

The Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by the Mayor at 7:07 p.m.

Mayor Levine called the Work Session/Regular Meeting of the Township Council to order. Mayor Levine stated “In accordance with Section 5 of the Open Public Meeting Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, a list of dates, annually, indicating that this Work Session/Regular Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on February 14, 2006. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.”

Everyone present participated in the Pledge of Allegiance and Deputy Mayor Ashley-Williams led the Invocation.

The Township Clerk called the roll.

Present: Ms. Ashley-Williams, Ms. Danile, Ms. Eberle, Mr. Levine, Mr. McKenzie, Ms. Ritchie, Mr. Sumter, Mr. Vassanella

Absent: Mr. Regan

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

#### **COMMENDATIONS**

##### **Jennifer Ingram – Recycling Awareness**

Mayor Levine presented the following commendation:

**WHEREAS, JENNIFER INGRAM** has demonstrated her commitment and service to the community by calling the attention of Franklin High School students and staff to the issue of recycling through her article “Rants on Recycling” published in the Spring 2005 edition of The Beacon; and

**WHEREAS,** as a result of these efforts, the Franklin Township Environmental Commission is considering ways in which to work with the Franklin Township School System to support recycling efforts;

**NOW, THEREFORE, I, BRIAN D. LEVINE, MAYOR** of the Township of Franklin in the County of Somerset, State of New Jersey, on behalf of the Township Council and all of the residents do hereby recognize **JENNIFER INGRAM** for her efforts to raise awareness about the importance of recycling and commend her for her dedication and service to our community.

#### **MAYOR’S REPORT**

Mayor Levine made the following report:

- Welcome to those attending and TV viewers.
- Thanked the FTTV-25 volunteers.
- Explained how the meeting is conducted for the benefit of audience and viewers.
- Wished everyone a Happy Valentine’s Day.

- Announced that the Fire District Elections are this Saturday, February 18, 2006 and urged voters to vote on their Fire Commissioners and the Fire District Budget.
- Announced that Franklin has a host of Block History Month celebrations and to check mailing and website for information.
- Reminded everyone that most meetings are public and encouraged all to attend. He added to check for listing on FTTV-25 and the Township's website. He asked if anyone was interested in serving on a board or commission to contact them.
- Explained how snow plowing works and asked all to be kind to their neighbors – especially the older and disabled and help them remove snow if warranted. He stated that he has confidence in the kindness and concern of Franklin neighbors towards one another.
- Announced that the Council Retreat is Sunday, February 26<sup>th</sup> from 2-6 p.m. at the Community Center.

### DEPUTY MAYOR REPORT

Deputy Mayor Ashley-Williams made the following report:

- Wished everyone a Happy Valentine's Day.
- Commended the Public Works Department for a great snowplowing job.
- Announced she as appointed to a legislative committee through the New Jersey League of Municipalities.
- Announced that an Affordable Housing Workshop is scheduled for March 7, 2006 at 6:45 p.m. in Council Chambers to discuss affordable housing qualifications and criteria.
- Announced the Library is closing tomorrow for three weeks. Any questions one should check the Library and Township websites and the local newspapers.
- Spoke of the history of Black History Month and its founder Dr. Carter Woodson and recognized the passing of Coretta Scott King.

### REVIEW OF THE PREPARED AGENDA

Mayor Levine led the review of the prepared agenda. The Memorial Day Parade was added as a discussion item. The minutes of December 13, 2005 and January 10, 2006 were amended. Appointments to the Senior Affordable Housing Committee and the Community Foundation were added to Nominations for 2006 Appointments.

Mr. Vassanella spoke of the appointment process and noted he was not made aware early enough regarding the appointments listed on the agenda. He stated that there is a flaw in the appointment process and a breakdown in communication. Mr. Vassanella made a motion to table the appointments and place them on the February 28<sup>th</sup> agenda. Mr. McKenzie seconded the motion. A brief discussion ensued regarding appointments and agenda protocol. Said motion failed as follows upon call of the roll:

**AYES**

Danile  
Vassanella

**AYES**

Levine

**NAYS**

Ashley-Williams  
Eberle  
McKenzie  
Ritchie  
Sumter

**ABSTAIN**

**ABSENT**

Regan

## **2006 COMMUNITY DEVELOPMENT BLOCK GRANT HEARING**

### **Overview of 2006 Program Year and Public Comments**

Ms. Patrice Loehle made the following presentation:

Notices of this public hearing were provided in the following forms:

- A display ad in the Courier News
- A notice on the Township's website
- Notices in the municipal building and library
- Notices were mailed to individuals and non-profit organizations that are on the mailing list or have expressed interest in the CDBG program information.

The Township has begun planning for its fifth year Community Development Block Grant (CDBG) Program. The program is an annual entitlement grant from the U.S. Department of Housing and Urban Development (HUD). Most eligible activities must either benefit low/moderate income persons directly (i.e. housing rehabilitation program, public services) or benefit an area where a majority of the residents are low and moderate income. The Township's 2006 CDBG entitlement for this federal fiscal year is \$331,170.00.

For the past two years, the program's funded activities included:

- Homeowner Housing Rehabilitation
- After School Program
- Improvements to the Township Food Bank
- Housing Counseling Services
- Site Improvements for Housing Facility for Homeless Pregnant Women

The Township has a citizen participation plan for its Community Development Block Grant (CDBG) Program. According to the program regulations, citizens, non-profit organization and other interested parties must be afforded adequate opportunity to review and comment on the original citizen participation plan, the consolidate plan, substantial amendments to these plans, and the annual performance report. The Township will enter the second year of the 2005-2009 Consolidated Plan/Annual Action Plan (CP/AAP) which outlines the needs and objectives of the Township's low and moderate income population and activities funded to meet those needs.

The Township will accept applications for Community Development Block Grant funds until March 21, 2006. Applicants can present their proposals at the March 28, 2006 Public Hearing. A maximum of five minutes will be allowed per agency. Agencies are requested to register with the Grants Coordinator prior to the hearing. The schedule for development of the Action Plan is as follows:

- By the end of April, 2006, the Council will review the applications and make recommendations that will be published and available for public review for 30 days. The Plan will also be on the Township's website.
- The Council will approve the Action Plan at a meeting in June.
- On or before July 15, 2006 the Action Plan is submitted to HUD with an expectation that the Program Year begins on September 1, 2006.

Copies of the application are available in the offices of the Clerk and the Grants Coordinator and also on the Township's web site.

### **Public Hearing**

Ms. Danile moved to open the public hearing. Said motion was seconded by Mr. McKenzie and carried unanimously upon voice vote.

David Daks, Director of the Food Bank, asked if the consolidated plan would be on the website. Mr. Daly replied it would be and Ms. Loehle stated she has a hardcopy.

Mr. McKenzie moved to close the public hearing. Said motion was seconded by Ms. Danile and carried unanimously upon voice vote.

### DISCUSSION ITEMS

#### 4<sup>th</sup> of July Celebration

The following recommendation regarding the scheduling of 4<sup>th</sup> of July Celebrations was discussed by Council:

- When the 4<sup>th</sup> falls on a Saturday, Sunday, Monday or Tuesday, the celebration would be held on the Friday before.
- When the 4<sup>th</sup> of July falls on Wednesday, Thursday or Friday, the celebration would be held on the day before or July 3<sup>rd</sup>.
- In all cases, the rain date would be Friday after the 4<sup>th</sup> of July. If postpones a second time, the rain date would coincide with National Night Out which is traditionally held on the first Tuesday in August.

Deputy Mayor Ashley-Williams expressed her concerns that a Council member be on the committee that plans the event. She suggested either it be placed as a responsibility of the standing committee or choose two (2) other Council people. Ms. Danile suggested that it be a charge of the Senior Services and Parks and Recreation Standing Committee. It was the consensus of Council to charge the Senior Services and Parks and Recreation Standing Committee with being involved with the planning of the 4<sup>th</sup> of July Celebration.

Upon motion by Ms. Ritchie, seconded by Ms. Danile the following scheduling of 4<sup>th</sup> of July Celebrations was unanimously carried upon voice vote:

- When the 4<sup>th</sup> falls on a Saturday, Sunday, Monday or Tuesday, the celebration would be held on the Friday before.
- When the 4<sup>th</sup> of July falls on Wednesday, Thursday or Friday, the celebration would be held on the day before or July 3<sup>rd</sup>.
- In all cases, the rain date would be Friday after the 4<sup>th</sup> of July. If postpones a second time, the rain date would coincide with National Night Out which is traditionally held on the first Tuesday in August.

#### Memorial Day Parade

A discussion ensued regarding the Annual Memorial Day Parade which is scheduled for May 29<sup>th</sup>. This year the American Legion will be involved in planning the parade. It was the consensus of Council to have members of the Senior Services and Parks and Recreation Standing Committee attend meetings and be involved in the planning of the parade and to report back to Council. Mr. McKenzie moved that members of the Senior Services and Parks and Recreation Standing Committee attend meetings and be involved in the planning of the parade and to report back to Council. Said motion was seconded by Ms. Ritchie and carried unanimously upon voice vote.

#### Council Retreat Agenda

It was the consensus of Council that the following agenda would be the final agenda for the Council Retreat:

**FRANKLIN TOWNSHIP COUNCIL  
ANNUAL RETREAT  
FEBRUARY 26, 2006  
2:00 – 6:00 PM**

1. Call to Order (2:00 pm)
2. Pledge of Allegiance
3. Roll Call
4. Overview: Township Master Plan (Ted Chase) (2:05 – 2:30 pm)
5. Long-term Financial Plan, with focus on tax levy (Marc Dashield) (2:30 – 3:00 pm)
6. Business Planning for the Township: update and overview
  - a. Overview on lines of business identified during FY 2006 budget process (Donna Vieiro) (3:00 – 3:15 pm)
  - b. Potential lines of business identified at 2005 retreat: update
    - Public transportation (Khalilah Stewart) (3:15 – 3:30 pm)
    - Solid waste (Tom Zilinek) (3:30 – 3:45 pm)
    - Housing (Vince Lupo) (3:45 – 4:00 pm)
  - c. Steps and timeline for Township business plan (Ken Daly) (4:00 – 4:20 pm)
7. Coordinating the plans (Master Plan, Fiscal Plan, and Business Plan): Council roundtable on priorities for 2006 – 2010. (4:20 – 5:20 pm)
8. Public Discussion (2 minutes per speaker – ½ hour maximum) (5:20 – 5:50 pm)
9. Adjournment

**2006 CDBG Public Services Application**

Ms. Ritchie moved to support the 2006 Public Services Application – Resource Center for Women and their Families – Transitional Housing Program. Said motion was seconded by Deputy Mayor Ashley-Williams and carried unanimously upon voice vote.

**APPROVAL OF MINUTES**

Mayor Levine presented the following minutes as amended: Work Session/Regular Meetings of December 13, 2005 and January 10, 2006.

Mr. McKenzie moved approval of the following minutes as amended: Work Session/Regular Meetings of December 13, 2005 and January 10, 2006. Said motion was seconded by Ms. Ritchie and carried as follows upon call of the roll:

<b><u>AYES</u></b>	<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAIN</u></b>	<b><u>ABSENT</u></b>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**APPROVAL OF WARRANTS**

Mayor Levine presented the following warrants in the amount of \$7,360,332.83 for February 14, 2006 to the Township Council for payment:

1	Current	6,658,685.61
5	Water Operating	94,480.47
6	Water Capital	22,173.00
4	General Capital	451,860.80
15	Trust Others	1,761.92
18	Self Insurance Trust	18,778.20
12	Open Space Trust	14,011.18
2	Grant	12,941.96
26	Affordable Housing	13,948.75
3	Collector Trust	2,205.37
30	Payroll Agency	14,786.32
	Sub-Total	7,306,173.58
25	Escrow Account	54,159.25
	Grand Total	7,360,332.83

Mr. McKenzie moved that warrants in the amount of \$7,360,332.83 for February 14, 2006 to be paid. Said motion was seconded by Ms. Danile and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**ORDINANCES – PUBLIC HEARING & FURTHER CONSIDERATION**

**Ordinance No. 3585**

Mayor Levine offered the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY MORE PARTICULARLY CHAPTER 236, MUNICIPAL SERVICES - SCHEDULE A (ADD SOMERSET GLEN CONDOMINIUM)**

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

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

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			Ritchie
McKenzie	Sumter			
Vassanella				

**Ordinance No. 3586**

Mayor Levine offered the following ordinance:

**ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 325, SPECIAL EVENTS BY AMENDING THE ENTIRE CHAPTER**

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

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

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

Philip Kramer, 429 Canal Road, expressed his concerns that this ordinance would limit a political rally or an emergent fund raising event.

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

A discussion ensued regarding making an exception to the 90-day application requirement. Mr. Vassanella moved to provide exceptions to the 90-day application requirement. Said motion was seconded by Mayor Levine and failed as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Levine	Vassanella	Ashley-Williams Danile Eberle McKenzie Ritchie Sumter		Regan

Deputy Mayor Ashley-Williams moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Eberle and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams Eberle McKenzie Sumter	Danile Levine Ritchie Vassanella			Regan

**Ordinance No. 3587**

Mayor Levine offered the following ordinance:

**ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 50, POLICE DEPARTMENT BY AMENDING THE ENTIRE CHAPTER TO INCLUDE THE POSITION OF DEPUTY POLICE CHIEF**

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

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

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

John McConville, 5 Stone Leigh Way, asked if the Deputy Chief was a new position. Mr. Daly replied yes and the pay scale is more than a Captain. There would be a reduction of one in the number of Captains.

Brian St. Rose, 45 Baier Avenue, asked what the salary range would be for the Deputy Chief. Mr. Daly replied the position would be approximately \$10,000 more than a Captain. Mr. St. Rose asked why a new position and stated that there is a need for more patrolmen. He asked if it would require a secretary. Mr. Daly replied in the negative. He noted that the Deputy Chief would be the Chief Operations Officer.

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3588**

Mayor Levine offered the following ordinance:

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE OF EMERGENCY ACCESS EASEMENT THAT ALLOWS EMERGENCY ACCESS TO AND FROM LOT 7.01, BLOCK 516.**

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

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

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3589**

Mayor Levine offered the following ordinance:

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE OF DRAINAGE EASEMENT FOR BLOCK 101, LOTS 90-91 AND A DRAINAGE AND WATER MAIN EASEMENT FOR BLOCK 101, LOTS 58.01, 60.01 AND 87.**

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

Ms. Danile moved to open the meeting for a public hearing on the ordinance. Said motion was seconded by Ms. Eberle and carried unanimously upon call of the roll.

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3590**

Mayor Levine offered the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 146, CONSTRUCTION CODES, UNIFORM – SECTION 146-2 - FEES, ADDING SUBSECTION 146-2 (B) (3) – WAIVER OF FEES WHEN A GENERAL WATER EMERGENCY IS DECLARED.**

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

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

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3591**

Mayor Levine offered the following ordinance:

**AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES**

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

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

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

Philip Kramer, 429 Canal Road, asked for clarification of the ordinance. Mr. Rainone replied that this ordinance codifies the Township ordinances and provides for any revisions made to the Code.

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3592**

Mayor Levine offered the following ordinance:

**ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 180, FEES, ARTICLE I, PUBLIC RECORDS, SECTION 180-1 AVAILABLE FROM TOWNSHIP CLERK (ADDING FEES FOR THE SALE OF THE MUNICIPAL CODE BOOK AND ANNUAL SUBSCRIPTION OF THE MUNICIPAL CODE).**

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

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

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3593**

Mayor Levine offered the following ordinance:

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN IN SOMERSET COUNTY IN THE STATE OF NEW JERSEY, TO AMEND THE MUNICIPAL CODE OF THE TOWNSHIP OF FRANKLIN BY ADDING A NEW CHAPTER 208, TO BE ENTITLED HANDWASHING, WHICH CHAPTER PROVIDES FOR HANDWASHING REQUIREMENTS FOR PUBLIC RESTROOMS.**

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

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

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3594**

Mayor Levine offered the following ordinance:

**AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR AFFORDABLE HOUSING PURPOSES AND TO AUTHORIZE THE SALE OF CERTAIN PREMISES IN THE TOWNSHIP OF FRANKLIN PURSUANT TO NJSA 40A:12-13(a) – BLOCK 34.02, LOT 16.03 C2612 – 70 FISHER DRIVE, FRANKLIN PARK**

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

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

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

John McConville, 5 Stone Leigh Way, asked for clarification of the ordinance. Mr. Daly replied that the ordinance provides for the purchase and selling of an affordable housing unit so that it remains an affordable housing unit.

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3595**

Mayor Levine offered the following ordinance:

**CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY KNOWN AS BLOCK 34.02, LOT 16.03 C2612 LOCATED AT 70 FISHER DRIVE FRANKLIN PARK, IN AND BY THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$130,000 THEREFOR FROM THE AFFORDABLE HOUSING TRUST OF THE TOWNSHIP TO PAY THE COST THEREOF**

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

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

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3596**

Mayor Levine offered the following ordinance:

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226 - VEHICLES AND TRAFFIC, SECTION 226-30 (ON STREET HANDICAPPED PARKING SPACE (ADD 214 PHILLIPS ROAD, APT. 153)**

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

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

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

### PUBLIC DISCUSSION

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

Mayor Levine announced that this meeting is open for public discussion on any item of interest, which does not have a public hearing of its own. He stated that if anyone was interested in speaking to raise their hand and when recognized, state their name and address.

Edward Tugya, 132 Ambrose Street, expressed his concerns and problems in regards to storm water run off from Meister Street crossing his property. He asked for help from Council because he has been unable to get help from Town Hall. He stated that Hamilton Auto Body has a junkyard that has no approval for a junkyard, no variances, no permits, etc. and not wants permission.

Mr. Daly reported that the Engineering Department has answered Mr. Tugya's questions and recommended that to eliminate water from entering his garage to connect the down spouts from the roof gutters to and under the drain pipe installed around the garage to the driveway. Mr. Daly stated that the Zoning Officer has issued notices of violation and this matter is being addressed.

Lisa Daly, 335 West Point Avenue, presented a petition to Council to consider purchase property on West Point Avenue/Warren Street. She stated that Berger Street would become a through street and be very dangerous. She asked Council not to allow the nine (9) homes to built.

Alyssa Winfry, stated that the wooded area is where the children play.

Lucretia Cortelyou, 1892 Amwell Road, expressed her disappointment of the time limitation given at the February 8<sup>th</sup> Special Meeting. She expressed her opposition to the Veronica/Bennetts proposal in the Fair Share Plan. She asked why Council would consider additional alternates to the Zoning Board of Adjustment because of low attendance by present members. She criticized past comments made by Mr. Sumter. She spoke of campaign promises made by Mr. McKenzie.

Ruby Daly, 335 West Point Avenue, questioned the West Point Avenue/Warrant Street property having wetlands and that it should not be built upon. Ms. Ritchie stated that a Letter of Interpretation has been submitted and the Planning Board has continued the hearing in order to receive better answers to their questions.

Lysette Hall, 376 West Point Avenue, opposed the proposed homes on the West Point Avenue/Warrant Street property, noting flooding, increased traffic and decreased quality of life.

Keith Hall, 376 West Point Avenue, opposed the opening of West Point Avenue and the building of nine homes on the West Point Avenue/Warrant Street property.

Amber Hall, 376 West Point Avenue, opposed the building on the West Point Avenue/Warrant Street property. She stated that they enjoy the wildlife and environment of the area.

Shirley Bodner, 121 Smith Road, addressed and disagreed with an issue raised by Laura Wolfe at the January 24, 2006 meeting regarding the draining of pool water from the Bodner's

property to the Wolfe's property. She stated that the Wolfe's drain their pool water into a nearby creek.

Joel Mintz, 17 Sherman Circle, spoke of the Planning Board meeting regarding the West Point Avenue/Warrant Street property. He asked that the wooded area become a park or open space.

Philip Kramer, 429 Canal Road, TUF, spoke of the theme of respect as discussed at the Reorganization Meeting this year and the lack of it towards members of Council and the Mayor.

John McConville, 5 Stone Leigh Way, questioned the \$50,000 grant for a proposed Youth Center Design. He expressed his opposition to the Veronica/Bennetts development.

Brian St. Rose, 45 Baier Avenue, spoke of problem two-way traffic causes on Berry Street. He commended the Public Works Department on a fine job during the snow storm. He noted that Ms. Ritchie has the best interests of the town at heart. He supported the neighbors on West Point Avenue.

John Walker, 63 Claremont Road, gave an update to the Franklin Park Water Contamination matter. He asked Council to examine materials and maps he had previously distributed to Council.

A resident from West Point Avenue opposed the building of nine (9) homes and asked for help from the Council to buy the property.

Mr. McKenzie moved to closed the public discussion. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Mr. Daly responded to the matters addressed by the public during the public discussion portion of the meeting.

#### **COUNCIL COMMENTS**

Mr. Vassanella commented on the West Point Avenue matter and supported those residents who came out to the meeting. He stated that the Veronica/Bennetts project is behind us and that the Courts and COAH will decide on that matter. He expressed his hope of Council learning from its past mistakes and for better communication and respect between Council members.

Mr. McKenzie announced that the Fire District Elections are Saturday and urged voters to turn out and vote. He stated that in regards to the West Pointe/Warren Street property, he believes in utilizing open space and would consider taking a strong look at trying to negotiate for this property. He addressed Ms. Cortelyou's comments regarding his campaign promises. He thanked Mr. Walker for all his help regarding the water contamination problem in Franklin Park.

Ms. Eberle thanked Mr. Walker for all his information and help with the Franklin Park water contamination problem. She recommended that the Open Space Advisory Committee be advised of the property on West Point Avenue/Warren Street. She addressed Mr. Vassanella's comments regarding appointments and agenda protocol. She thanked the residents for attending the meeting and informing Council of their concerns and problems.

Ms. Ritchie stated that the proposed West Point subdivision is a Planning Board matter. She stated that if Council decides to purchase the property it would be referred to the Open Space Committee. She complimented the children who came out to speak this evening. She thanked Mr. Walker for all his information and help with the Franklin Park water contamination problem. She asked if one could vote by absentee ballot for the Fire District Elections. It was replied in the affirmative.

Ms. Danile thanked the West Point residents and their children. She expressed her hopefulness that an agreeable solution can be found. She stated that the Bodner/Wolfe situation needs further investigation and asked the Township Manager to keep Council posted. She stated that there are plans in the works for improvements to be made on Route 27 at the Veronica/Bennetts corridor. She commended the Police Department for their hard work during the snow storm.

Mr. Sumter expressed his concern for the West Point residents and asked Council to take another look at the matter. He gave his support of a Deputy Chief to help the Police Chief. He addressed comments made by Mr. Kramer and Ms. Cortelyou.

Deputy Mayor Ashley-Williams thanked the West Point residents for coming out. She thanked Ms. Ritchie for the idea of referring the purchase of the property to the Open Space Committee. She stated that as open space it would be a benefit to the whole town. She thanked Mr. Walker for all his help and information regarding the Franklin Park water contamination problem.

Mayor Levine stated that the West Point matter would have his highest priority. He asked the residents to help those in need in regards to snow removal.

**ORDINANCES - INTRODUCTIONS**

**Ordinance No. 3599**

Mayor Levine presented the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, ARTICLE XXXVI - ZONING BOARD OF ADJUSTMENT, SECTION 112-285 - ESTABLISHMENT AND COMPOSITION, SUBSECTION B - ADDING TWO (2) ADDITIONAL ALTERNATES.**

Mayor Levine stated that the foregoing ordinance is presented to the Township Council for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on March 14, 2006.

A lengthy discussion ensued amongst Council members regarding the need of additional alternates to the Board of Adjustment.

Ms. Ritchie moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on March 14, 2006 at 7:00 p.m. in the Council Chambers, Municipal Building. Said motion was seconded by Mr. Vassanella and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Ordinance No. 3600**

Mayor Levine presented the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 183 PROPERTY MAINTENANCE – SECTION 183-4 – MODIFICATIONS AND**

**AMENDMENTS, SUBSECTION F, CHAPTER 3 – PM-303.0 – EXTERIOR PROPERTY AREAS – PM-303.11 – RECURRING ACCUMULATIONS OF STORMWATER.**

As a result of a discussion by Council, Mr. McKenzie moved to table the ordinance and refer it to the Public Works Committee and staff. Said motion was seconded by Ms. Ritchie and carried unanimously upon call of the roll.

**CONSENT AGENDA ITEMS**

Upon motion by Ms. Danile, seconded by Mr. McKenzie, the following consent agenda items were adopted as follows upon call of the roll:

<b><u>AYES</u></b>	<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAIN</u></b>	<b><u>ABSENT</u></b>
Ashley-Williams	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

**Resolution #06-041** Authorize Tax Title Lien Redemption – Outside Buyer.

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

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

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

**Date of Sale:** June 9, 2005  
**Block/Lot:** 37.04/13  
**Name & Address:** Obawaeck, Emuata  
21 Julie Court  
Somerset, NJ 08873  
**Amount:** \$437.96  
**Make Check Payable To:** James Pilewski  
3 Devon Lane  
Warren, NJ 07059  
**Certificate No.:** 05-019  
**Payment Received:** February 3, 2006

**Date of Sale:** June 9, 2005  
**Block/Lot:** 200/51.01  
**Name & Address:** Session, Sandra L.  
166 Burns Street  
Somerset, NJ 08873  
**Amount:** \$1,767.41  
**Make Check Payable To:** Sanjoy LLC  
11 Stone Leigh Drive  
Scotch Plains, NJ 07076  
**Certificate No.:** 05-052  
**Payment Received:** February 1, 2006

**Resolution #06-042** Authorize Discharge of Affordable Housing Mortgage – Bellan – Block 148, Lot 15 – 120 Victor Street.

**WHEREAS**, the Township of Franklin holds a mortgage dated July 21, 1999 in the amount of \$8,200.00 for Block 148, Lot 15, owned by Alexander Bellan for premises located at 120 Victor Street in conjunction with dwelling renovations through the CDBG Housing Rehabilitation Program; and

**WHEREAS**, said mortgage provides that the mortgage amount shall become immediately due upon the transfer of title by the Borrower(s) or death of the Borrower or in the event there is more than one Mortgagor, upon the death of the last surviving Mortgagor, within a six (6) year period after the completion of the rehabilitation; and

**WHEREAS**, the aforesaid six (6) year period has expired and the mortgage is no longer required to be held by the Township;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Clerk be and they are hereby authorized to sign a Discharge of Mortgage and to have same filed with the County Recording Officer.

**Resolution #06-043** Authorize Raffle/Bingo Licenses

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

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

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

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

<b><u>NAME OF ORGANIZATION</u></b>	<b><u>DATES OF RAFFLES - 2006</u></b>
St. Peter & Paul Catholic Church 285 Hamilton Street, Somerset, NJ On-Premise Raffle – RL#1548 Drawings: St. Peter & Paul Auditorium	Feb. 23, 25 Mar. 2, 4, 9, 11, 16, 18, 23, 25, 30 April 1, 6, 8
Spartan Club of Immaculata High School 240 Mountain Avenue, Somerset, NJ On-Premise Raffle – RL#1549 Drawings: DoubleTree Hotel, Somerset	April 29, 2006 10:30 am – 3:30 pm
Trinitas Health Foundation 941 East Jersey Street, Elizabeth, NJ Off-Premise Raffle – RL#1550 Drawing: The Palace at Somerset Park	May 11, 2006 9:00 pm

**Resolution #06-044** Authorize Insertion in FY06 Municipal Budget – Chapter 159 – FY06 Family Planning Grant - \$26,170.00.

**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 \$26,170.00 with \$0.00 match for FY2006 NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES – FAMILY PLANNING SERVICES and wishes to amend its 2006 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 2006 in the sum of \$26,170.00 which is now available as revenue from:

**FY2006 NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES – FAMILY PLANNING SERVICES**

**BE IT FURTHER RESOLVED** that a like sum of \$26,170.00, – FY2006 NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES – FAMILY PLANNING SERVICES, be and the same is hereby appropriated under the caption of:

**FY2006 NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES – FAMILY PLANNING SERVICES**

**BE IT FURTHER RESOLVED** that the Township Clerk forward CERTIFICATION – GRANTS/SPECIAL ITEM OF REVENUE AND APPROPRIATION endorsed by the Township Clerk and the Chief Financial Officer to the Director of Local Government Services.

**Resolution #06-045** Authorize Insertion in FY06 Municipal Budget – Chapter 159 –FY06 HUD Special Project Grant (Franklin Inn Acquisition) - \$120,280.00.

**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 \$120,280.00 with \$0.00 match for FY2006 HUD SPECIAL GRANT PROJECT–FRANKLIN INN ACQUISITION and wishes to amend its 2006 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 2006 in the sum of \$120,280.00 which is now available as revenue from:

**FY2006 HUD SPECIAL GRANT PROJECT– FRANKLIN INN ACQUISITION**

**BE IT FURTHER RESOLVED** that a like sum of \$120,280.00, – FY2006 HUD SPECIAL GRANT PROJECT– FRANKLIN INN ACQUISITION, be and the same is hereby appropriated under the caption of:

**FY2006 HUD SPECIAL GRANT PROJECT– FRANKLIN INN ACQUISITION**

**BE IT FURTHER RESOLVED** that the Township Clerk forward CERTIFICATION – GRANTS/SPECIAL ITEM OF REVENUE AND APPROPRIATION endorsed by the Township Clerk and the Chief Financial Officer to the Director of Local Government Services.

**Resolution #06-046** Authorize Insertion in FY06 Municipal Budget – Chapter 159 –FY06 NJDOT Grant Hamilton Streetscape - \$150,000.00.

**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 \$150,000.00 with \$0.00 match for NJ DEPARTMENT OF TRANSPORTATION GRANT – HAMILTON STREETSCAPE and wishes to amend its 2006 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 2006 in the sum of \$150,000.00 which is now available as revenue from:

**NJ DEPARTMENT OF TRANSPORTATION GRANT – HAMILTON STREETSCAPE**

**BE IT FURTHER RESOLVED** that a like sum of \$150,000.00, – NJ DEPARTMENT OF TRANSPORTATION GRANT – HAMILTON STREETSCAPE, be and the same is hereby appropriated under the caption of:

**NJ DEPARTMENT OF TRANSPORTATION GRANT – HAMILTON STREETSCAPE**

**BE IT FURTHER RESOLVED** that the Township Clerk forward CERTIFICATION – GRANTS/SPECIAL ITEM OF REVENUE AND APPROPRIATION endorsed by the Township Clerk and the Chief Financial Officer to the Director of Local Government Services.

**Resolution #06-047** Authorize Insertion in FY06 Municipal Budget – Chapter 159 – NJ Treasury Grant Design & Engineering – Youth Center - \$50,000.00.

**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 \$50,000.00 with \$0.00 match for FY2006 NJ TREASURY GRANT - DESIGN AND ENGINEERING YOUTH CENTER and wishes to amend its 2006 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 2006 in the sum of \$50,000.00 which is now available as revenue from:

**FY2006 NJ TREASURY GRANT - DESIGN AND ENGINEERING YOUTH CENTER**

**BE IT FURTHER RESOLVED** that a like sum of \$50,000.00, – FY2006 NJ TREASURY GRANT - DESIGN AND ENGINEERING YOUTH CENTER, be and the same is hereby appropriated under the caption of:

**FY2006 NJ TREASURY GRANT - DESIGN AND ENGINEERING YOUTH CENTER**

**BE IT FURTHER RESOLVED** that the Township Clerk forward CERTIFICATION – GRANTS/SPECIAL ITEM OF REVENUE AND APPROPRIATION endorsed by the Township Clerk and the Chief Financial Officer to the Director of Local Government Services.

**Resolution #06-048** Authorize Insertion in FY06 Municipal Budget – Chapter 159 – FY06 Juvenile Accountability Incentive Grant - \$8,517.00 with a cash match of \$945.00.

**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 \$8,517.00 with \$945.00 match for FY2006 JUVENILE ACCOUNTABILITY INCENTIVE GRANT – ARISE PROGRAM and wishes to amend its 2006 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 2006 in the sum of \$8,517.00 which is now available as revenue from:

**FY2006 JUVENILE ACCOUNTABILITY INCENTIVE GRANT – ARISE PROGRAM**

**BE IT FURTHER RESOLVED** that a like sum of \$8,517.00, – FY2006 JUVENILE ACCOUNTABILITY INCENTIVE GRANT – ARISE PROGRAM, be and the same is hereby appropriated under the caption of:

**FY2006 JUVENILE ACCOUNTABILITY INCENTIVE GRANT – ARISE PROGRAM**

**BE IT FURTHER RESOLVED** that the Township Clerk forward CERTIFICATION – GRANTS/SPECIAL ITEM OF REVENUE AND APPROPRIATION endorsed by the Township Clerk and the Chief Financial Officer to the Director of Local Government Services.

**Resolution #06-049** Authorize Insertion in FY06 Municipal Budget – Chapter 159 – FY06 Somerset County Athletic Field Grant - \$15,000.00.

**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 \$15,000.00 with \$0.00 match for 2005 SOMERSET COUNTY ATHLETIC FIELD GRANT – SOFTBALL FIELD AT KINGSTON SCHOOL and wishes to amend its 2006 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 2006 in the sum of \$15,000.00 which is now available as revenue from:

**2005 SOMERSET COUNTY ATHLETIC FIELD GRANT – SOFTBALL FIELD AT  
KINGSTON SCHOOL**

**BE IT FURTHER RESOLVED** that a like sum of \$15,000.00, –2005 SOMERSET COUNTY ATHLETIC FIELD GRANT – SOFTBALL FIELD AT KINGSTON SCHOOL, be and the same is hereby appropriated under the caption of:

**2005 SOMERSET COUNTY ATHLETIC FIELD GRANT – SOFTBALL FIELD AT  
KINGSTON SCHOOL**

**BE IT FURTHER RESOLVED** that the Township Clerk forward CERTIFICATION – GRANTS/SPECIAL ITEM OF REVENUE AND APPROPRIATION endorsed by the Township Clerk and the Chief Financial Officer to the Director of Local Government Services.

**Resolution #06-050** Authorize Professional Services Agreement – Sharon Lane – Nurse Supervisor – January 1, 2006 through December 31, 2006 – Amount Not to Exceed \$9,090.00.

**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:** Sharon Lane  
**ADDRESS:** 26 Jacob Street Old Bridge NJ 08857  
**CONTRACT AMOUNT:** Not to exceed \$9,090.00  
**SERVICE:** Nursing Supervisor – 01/01/06-12/31/06

**Resolution #06-051** Authorize Tax Remittals.

**WHEREAS**, there appears on the books of the Collector of Revenue, taxes to be remitted as follows:

<b><u>Block/Lot</u></b>	<b><u>Name/Address</u></b>	<b><u>QTR/YR</u></b>	<b><u>Amount</u></b>
34.01/16.02 C0347	Township of Franklin	2005	1,307.57
		2006	696.03

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County that the Collector of Revenue be and she is hereby directed to remit the amount so stated.

**Resolution #06-052** Award Fair and Open Contracts – Value Research Group and Sterling DeSanto & Associates – Appraisal Services for Township Open Space and other Township Sites as needed – Amount not to exceed \$50,000 each vendor.

**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, a copy of which certification is attached hereto, 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. P.L. 2004, C. 19) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" be fair and open; and

**WHEREAS**, Notice of Request for Qualifications for Appraisal Services was published in the Courier News and posted on the Township website on December 27, 2005 with a deadline for proposals to be submitted on January 13, 2006; and

**WHEREAS**, two (2) proposals were received and publicly opened;

**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 vendors, which agreements

shall be maintained on file with the Township Clerk and available for public inspection.

- (2) These agreements are awarded as a Fair and Open Professional Service under the provisions of the Local Public Contracts Law (N.J.S.A. P.L. 2004 c. 19).
- (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: VALUE RESEARCH GROUP, LLC**  
**ADDRESS: 310 South Livingston Avenue, Suite 104**  
**Livingston, NJ 07039**

**VENDOR: STERLING DiSANTO & ASSOC.**  
**ADDRESS: 145 West End Avenue/PO Box 977**  
**Somerville, NJ 08876**

**SERVICE: Appraisal Services for Township Open Space and other Township Sites as needed.**

**CONTRACT AMOUNT: Not to exceed \$50,000.00 for the services of each vendor.**

**Resolution #06-053** Authorize Release of Performance Guarantee – Arthur Fuege – 136 Grouser Road - \$1,000.00 – Installation of Paved Driveway.

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

ITEM:	Performance Guarantee
NAME OF APPLICANT:	Arthur Fuege
ADDRESS OF APPLICANT:	18 Lucille Court Piscataway, NJ 08854
NUMBER:	Cash – Ck #3088
IN THE AMOUNT OF:	\$1,000.00
FOR:	136 Grouser Road – Installation of Paved Driveway - CO

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

**WHEREAS**, the Township Engineer, after inspection, recommends release of the aforesaid Performance Bond;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee in the amount of \$1,000.00 be released to the above named applicant.

**Resolution #06-054** Reject Bids for Fixed-Base Radio Automatic Reading System.

**WHEREAS**, two (2) bids were received and one (1) bid was over budget and both were non-compliant with the specifications; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County, New Jersey that the bids for Fixed Base Radio Automatic Meter Reading System be and are hereby rejected.

**Resolution #06-055** Award State Contract – Rays Sport Shop – Ballistic Riot Helmets – Not to Exceed \$15,552.00.

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

**VENDOR: RAY'S SPORT SHOP**  
559 Route 22  
North Plainfield, NJ 07060  
**State Contract No. A60531**

**ITEMS:** Ballistic Riot Helmets

**COST:** \$15,552.00

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

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

**Resolution #06-056** Oppose S-319/A-1030 and Urge Legislature to provide local government officials with the management tools necessary to hold the line on spiraling employee related costs.

**WHEREAS**, legislation pending, Senate 319 and Assembly 1030, would amend the NJ Employer-Employee Relations Act to prohibit the unilateral changing of the terms and conditions of employment by the public employer; and

**WHEREAS**, this would significantly jeopardize the delicate working balance in public sector negotiations and tip the scales in the union's favor; and

**WHEREAS**, when parties have reached genuine impasse and exhausted all other avenues of the negotiation process; and

**WHEREAS**, no resolution of outstanding issues have been achieved; and

**WHEREAS**, to avoid the continuing uneconomic existing practice and to preclude the union's ability to delay the conclusion of the process, the governing body may act upon administratively established procedure and impose its last, best offer or the recommendations of the fact finder; and

**WHEREAS**, the Township Council recognizes that passage of S-319 and A-1030 would deprive public employers of a valuable management tool that was established by PERC and supported by the NJ Supreme Court;

**NOW, THEREFORE BE IT RESOLVED** that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey strenuously opposes S-319/A-1030 and urges the Legislature to provide local government officials with the management tools necessary to hold the line on spiraling employee related costs.

**AND BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Governor Corzine, Senate President Codey, Assembly Majority Leader Roberts, Senator Robert Smith, Assemblyman Upendra Chivukula and Assemblyman Joseph Egan and the NJ League of Municipalities.

**Resolution #06-057** Authorize Participation in Somerset County Auction.

**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 sale and/or disposal of municipally owned personal property no longer needed for Township use as per the list provided by the Purchasing at the Somerset County Auction.

**BE IT FURTHER RESOLVED** that all items shall be sold by sealed bid submitted prior to the date and time specified above through the Somerset County Equipment Auction.

**Resolution #06-058** Authorize Extension of Contract – Fred Johnson III, Inc. – Seeding of Open Space Parcels (Negri-Nepote Native Grassland Preserve & Griggstown Native Grassland Preserve) – May 1, 2006 through April 30, 2007 - \$55 per acre, Total - \$12,000.00.

**WHEREAS**, on April 12, 2005, the Township of Franklin awarded a contract to Fred Johnson III, Inc. for the seeding of open space parcels for the period of May 1, 2005 to April 30, 2006 in the amount of \$55 per acre not to exceed \$8,932.00; and

**WHEREAS**, the specifications included a clause that allows the contract to be extended at the existing terms and conditions on an annual basis up to a maximum of three (3) years upon the mutual agreement between the vendor and the Township; and

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

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

**Fred Johnson III, Inc.  
PO Box 520  
Ringoos, NJ 08551  
Seeding of Open Space Parcels – Two-Year Firm Pricing,  
05/01/06 – 04/30/07**

**Amount not to exceed \$12,000.00; and**

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

**Resolution #06-059** Authorize Change Order #8 – Addition & Renovation to Existing Library – Fuscon Enterprises, Inc. - \$14,774.00 – Contract Total: \$6,445,949.00.

**WHEREAS**, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on January 13, 2004, authorized the awarding of a contract to

**FUSCON ENTERPRISES**

**414 Central Avenue**

**P.O. Box 2595**

**Westfield, NJ 07091-2529**

**An amount not to exceed \$6,397,000.00**

**WHEREAS**, on December 13, 2005, the Township Council authorized Change Order Nos. 1-7 in the amount of \$34,175.00;

**WHEREAS**, during the course of the contract, the need for the following Change Orders was found:

<b>Change Order #8</b>	<b>\$</b>	<b>14,774.00</b>	<b>Children’s Area Simplified Handicapped Ramp Railing Changes</b>
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**WHEREAS**, the Chief Financial Officer has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, does hereby authorize the issuance of Change Order No. 8 to the contract with Fuscon Enterprises in an amount not to exceed \$14,774.00, resulting in a new contract amount of \$6,445,949.00; and

**BE IT FURTHER RESOLVED** that the Township Manager be and he is authorized to sign said Change Orders on behalf of the Township.

**Resolution #06-060** Discharge of Affordable Housing Agreement & Discharge of Second Repayment Mortgage – Margaret Hayes – Block 20.10/Lot 11.02 C1804 – 205 Columbus Drive, Franklin Park.

**BE IT AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing agreement and Discharge of Second Repayment Mortgage for the premises known as 205 Columbus Drive, Franklin Park, Block 20.10, Lot 11.02 C1804 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

**Resolution #06-061** Authorize Grant Agreement – NJ Department of Treasury – Design and Engineering of Franklin Township Youth Center - \$50,000.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin does hereby authorize the Mayor to execute on its behalf Grant Agreement with the NJ Department of the Treasury – Design and Engineering of Franklin Township Youth Center in the amount of \$50,000.00.

**Resolution #06-062** Authorize Refund of Tax Overpayments.

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

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

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

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>QTR/YR</u>	<u>AMOUNT</u>
468.11/17	NSG America Inc. &	2003	\$18,996.96
	McGimpsey & Cafferty	2004	\$17,861.04
	Attorneys at Law	Settlement	
	285 Davidson Ave., Ste. 404	for Tax	
	Somerset, NJ 08873	Appeal	

**Resolution #06-063** Discharge of Affordable Housing Agreement & Discharge of Second Repayment Mortgage – Mohamed & Ibtissame Hbaich from Marlene DaCosta – Block 34.071/Lot 16.07 C0099 – 21 Caitlyn Court, Franklin Park.

**BE IT AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing agreement and Discharge of Second Repayment Mortgage for the premises known as 21 Caitlyn Court, Franklin Park, Block 34.071, Lot 16.07 C0099 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

**Resolution #06-064** Special Event Permit – St. Matthias School – Family Fund Day – Race/Walk – March 11, 2006.

**WHEREAS**, a request has been received from for permission to have St. Matthias School Family Fun Day Race/Walk on March 11, 2006 from 8:30 am to 1:00 pm, to be conducted on the running paths on JFK Boulevard and on St. Matthias School grounds; and,

**WHEREAS**, the staff of St. Matthias School has requested that the Permit Fee of \$125.00 be waived since they represent a non-profit organization; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to St. Matthias School to conduct St. Matthias School Family Fun Day Race/Walk on March 11, 2006 from 8:30 am to 1:00 pm, to be conducted on the running paths on JFK Boulevard and on St. Matthias School grounds, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police and Director of Fire Prevention; and,

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

**BE IT FURTHER RESOLVED** that the Applicant shall be responsible for providing a sufficient number of off-duty Police Officers to the satisfaction of the Chief of Police during the conduct of this event and;

- (1) Applicant shall deposit with the Township Finance Director, at least five (5) days prior to the event, an escrow amount sufficient to cover the cost of said off-duty police protection in accordance with the fee schedule set forth in Ordinance #1417;
- (2) Payment to said off-duty police officer for services provided shall be made by the Finance Department from said escrow deposit. Should escrow funds be found insufficient, the Applicant shall deposit additional funds with the Finance Department to cover the remaining cost of off-duty police protection;

- (3) Any unused monies deposited for off-duty police protection shall be returned by the Township Clerk to the person or organization making the deposit upon approval of the Chief of Police.

**BE IT FURTHER RESOLVED** that in accordance with Section 97-6 (e) of the Township Code that there shall be deposited with the Township Clerk a cash deposit, money order, certified check or treasurer's check in the amount of \$300.00 to guarantee the maintenance of the premises on which the applied for activity is to be conducted; and,

- (1) If at the end of such activity, the Health Inspector of the Township decides that the premises were not returned to the condition they were in as of the time that the applied for activity commenced, he/she shall be authorized to return the premises to such condition and to pay for having same done out of the deposit left with the Township Clerk for such purposes;
- (2) Any unused monies deposited for maintenance shall be returned by the Township Clerk to the person or organization making the deposit upon approval of the Health Inspector.

### APPOINTMENTS

#### Board/Commission Appointments

##### Planning Board Member on the Municipal Cross-Acceptance Committee

Mr. McKenzie moved the appointment of Robert Thomas as Planning Board Member on the Municipal Cross-Acceptance Committee for a one-year term ending 12/31/06. Said motion was seconded by Deputy Mayor Ashley-Williams. Upon motion by Mr. McKenzie, seconded by Ms. Eberle the appointment was approved upon acclamation.

##### Planning Board Member on the Municipal Stormwater Committee

Ellen E. Ritchie was nominated to the appointment of Planning Board Member on the Municipal Stormwater Committee for a one-year term tending 12/31/06. Upon motion by Mr. McKenzie, seconded by Ms. Eberle the appointment was approved upon acclamation.

##### Sewerage Authority Alternate #2 Member

Bernard Schrum was nominated to the appointment of Sewerage Authority Alternate #2 Member for an unexpired five-year term ending 12/31/07. Upon motion by Mr. McKenzie, seconded by Ms. Eberle the appointment was approved upon acclamation.

##### Local Historian

Robert Mettler was nominated as Local Historian for a three-year term ending 12/31/08. Upon motion by Ms. Ritchie, seconded by Ms. Eberle the appointment was approved upon acclamation.

##### Regular Member on the Cable Television Advisory Committee

Patrick Beckford James Kieran were nominated to the appointments of Regular Member on the Cable Television Advisory Committee for a two-year term ending 12/31/07. Patrick Beckford was appointed as of Regular Member on the Cable Television Advisory Committee for a two-year term ending 12/31/07 upon call of the roll:

<u>Beckford</u>	<u>Kieran</u>	
Ashley-Williams	Levine	Danile & Regan (absent)
Eberle	Vassanella	
McKenzie		
Ritchie		
Sumter		

Senior Affordable Housing Committee Regular Member

Harold Leventhal was nominated to the appointment of Senior Affordable Housing Committee Regular Member for a three-year term ending December 31, 2008. Upon motion by Ms. Ritchie, seconded by Deputy Mayor Ashley-Williams the appointment was approved upon acclamation.

Community Foundation Member

Wandra Ashley-Williams was nominated to the appointment of Community Foundation Member for a two-year term ending December 31, 2007. Upon motion by Ms. Ritchie, seconded by Mr. Sumter the appointment was approved upon acclamation.

**ADJOURNMENT**

Ms. Ritchie moved to adjourn the meeting at 11:36 p.m. Said motion was seconded by Deputy Mayor Ashley-Williams and carried unanimously upon call of the roll.

Approved:

Brian D. Levine, Mayor

Date:

Ann Marie McCarthy, Township Clerk