing January 1, 2002 and expiring December 31, 2003.

Mr. Chivukula nominated Michael Gallagher.

TWO (2) GENERAL PUBLIC MEMBERS

Mayor Eberle called for nominations for two (2) General Public Members for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Mr. Chivukula nominated Gary Eisenberg and Paul Curry.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

MAYOR'S APPOINTMENT - SEVEN (7) REGULAR MEMBERS OF THE SHADE TREE COMMISSION - FIVE (5) YEAR TERMS/UNEXPIRED TERMS**TWO (2) MEMBERS FOR FIVE YEAR TERMS - 01/01/02 TO 12/31/06**

Mayor Eberle appointed Michael Orsini and Glenn Hammell.

UNEXPIRED TERM OF BEVERLY MADDALONE - 01/01/02 TO 12/31/03

Mayor Eberle appointed Jean Gierlich.

UNEXPIRED TERM OF LEAH MARDEN - 01/01/02 TO 12/31/05

Mayor Eberle appointed Albert Galdi.

UNEXPIRED TERM OF DEAN MARZOCCA - 01/01/02 TO 12/31/02

Mayor Eberle appointed Shiela Geohagen.

UNEXPIRED TERM OF JOSEPH SNUKIS - 01/01/02 TO 12/31/04

Mayor Eberle appointed Barbara Jaquett.

REGULAR MEETING - JANUARY 8, 2002**UNEXPIRED TERM OF CHRIS STELLATELLA - 01/01/02 TO 12/31/03**

Mayor Eberle appointed Jeffrey Baumley.

NOMINATIONS - ONE (1) ALTERNATE MEMBER OF SHADE TREE COMMISSION - UNEXPIRED TERM OF LOUIS DEMA - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) alternate Member of the Shade Tree Commission to fill the unexpired term of Louis Dema commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Bruce Hamilton.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation.

NOMINATIONS - ONE (1) ALTERNATE MEMBER OF SHADE TREE COMMISSION UNEXPIRED TERM OF ALBERT GALDI - 01/01/02 TO 12/31/05

Mayor Eberle called for nominations for one (1) alternate Member of the Shade Tree Commission to fill the unexpired term of Albert Galdi commencing January 1, 2002 and expiring December 31, 2005.

Deputy Mayor Grippo no minated Berit Marshall.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation.

NOMINATIONS - ONE (1) OPEN SPACE ADVISORY COMMITTEE/ ENVIRONMENTAL COMMISSION REPRESENTATIVE - 01/01/02 TO 12/31 OF THE YEAR OF ENVIRONMENTAL COMMISSION TERM EXPIRATION

Mayor Eberle called for nominations for one (1) Open space Advisory Committee/ Environmental Commission Representative for a term commencing January 1, 2002 and expiring December 31st of the year of Environmental Commission term expiration.

Mr. McKenzie nominated Theodore Chase.

Mr. Mettler nominated John Clyde.

Upon a motion made, seconded and unanimously agreed, this nomination was deferred to January 22, 2002.

NOMINATIONS - TWO (2) CITIZEN MEMBERS OF THE OPEN SPACE ADVISORY COMMITTEE - THREE (3) YEAR TERMS - 01/01/02 TO 12/31/04

Mayor Eberle called for nomination for two (2) Citizen Members of the Open Space Advisory Committee for three (3) year terms commencing January 2, 2002 and expiring December 31, 2004.

Mr. Chivukula nominated Robert Thomas and Brian Regan.

Ms. Barrier nominated John Lennigan and Robert Huether.

There being no further nominations, upon a motion made, seconded and unanimously agreed, nominations were closed.

Township Clerk Pellicane polled the Board, the vote being as follows:

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<u>Robert Thomas</u>	<u>Brian Regan</u>	<u>John Lennigan</u>	<u>Robert Huether</u>
Mr. Chivukula	Mr. Chivukula	Ms. Barrier	Ms. Barrier
Mayor Eberle	Mayor Eberle	Mr. Levine	Mr. Levine
Mr. Grippo	Mr. Grippo	Mr. Mazzola	Mr. Mazzola
Mr. McKenzie	Mr. McKenzie	Mr. Mettler	Mr. Mettler
Mr. Sumter	Mr. Sumter		

Township Clerk Pellicane declared Robert Thomas and Brian Regan appointed Citizen Members of the Open Space Advisory Committee.

NOMINATIONS - ONE (1) CITIZEN MEMBER OF THE OPEN SPACE ADVISORY COMMITTEE - UNEXPIRED TERM OF FRED MCKENZIE - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Citizen Member of the Open Space Advisory Committee to fill the unexpired term of Fred McKenzie commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Jack Connolly.

Mr. Mazzola nominated Larry Dickstein.

There being no further nominations, upon a motion made, seconded and unanimously agreed, nominations were closed.

Township Clerk Pellicane polled the Board, the vote being as follows:

<u>Jack Connolly</u>	<u>Larry Dickstein</u>
Mr. Chivukula	Ms. Barrier
Mayor Eberle	Mr. Levine
Mr. Grippo	Mr. Mazzola
Mr. McKenzie	Mr. Mettler
Mr. Sumter	

Township Clerk Pellicane declared Jack Connolly appointed Citizen Member of the Open Space Advisory Committee.

NOMINATIONS - ONE (1) OPEN SPACE COMMITTEE MEMBER/AGRICULTURAL ADVISORY COMMITTEE REPRESENTATIVE - ONE (1) YEAR TERM - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Open Space Committee Member/Agricultural Advisory Committee Representative for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mayor Eberle nominated Robert Puskas.

There being as many nominations as positions open, Robert Puskus was appointed by unanimous acclamation.

NOMINATIONS FOR THREE (3) TOWNSHIP COUNCIL REPRESENTATIVES TO THE EMERGENCY LIFE SUPPORT COMMITTEE - ONE (1) YEAR TERMS - 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for three (3) Township Council Representatives to the Emergency Life Support Committee for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Mr. Sumter nominated Mayor Eberle, Deputy Mayor Grippo and Mr. Mazzola.

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There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS FOR THREE (3) FINANCIAL OVERSIGHT SUBCOMMITTEE MEMBERS – ONE (1) YEAR TERMS – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for three (3) Financial Oversight Subcommittee Members for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Mr. Chivukula, Mr. Mazzola and Mr. McKenzie.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS FOR THREE (3) MEMBERS OF THE INSURANCE COMMISSION – ONE (1) YEAR TERMS – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for three (3) Members of the Insurance Commission for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Mr. Chivukula nominated Kenneth W. Daly, Marc T. Dashfield & Jose Agosto.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS FOR TWO (2) TOWNSHIP COUNCIL REPRESENTATIVES TO THE COMMUNITY FOUNDATION, INC. - TWO (2) YEAR TERMS - 01/01/02 TO 12/31/03

Mayor Eberle called for nominations for two (2) Township Council Representatives to the Community Foundation, Inc. for two (2) year terms commencing January 1, 2002 and expiring December 31, 2003.

Mayor Eberle nominated Mr. Chivukula and Deputy Mayor Grippo.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation.

ONE (1) MEMBER – UNEXPIRED TERM OF JOHN CLYDE – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one Regular Member of the Community Foundation to fill the unexpired term of John Clyde commencing January 1, 2002 and expiring December 31, 2002.

Mayor Eberle nominated Catherine Barrier.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

NOMINATIONS FOR COUNCIL'S TRAFFIC MANAGEMENT SUBCOMMITTEE – ONE (1) YEAR TERMS – 01/01/02 TO 12/31/02:**FOUR (4) TOWNSHIP COUNCIL REPRESENTATIVES**

Mayor Eberle called for nominations for four (4) Township Council Representatives for the Traffic Management Subcommittee for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Mr. McKenzie nominated Mayor Eberle, Mr. Chivukula, Ms. Barrier and Mr. Levine.

REGULAR MEETING - JANUARY 8, 2002**ONE (1) FRANKLIN TOWNSHIP POLICE DEPARTMENT REPRESENTATIVE**

Mayor Eberle called for nominations for one (1) Franklin Township Police Department Representative for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mr. McKenzie nominated Sergeant Robert Vornlocker.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation

NOMINATIONS FOR ONE (1) TOWNSHIP COUNCIL LIAISON TO FIRE PREVENTION BOARD – ONE (1) YEAR TERM – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Township Council Liaison to Fire Prevention Board for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mayor Eberle nominated Deputy Mayor Grippo.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

Mayor Eberle nominated Mr. Mettler as alternate liaison. There was discussion as to whether Township ordinance provides for an alternate liaison. Township Clerk Pellicane will research the Code and, if permitted, Mr. Mettler will be considered appointed by unanimous acclamation. If not permitted, Council will address an ordinance amendment to provide for an alternate liaison member at the next meeting.

NOMINATIONS FOR COUNCIL LIAISON TO RECREATION COUNCIL – ONE (1) YEAR TERM – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for Council Liaison to Recreation Council for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mr. Chivukula nominated Deputy Mayor Grippo

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

NOMINATION FOR ONE (1) COUNCIL LIAISON TO THE ADVISORY BOARD OF HEALTH – ONE (1) YEAR TERM – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Council Liaison to the Advisory Board of Health for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Mr. Mazzola.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

NOMINATIONS FOR ONE (1) COUNCIL LIAISON TO THE HUMAN RELATIONS COMMISSION – ONE (1) YEAR TERM – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Council Liaison to the Human Relations Commission for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mr. McKenzie nominated Mr. Sumter. Mr. Sumter declined the nomination.

Mr. Mazzola nominated Ms. Barrier.

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There being as many nominations as positions open, the nominee was appointed by unanimous acclamation.

NOMINATIONS FOR ONE (1) COUNCIL LIAISON TO THE SENIOR CITIZEN ADVISORY COMMITTEE – ONE (1) YEAR TERM – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Council Liaison to the Senior Citizen Advisory committee for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mr. Sumter nominated Mayor Eberle.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

NOMINATIONS FOR TWO (2) COUNCIL LIAISON TO THE YOUTH SERVICES COMMISSION/ALLIANCE AGAINST SUBSTANCE ABUSE – ONE (1) YEAR TERMS – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for two (2) Council Liaison to the Youth Services Commission/Alliance Against Substance Abuse for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Mr. Sumter.
Ms. Barrier nominated Mr. Levine.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS FOR TWO (2) COUNCIL LIAISON TO THE BOARD OF EDUCATION – ONE (1) YEAR TERMS – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for two (2) Council Liaison to the Board of Education for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Mr. Chivukula nominated Mr. Mazzola and Mr. McKenzie.
Mr. Mazzola declined the nomination and nominated Mr. Levine.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS FOR ONE (1) COUNCIL LIAISON TO SEWERAGE AUTHORITY – ONE (1) YEAR TERM – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for one (1) Council Liaison to the Sewerage Authority for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mayor Eberle nominated Deputy Mayor Grippo.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation.

NOMINATIONS FOR TWO (2) TOWNSHIP REPRESENTATIVES TO THE SOMERSET COMMUNITY ACTION PROGRAM/BOARD OF TRUSTEES – ONE (1) YEAR TERMS – 01/01/02 TO 12/31/02

Mayor Eberle called for nominations for two (2) Township Council Representatives on the Somerset Community Action Program/Board of Trustees for one (1) year terms commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Mr. Sumter and Ms. Barrier.

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There being as many nominations as positions open, the nominees were appointed by unanimous acclamation.

NOMINATIONS TO YOUTH SERVICE COMMISSION/ALLIANCE AGAINST SUBSTANCE ABUSE – ONE (1) YEAR TERMS – 01/01/02 TO 12/31/02:

- A. Two (2) Council Liaison Members – This item is a repeat of Item 49
- B. One (1) Clergy Representative
Mr. Chivukula nominated Zolie Smith.
- C. One (1) Representative of Local Civil Organization
Mr. Chivukula nominated Erna Snukis.
- D. One (1) Representative of Organized Labor
Mr. Chivukula nominated Helen Verhage.
- E. One (1) Parent-Teacher Association Representative – This nomination was deferred pending receipt of nomination from Board of Education
- F. One (1) Business/Industry Representative
Mr. Chivukula nominated Rao Vallabhaneni.
- G. One (1) Local Mental Health Agency Representative
Mr. Chivukula nominated Eileen Ignatoff.
- H. Three (3) Police Department Representatives
Mr. Chivukula nominated Chief Novick, Richard Grammar and Sean Hebbon.
- I. Township Manager or Designee
Mr. Chivukula nominated Alice Osipowitz.
- J. One (1) Board of Education Representative - This nomination was deferred pending receipt of nomination from Board of Education.
- K. One (1) Chamber of Commerce Representative - This nomination was deferred pending receipt of nomination from Chamber of Commerce.

There being as many nominations as positions open, the nominees were appointed by unanimous acclamation

NOMINATION BY MAYOR – ONE (1) MEMBER OF SOMERSET COUNTY SOLID WASTE ADVISORY COMMITTEE - ONE (1) YEAR TERM - 01/01/02 - 12/31/02

Mayor Eberle nominated C. Andrew Twiford.

NOMINATION BY COUNCIL -ONE (1) MEMBER OF SOMERSET COUNTY SOLID WASTE ADVISORY COMMITTEE - ONE (1) YEAR TERM - 01/01/02 - 12/31/02

Mayor Eberle called for nominations for one (1) member of the Somerset county Solid Waste Advisory Committee for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Deputy Mayor Grippo nominated Hank Kolakowski.

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There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

NOMINATIONS – TOWNSHIP COUNCIL REPRESENTATIVE TO SCCOAH BOARD OF DIRECTORS

Mayor Eberle called for nominations for one (1) Township Council representative to SCCOAH Board of Directors.

Deputy Mayor Grippo nominated Ms. Barrier.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

NOMINATIONS – TWO (2) TOWNSHIP COUNCIL REPRESENTATIVES TO SOMERSET COMMUNITY ACTION PROGRAM/BOARD OF TRUSTEES

This item is a duplicate of Item 52

NOMINATIONS- SOMERSET COUNTY CULTURAL & HERITAGE COMMITTEE

Mayor Eberle called for nominations for a representative to the Somerset County Cultural & Heritage Committee for a one (1) year term commencing January 1, 2002 and expiring December 31, 2002.

Mr. Chivukula nominated Idaherma Williams.

There being as many nominations as positions open, the nominee was appointed by unanimous acclamation

NOMINATIONS - ROUTE 287 JOINT COMMUNITY TASK FORCE

Mr. Levine advised Council that he spoke with Freeholder Zaborowski who has advised that the committee is going to be restructured and that appointments should await the restructuring. This matter was tabled to January 22, 2002.

RESOLUTION - MEETING NOT OPEN TO PUBLIC - NEW JERSEY OPEN PUBLIC MEETINGS ACT, NJSA 10:4-12

Read by Mayor Eberle

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey is subject to certain requirements of the **Open Public Meetings Act, NJSA 10:4-6, et seq.**; and

WHEREAS, **Open Public Meetings Act, NJSA 10:12**, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Township Council of the Township of Franklin to discuss in a session not open to the public certain matters relating to the item or items authorized by **NJSA 10:4-12b** and designated below:

Land Acquisition: School House Road

Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, assembled in public session on this 8th day of January, 2001, that an Executive Session

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closed to the public shall be held on January 8, 2001, at 9:44 pm in the Franklin Township Municipal Complex, 475 DeMott Lane Somerset New Jersey for the discussion of matters relating to the specific items designated above.

It is anticipated at this time that the above-stated subject matter will be made public with respect to acquisition of property at such time as the property is acquired or the acquisition is abandoned;

This Resolution shall take effect immediately.

Motion was made by Deputy Mayor Grippo and seconded by Mr. Mazzola. Motion was carried unanimously.

Council adjourned to Executive Session at 9:44 p.m. Meeting resumed at 10:22 p.m. with all members returning.

COUNCIL COMMENTS

Mr. Mettler noted his disappointment that Council did not re-appoint Anthony Denning to the Board of Adjustment, particularly with the on-going hearings on various cell tower applications.

Ms. Barrier:

1. Advised that she is not available on February 3^d for the Council Retreat and requested that the Retreat be rescheduled for February 10th. Council concurred.
2. Questioned the availability of the language proposed by Township Attorney Rainone for the right of entry ordinance and the copies of similar ordinances from other towns which Mr. Rainone indicated would be available this evening. Township Attorney Rainone responded that he will provide this information for Council's Friday packet.

Mr. Levine advised Council that he has moved his business office to Easton Avenue in Franklin.

Mr. Grippo urged the Mayor to enforce the 10 minute rule for public discussion to insure that everyone has the opportunity to speak. Persons wishing to speak longer can return to the podium when everyone else has finished.

Mr. Chivukula noted his visit to the Togar properties state of the art development, thanked his supporters in the November election, and noted that his legislative office will be located at 888 Easton Avenue.

Upon a motion made, seconded and unanimously agreed, the Regular Meeting was adjourned at 10:30 p.m.

SHIRLEY EBERLE, MAYOR

JEAN C. PELLICANE, RMC, TOWNSHIP CLERK