

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 7:05 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 28, 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 Ms. Eberle 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

PROCLAMATION

Read Across America

Mayor Levine read the following proclamation:

WHEREAS, the citizens of the Township of Franklin stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, Franklin Township has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's **Read Across America**, a national celebration of reading, will be conducted on March 2, 2006, which would have been the 102nd birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, **Read Across America-NJ** is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students;

NOW, THEREFORE, BE IT RESOLVED that the Township Council calls on the citizens of Franklin Township to assure that every child is in a safe place reading together with a caring adult on March 2, 2006;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA's **Read Across America** and **Read Across America-NJ**, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

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.
- Reminded public that most of their meetings are public. Council meetings are generally the 2nd and 4th Tuesdays of the month. The public is invited and encouraged to attend. Listings are on FTTV-25 and the Township website. If anyone wishes to volunteer for any boards, commissions, etc., please contact any Council member.
- The Council Retreat was last weekend held at the Community/Senior Center. The main points were proactive planning for Franklin; projecting out the revenue and expenses to see the fiscal picture in the future; allow Council to make decisions based on their wide overview and approach Franklin in much more of a “corporate mode”.
- New policy on agenda preparation from the Council Retreat. Generally, items are submitted to the Clerk ten (10) days in advance of meeting. This allows public to see the agenda beforehand and be confident it will remain relatively constant. General policy not to include nominee names on the agenda. Agenda can be changed by vote of Council at any time. As always, any Council person can include an item on the agenda if submitted in accordance with the above parameters. His personal intention and hopes all of the Council is to be flexible on Council discussion items and allow discussion of items submitted by Council members as a courtesy to the person and the constituents.

DEPUTY MAYOR REPORT

Deputy Mayor Ashley-Williams made the following report:

- Commended Council Retreat, noting that it was well planned by staff and thanked staff for the benchmarks and timetables.
- Reported that she and Councilwoman Ritchie attended a Redevelopment Forum, which was very informative.
- As Black History Month comes to an end, recognized Armisead Commission 2002 and Assemblyman Pane. She stated that black history needs to be incorporated in school curriculum – all history should be represented in history books.

COMMITTEE REPORTS

Financial Oversight Committee

Ms. Danile made the following report:

The following were present at the February 21, 2006 Financial Oversight Committee meeting: Kenneth W. Daly, Township Manager; Marc D. Dashield, CFO; Councilwomen Ellen Ritchie and Teresa Danile; Mayor Brian D. Levine.

The following items were discussed at the meeting:

1. CFO Dashield reviewed with the committee the financial status report for the first six months of fiscal year 2006. The report shows budgeted amount of revenues and expenditures for the year and year-to-date amounts for each line item.
2. The review of the investment report highlighted interest earned and the annual rate of return.
3. The revised plan for stabilizing municipal tax increases was discussed. This was the same revised plan that was presented to the entire Council at the Annual Council Retreat held on Sunday, February 26th.
4. Fire Commissioners' Salaries had been referred to the Finance Oversight Committee by Council. There is a wide discrepancy in salary ranges, which the Finance Oversight Committee sought to narrow. These will be discussed this evening.

Senior Services Parks & Recreation

Mr. McKenzie provided a proposal from the American Legion in regards to the Memorial Day Parade. It is the same parade route. The parade is scheduled for May 29, 2006 at 10 a.m. The activities are outlined in the proposal.

Traffic Management Subcommittee

Mr. Vassanella reported that the Traffic Management Subcommittee met and discussed the process and protocol of the subcommittee. He stated that they are working on several recommendations to be submitted to Council for approval. A more thorough report will be submitted next month.

Board of Education

Mr. McKenzie reported that the School Board is preparing their 2006-07 School Budget. At this time they are waiting for final State numbers. He announced that the High School is the site for the State Basketball Championship Game.

Library Board of Trustees

Deputy Mayor Ashley-Williams reported that the library is closed and the project is on schedule. She reported that she has toured to new addition and it looks great.

Public Relations & Cable TV Subcommittee

Mayor Levine reported on the Public Relations and Cable TV subcommittee meeting. He reported that there would be more Government 101 programming. He announced that Council meeting DVDs are available at the library. He stated that they are looking into off site locations for storage.

Deputy Mayor Ashley-Williams asked for more details regarding the Memorial Day Parade. Mr. McKenzie stated that the parade is being coordinated by the American Legion. He stated that the theme of the parade is "Price of Freedom".

Mr. Vassanella asked what the timeline is for taping and viewing Planning Board meetings on the access channel. Mayor Levine and Deputy Mayor Ashley-Williams replied that was not an issued discussed by the Public Relations subcommittee.

REVIEW OF THE PREPARED AGENDA

Mayor Levine led the review of the prepared agenda. The Work Session/Regular Meeting of January 24, 2006 minutes were amended. Various questions were asked regarding Consent Agenda items that were successfully answered by the Township Manager.

Mr. Vassanella asked when it would be appropriate to nominate people for the appointments. Mr. Rainone replied they could be made at this time or at the Appointment section portion of the meeting.

Deputy Mayor Ashley-Williams nominated Marcie Dunbar for the Regular Member of the Advisory Recreation Council for an unexpired three-year term ending 12/31/06. Deputy Mayor Ashley-Williams nominated Dr. Michael Ricketts as the Alternate #1 Member of the Environmental Commission for an unexpired two-year term ending 12/31/06.

The following items were added to the Executive Session: Collective Bargaining Report; Open Space Acquisition – West Point Avenue Property.

A brief discussion ensued regarding the Fire Commissioners' salaries. It was the consensus of Council to schedule this as a discussion item at the March 14th meeting.

APPROVAL OF MINUTES

Mayor Levine presented the following minutes: Work Session/Regular Meeting of January 24, 2006, as amended; January 24, 2006 Executive Session and the Special Meeting of February 8, 2006.

Mr. McKenzie moved approval of the following minutes: Work Session/Regular Meeting of January 24, 2006, as amended; January 24, 2006 Executive Session and the Special Meeting of February 8, 2006. Said motion was seconded by Mr. Sumter 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		Danile (2/8 only)	Regan
Eberle	Levine		Vassanella (2/8 &	
McKenzie	Ritchie		1/24 Exec. Session)	
Sumter	Vassanella			

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$1,884,962.37 for February 28, 2006 to the Township Council for payment:

1	Current	178,296.05
5	Water Operating	439,401.02
6	Water Capital	690.34
4	General Capital	971,647.92
15	Trust Others	
18	Self Insurance Trust	365.00
12	Open Space Trust	19,725.70
2	Grant	100,193.37
29	Unemployment Trust	5,858.19
3	Collector Trust	110,615.81
14	Dog Revenue	3,036.60
30	Payroll Agency	28,332.37
	Sub-Total	1,857,532.37
25	Escrow Account	27,430.00
	Grand Total	1,884,962.37

Ms. Danile moved that warrants in the amount of \$1,884,962.37 for February 28, 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			

PUBLIC DISCUSSION

Mr. McKenzie moved to open the meeting for public discussion. Said motion was seconded by Ms. Ritchie 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.

Bill Connell, 25 Spring Street, spoke on the Fair Share Plan and the West Point subdivision.

Lucretia Cortelyou, 1892 Amwell Road, spoke on campaign statements made by Mr. McKenzie. She expressed her opposition to the Veronica/Bennetts Lane development proposal. She asked where the proposed Youth Center would be located.

Philip Kramer, 429 Canal Road, TUF, expressed his hope that Council look into the West Point property as open space. He asked why the Public Relations subcommittee has not discussed taping the Planning Board and Board of Adjustment meetings since videographers were hired to tape these meetings. He stated that he received an email that this was on hold indefinitely. Mr. Daly stated that the videographers were hire to tape the Government 101 programs. Mr. Kramer stated that it was strange that Mr. Vassanella was not appointed to the Public Relations and Cable TV subcommittee.

John McConville, 5 Stone Leigh Way, asked who drafted Ordinance 3597A. Mr. Daly replied that it was drafted by the Planning Board with the help of the Economic Development Office. It is an issue that has been discussed for over five (5) years.

Michael Gilliam, Fire District #3 Commissioner, expressed his confusion and frustration as to why the Fire Commissioners' salary issue has taken five months to resolve. He stated that he has fully cooperated with the Council and submitted everything requested. He reported that their budget was approved unanimously. He expressed his hope that this issue be resolved as soon as possible. Mr. Vassanella stated that it will be on the March 14th agenda. Ms. Danile explained that the matter was referred to the Financial Oversight Committee to their review and recommendation to Council.

Joseph Danielson, Fire District #2 Commissioner, thanked Council for their time and consideration of the commissioner salary issue. He asked that Council take into consideration that each fire district is different. He noted that their budget has not increased in six (6) years.

Deputy Mayor Ashley-Williams moved to closed the public discussion. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

COUNCIL COMMENTS

Mr. Sumter recognized the many Black History programs throughout the State and encouraged all to listen and learn from them.

Ms. Danile expressed her wish that they could stop development. She stated that she has suggested a moratorium on development and was told that could not be done because they cannot limit property rights on a landowner. She stated that Council is responsible to plan the best they can and to work with developments to yield the least possible.

Ms. Eberle thanked the Fire Commissioners for their patience and asked that this matter be resolved as soon as possible. She stated that the Fire Districts deserve respect. She announced that the Franklin Township Senior Citizen Advisory Committee is holding a drive for old cell phones to be used for emergencies.

Mr. McKenzie stated that he was the one who raised the fire commissioners' salary issue and asked for consistency among the four districts. He stated it is not an effort to deprive the commissioners. He stated in relation to the development issue that the entire state is having development problems. He reminded everyone that 33% of the Township is preserved.

Mr. Vassanella spoke on traffic solutions and finding a solution for the West Point Avenue residents. He stated that he was under the impression that the original plan was to tape the Planning Board and Board of Adjustment meetings.

Deputy Mayor Ashley-Williams congratulated new Deputy Chief Roberts. She agreed with Mr. McKenzie regarding the fire commissioners' salaries and stated that they will resolve this issue at the next meeting. She stated that taping the Planning Board and Board of Adjustment meetings was never discussed at any Public Relations subcommittee meetings.

Mayor Levine agreed with Deputy Mayor Ashley-Williams that taping the Planning Board and Board of Adjustment meetings was never discussed at any Public Relations subcommittee meetings. He stated that they will try to resolve the West Point Avenue matter.

ORDINANCES - AMENDED

Ordinance No. 3597A

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, SECTION 112-6 – ZONING DISTRICTS (ESTABLISHMENT OF ZONING DISTRICTS; ZONING MAP & PURPOSES OF DISTRICT), SECTION 112-8 – GENERAL REGULATIONS (SCHEDULE 1 – PERMITTED USES; SCHEDULE 2 – LOT AND YARD REQUIREMENTS & SCHEDULE 3 – HEIGHT, COVERAGE AND BUILDING REQUIREMENTS) AND ADDING A NEW SECTION 112-32.05 - RETAIL DISTRICT OVERLAY ZONE.

Mayor Levine stated that the foregoing ordinance was presented to the Township Council for adoption on first reading, posting, publication in accordance with law on January 24, 2006. The ordinance is presented as amended to the Township Council for introduction, posting, publication in accordance with law and is scheduled for public hearing and final adoption on March 14, 2006.

Mr. McKenzie moved the foregoing ordinance as amended 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 Ms. Ritchie 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

CONSENT AGENDA ITEMS

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

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

Resolution #06-065 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 10, 2003
Block/Lot: 34.02/16.03C2816
Name & Address: Hansen, Brooks Ernst
 16 Fisher Drive
 Franklin Park, New Jersey 08823
Amount: \$14,021.29
Make Check Payable To: Plymouth Financial Co.
 P.O. Box 2288
 Morristown, New Jersey 07062-2288
Certificate No.: 03-020
Payment Received: February 7, 2006

Date of Sale: June 9, 2005
Block/Lot: 96/26
Name & Address: Realty Mgmt. Co.
 Box 699
 Summit, NJ
 (For 151 Churchill Avenue)
Amount: \$625.85
Make Check Payable To: James C. Older
 87 East Mountain Road
 Hillsborough, NJ 08844
Certificate No.: 05-027
Payment Received: February 14, 2006

Date of Sale: June 9, 2005
Block/Lot: 424.04/314
Name & Address: Yursha, Kathleen & C

314 Classon Court
Somerset, NJ 08873
Amount: \$4,318.60
Make Check Payable To: Stuart Lasher
P.O. Box 83
Milltown, NJ 08850
Certificate No.: 05-091
Payment Received: February 16, 2006

Resolution #06-066 Award State Contract – Quality Communications – In-Car Computers for New Vehicles – Amount Not to Exceed \$22,488.25.

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: **Quality Communications**
1985 Swarthmore Avenue
Suite 4
Lakewood, NJ 08701
State Contract No. A88804

ITEMS: In-Car Computers for New Vehicles
COST: \$22,488.25

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 #06-067 Rescind Duplicating & Printing Services Contract with Innovative Business Services – Contractor has ceased operation.

WHEREAS, on May 25, 2004, Innovative Business Services, LLC was awarded a contract for Duplicating and Printing Services for a two-year period in an amount not to exceed \$65,000.00 annually; and

WHEREAS, on February 9, 2006 a letter was sent to the Purchasing Administrator from Somerset Management Group that Innovative Business Services has ceased operations; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County that the contract with Innovative Business Services for duplicating and printing services in the amount of \$65,000.00 annually is hereby rescinded.

Resolution #06-068 Award State Contract – L-3 Communications – Mobile Vision, Inc. – In-car mobile video cameras and parts – Amount Not to Exceed \$12,916.95.

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: **L-3 Communications – Mobile Vision, Inc.**
90 Fanny Road
Boonton, NJ 07705

State Contract No. A44254

ITEMS: In-Car Mobile Video Cameras and Parts
COST: \$12,916.95

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 #06-069 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>
507.17/172	Collector of Revenue	1/06	636.73
507.16/9		1/06	14.85
TO 507.17/100		APPLY TO ANOTHER LOT	
34.04/8.01C0141	Philip S. Adelman, Esq. 41 Vreeland Ave. Totowa, NJ 07512	1/06 Attorney and Mortgage Co. Paid	1,342.15
386.18/3	Muzumdar, Nimish 3 Exeter Ct. Somerset, NJ 08873	1/06 Paid Wrong Amount for 1 st Quarter	144.87
411/4	Baglino, Sunyoung 19 Dahlia Road Somerset, NJ 08873	1/06 Paid Wrong Amount for 1 st Quarter	144.52
507.36/23	Bacigaluop, Arnold & Mantione, Jean 615 Post Lane Somerset, NJ 08873	1/06 Paid Added Assessment Twice	2,493.69
11.17/11	Reddy, Shirvram & Sujatha 25 Princeton Highlands Blvd. Princeton, NJ 08540	2/06 3/06 Homeowner and Mortgage Co. Paid	2,667.55 .01
34.09/59.02C0478	Kaufman, Loretta 1 Bob Franks Way #230 Somerset, NJ 08873	1/06 Homeowner and Title Co. Paid	522.91
86.05/9.21	Schaeffer, George & Helene 2 Laird Terrace Somerset, NJ 08873	1/06 Refinanced Both Parties	2,622.44

328/6	St. George Title Agency 1700 Galloping Hill Road Kenilworth, NJ 07033	Paid 1/06 Mortgage and Title Co. Paid	1,586.45
424.10/36	Dunuan, Teresita 36 Bridington Lane Somerset, NJ 08873	1/06 Refinance Both Parties Paid	1,322.44

Resolution #06-071 Authorize Grant Application – NJ Department of Health & Senior Services – Healthy Community Development – “Franklin – A Walkable Community” - \$2,500.00.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin does hereby authorize the application to the NJ Department of Health and Senior Services for the “Franklin-A Walkable Community” Grant in the amount of \$2500.00

Resolution #06-072 Award State Contract – Hertich Fleet Service – 2006 Ford Econoline Wagon E-350 for Recreation Amount Not to Exceed \$18,631.80.

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: **Hertrich Fleet Service**
695 DePont Blvd.
Milford, DE 19963

State Contract No. A53133

ITEMS: 2006 Ford Econoline Wagon E-350 for Recreation
COST: \$18,631.80

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 #06-073 Authorize Grant Agreement – 2006 Municipal Alliance Grant - \$50,472.00 with a cash match in the amount of \$12,618.00 and inkind services in the amount of \$37,854.00.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin does hereby authorize the Mayor and Township Clerk to execute on its behalf 2006 Franklin Township Municipal Alliance for Prevention of Substance Abuse Grant Agreement with the Somerset County Department of Human Services in the amount of \$50,472.00 with a cash match of \$12,618.00 and in-kind services in the amount of \$37,854.00.

Resolution #06-075 Award Purchase – Sectegra LLC – Upgrade to Police Security System – Amount Not to Exceed \$13,985.00.

WHEREAS, the Township of Franklin desires to purchase items as follows which do not exceed the bid threshold but which exceed the limits set forth in Chapter 3, Section 3-13; and

WHEREAS, quotations as required by NJSA 40A:11-1 et seq. have been received;

VENDOR: Sectegra. LLC
 PO Box 161
 Highlands, NJ 07732
ITEMS: Upgrade to Police Security System
COST: Not to exceed \$13,985.00

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.

Resolution #06-076 Authorize Release of Street Opening Surety and Deposit.

WHEREAS, the following have deposited Escrow Funds for Street Opening Permits;
 and

WHEREAS, notification has been received from the Department of Public Works stating that all work has been completed in accordance with Standards of Ordinance No. 599;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that the Finance Officer is hereby authorized to release Street Opening Escrow Funds to the following:

Permit Number: 6208
Opening Location: Davidson Avenue & New Brunswick Road
Applicant's Name & Address: Pulte Communities
 100 Davidson Avenue Suite 205
 Somerset, NJ 08873
Deposit/Surety: \$600/\$600

Permit Number: 5855
Opening Location: 300 Davidson Avenue
Applicant's Name & Address: Danella Inc.
 501 Hoes Lane, Suite #107
 Piscataway, NJ 08854
Deposit/Surety: \$300/\$300

Permit Number: 5790
Opening Location: 112 4th Street
Applicant's Name & Address: Jo-Ed Excavating & Paving Co., Inc.
 7 Industrial Drive
 New Brunswick, NJ 08901
Deposit/Surety: \$300/\$300

Permit Number: 5770
Opening Location: 112 4th Street
Applicant's Name & Address: PSE&G
 40 Rock Avenue
 Plainfield, NJ 07063
Deposit/Surety: \$300/\$300 (Bonded)

Permit Number: 6326

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Opening Location: 80 13th Street
Applicant's Name & Address: A. Beverly Built Homes
20 Walnut Avenue
Somerset, NJ 08873
Deposit/Surety: \$300/\$300

Permit Number: 6028
Opening Location: 200 Campus Drive
Applicant's Name & Address: Delorenzo Construction Co. Inc.
3 Peach Tree Lane
Manalapan, NJ 07726
Deposit/Surety: \$300/\$300

Permit Number: 6325
Opening Location: Berry Street near Hamilton Street Walgreens
Applicant's Name & Address: L.N. Rothberg & Sons Inc.
 550 Cedar Avenue (P.O. Box 550)
 Middlesex, NJ 08846
Deposit/Surety: \$300/\$300

Permit Number: 6182
Opening Location: Mettlers Lane at Buckeye Pipeline
Applicant's Name & Address: Buckeye Pipe Line Company
 2650 Marshes Dock Road
 Linden, NJ 07036
Deposit/Surety: \$150/\$150

Permit Number: 6364
Opening Location: 1 Edna Court
Applicant's Name & Address: DBS Prop Improvement
 139 Wilson Road
 Somerset, NJ 08873
Deposit/Surety: \$100/\$100

Permit Number: 6086
Opening Location: 129 Hollywood Avenue
Applicant's Name & Address: Jo-Ed Excavating & Paving Co. Inc.
 7 Industrial Drive
 New Brunswick, NJ 08901
Deposit/Surety: \$300/\$300

Resolution #06-077 Authorize Revision of Scope of Work for the Senior/Special Needs Study Grant through Somerset County.

WHEREAS, the Township authorized the submission and acceptance of a Grant Agreement to the Somerset County Municipal Planning Partnership – Senior/Special Needs Housing Pilot Program for \$50,000 to assess the feasibility of Senior Housing in the Redevelopment Area; and

WHEREAS, a need exists to revise the scope of work on the Somerset County Municipal Planning Partnership – Senior/Special Needs Housing Grant to include collaboration with the Housing Authority of Franklin Township for Senior Housing planning;

NOW, THEREFORE, BE IT RESOLVED by the Township of Franklin, Somerset County, State of New Jersey that it hereby requests the following revisions to the scope of work in the Somerset County Municipal Planning Partnership – Senior/Special Needs Housing Grant, including collaboration with the Housing Authority of Franklin Township as follows:

1. Appointment a planning consultant to review land uses within expanded area under consideration and make recommendations as to the best location for a new senior housing development to meet both Housing Authority and Township needs;
2. Conduct at least one community meeting to discuss the recommendations of the planning consultant;
3. Coordination with the Franklin Township Planning Board, Redevelopment Agency and the Third Round Fair Share Plan;

4. Preparation of a final report with funding recommendations and a timeline of activities to accomplish a new senior housing development.

Resolution #06-078 Extend Contract – Maaco Auto Painting – Automobile Body & Repair and Refinishing Contract May 1, 2006 through April 30, 2007 – Amount Not to Exceed \$70,000.00.

BE IT AND IT IS HEREBY RESOLVED that the resolution adopted April 13, 2004 awarding bids for automobile body repair and refinishing for the period May 1, 2004 to April 30, 2005:

**Maaco Auto Painting and Body Works
17H Edgeboro Road
East Brunswick, NJ 08816**

And extended for the period May 1, 2005 to April 30, 2006 in an amount not to exceed \$70,000.00

Be extended for the period May 1, 2006 to April 30, 2007 in an amount not to exceed \$70,000.00

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

WHEREAS, that continuation of the terms of this contract beyond June 30, 2006 is contingent upon availability of funds in the 2007 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

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

Resolution #06-079 Authorize Issuance of Hotel/Motel Exception Liquor License – Royal Somerset Inn, LLC – 315-325 Davidson Avenue – Comfort Suites at Somerset.

WHEREAS, application has been filed by Royal Somerset Inn, LLC for Plenary Retail Consumption License under the provisions of **NJSA 33:1-12.20 and Section 75-11 of the Township Code** which permits a Municipality to issue a new license outside of the population cap for a hotel or motel containing at least one hundred (100) guest sleeping rooms; and

WHEREAS, Royal Somerset Inn, LLC. proposes to operate this facility within and in conjunction with the Comfort Suites @ Somerset, 315-325 Davidson Avenue, which Hotel has in excess one hundred (100) guest sleeping rooms; and

WHEREAS, the application has been made with the Township Clerk and filing fees have been paid to the Township and to the State of New Jersey, Division of Alcoholic Beverages; and

WHEREAS, the Health Officer, Chief of Police and Fire Inspector have inspected the applicant's property and have approved them as per letters filed with the Clerk; and

WHEREAS, said application has been examined by the Township Council and the Township Council finds that:

- (1) The submitted application forms are complete in all respects;

- (2) The applicants are qualified to be licensed according to all Statutory, Regulatory and Local Government ABC Laws and Regulations; and
- (3) The applicants have disclosed, and the issuing authority has reviewed, the source of all funds used in the purchase of the license and the licensed business;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Township Clerk be and she is hereby instructed to issue one (1) Plenary Retail Consumption License under the Hotel/Motel provisions of **Title 33** to Royal Somerset Inn, LLC.

Resolution #06-080 Authorize Interlocal Services Agreement – North Brunswick – Animal Control Services.

BE IT AND IT IS HEREBY RESOLVED that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Council interlocal service agreements with the Township of North Brunswick as permitted by NJSA 40:8A-1 et. seq. for Animal Control Services for the period January 1, 2006 through December 31, 2006.

Resolution #06-081 Authorize Release of Performance Guarantee – P&R Fasteners, Inc. – Site Improvements – Block 517.06/Lot 17.03 – 325 Pierce Street – Docket #PLN2003-0059 - \$1,000.00.

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

ITEM:	Irrevocable Letter of Credit
NAME OF APPLICANT:	P&R Fasteners Inc.
ADDRESS OF APPLICANT:	325 Pierce Street Somerset, NJ 08873
NUMBER:	SM208755W
IN THE AMOUNT OF:	\$207,939.60
FOR:	Block 517.06/Lot 17.03 – 325 Pierce Street – Site Improvements

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 Irrevocable Letter of Credit in the amount of \$207,939.60 be released to the above named applicant.

Resolution #06-082 Authorize Release of Planning/Building Escrows.

WHEREAS, the Township of Franklin, Somerset County has received escrow monies for purposes of professional fees incurred for review of and/or testimony concerning an application for development in accordance with Section 112-29 of the Code of the Township of Franklin; and

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

APPLICANT: Donald Sweeney

ADDRESS:	19 Colonial Drive	
	Shrewsbury, NJ 07702	
DOCKET NO.	PLN2005-0001	
BLOCK/LOT:	444/5&1	
LOCATION:	1370 Easton Avenue	
AMOUNT DEPOSITED:	\$1,000.00 <Heyer>	\$1,500.00 <In-Hse>
AMOUNT CHARGED:	<u>937.50</u>	<u>520.00</u>
AMOUNT TO BE REFUNDED:	\$ 62.50	\$ 980.00

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.

Resolution #06-083 Authorize Issuance of Special Event Permit – St. Matthias Carnival – May 16 – 21, 2006 – 168 JFK Boulevard.

WHEREAS, a request has been received from the Catholic Community of Saint Matthias for permission to have a **CARNIVAL** on:

Tuesday,	May 16;	Wednesday, May 17;	
Thursday,	May 18 &	Friday, May 19	6:00 to 10:00 pm
Saturday,	May 20		2:00 to 10:00 pm
Sunday,	May 21		2:00 to 9:00 pm

to be conducted on Church Grounds located at 168 John F. Kennedy Boulevard; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the Catholic Community of Saint Matthias to conduct a **CARNIVAL** on the date and times set forth above, to be conducted **on Church Grounds located at 168 John F. Kennedy Boulevard**, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Zoning Officer, Director of Health and Director of Fire Prevention; 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 the Catholic Community of Saint Matthias Church shall file with the Township Clerk Ride Vendor's Permit to operate; and

BE IT FURTHER RESOLVED that in accordance with **Section 325-11 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.

BE IT FURTHER RESOLVED that in accordance with **Section 325-15 of the Township Code** the applicant shall furnish evidence that a Public Liability Insurance Policy in an amount not less than five hundred thousand (\$500,000) dollars for one (1) person and one million (\$1,000,000) dollars for any one (1) accident which shall be in force and effect at the time such CARNIVAL will be operating

Resolution #06-084 Authorize Abandoned Vehicle Auction at Township Yard to be held on Tuesday, March 21, 2006 at 10:00 a.m.

BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize a Public Auction of automobiles which are into the possession of the Franklin Township Police Department through abandonment or failure of owners to claim in accordance with **N.J.S.A. 39:10A-1 (Laws of the State of New Jersey)** as follows:

Date: Thursday, March 30, 2006
Time: 10:00 AM
Place: Franklin Township Police Department Impound Yard
 Churchill Avenue and Berry Street, Somerset

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>STYLE/COLOR</u>	<u>VIN. NUMBER</u>
1980	Mer Benz/Wagon	Grey	1239312007858
1995	Mitsub/Montero	4dr/Black	JA4MR41H4SJ015532
1994	Honda/Accord	4dr/Blue	1HGCD5637RA175936
1991	Ford/Taurus	WG/Grey	1FACP52U3MA212709
1971	Chevy/El Camino	2dr/White	136801B150814
1985	Audi	2dr/Grey	WAUFB0448FN110983
1983	Chevy/Monte Carlo	4dr/Black	1G1AZ37HDB103611
1990	Ford/Tempo	4dr/Blue	2FAPP36XXLB169872
1990	Buick/Century	4dr/White	1G4AH54N2L6403300
1993	Honda/Civic	2dr/Black	1HGEJ1254PL040237
1991	Suburu	WG Grey	JF2AN52B4MF406479
1991	Chevy\Caprice	4dr/Blue	1G1BL53E5MR131648
1991	Lincoln/Town Car	4dr/Beige	1LNCM83W0MY644181
1990	Acura	4dr/Grey	JH4DB1554LS020944
1987	Mer Benz	4dr/Grey	WDBEA30D6HA435682
1990	Ford/Escort	2dr/Red	1FAPP9198LW157178
1992	Acura/Vigor	2dr/Grey	JH4CC2653NC018385
1990	Toyota/Corolla	4dr/Grey	2T1AE94A3LC046767
1993	Hyundai/Sonata	4dr/Gold	2HMBF32F8PB098115

Vehicle has Transferable/Regular Title

Vehicles may be viewed at the location noted above for the one (1) hour period preceding the auction.

BE IT FURTHER RESOLVED that Notice of Auction pursuant to Statute shall be published in the official newspaper of the Township of Franklin on March 16, 2006.

Resolution #06-085 Award State Contract – Warnock Automotive Inc. – (2) 2006 Ford Explorers – Amount Not to Exceed \$38,944.70 and Warnock Dodge, Inc. – (4) 2006 Jeep Liberties – Amount Not to Exceed \$67,524.00 – All vehicles for the Community Development Department.

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: Warnock Automotive Inc.
175 Route 10
East Hanover, NJ 07936
State Contract No. A63961

ITEMS: Two (2) Ford Explorers
COST: \$38,944.70

VENDOR: Warnock Dodge Inc.
175 Route 10, POB 524
East Hanover, NJ 07936
State Contract No. A53130

ITEMS: Four (4) Jeep Liberties
COST: \$67,524.00

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 #06-086 Rescind Resolution #06-051 – Authorize Tax Remittals.

WHEREAS, Resolution #06-051 entitled “Resolution – Tax Remittals” was adopted by the Township Council at a regular meeting held on February 14, 2006; and

WHEREAS, said taxes were remitted in error for Block 34.01, Lot 16.02 C0347 by the Tax Collector;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that Resolution #06-051 entitle “Resolution – Tax Remittals” is hereby rescinded.

Resolution #06-087 Authorize Sale of Plenary Retail Consumption License.

WHEREAS, NJS 33:1-12.14 provides that no new Plenary Retail Consumption License shall be issued in a municipality unless and until the number of such licenses existing in the municipality is fewer than one (1) for each 3,000 of its population as shown on the last preceding Federal Census; and

WHEREAS, NJSA 33:1-12.14 provides that no new Plenary Retail Distribution License shall be issued in a municipality unless and until the number of such licenses existing in the municipality is fewer than one (1) for each 7,500 of its population as shown on the last preceding Federal Census; and

WHEREAS, the Federal Census figure for 2000 Census has been certified by the New Jersey Secretary of State Department; and

WHEREAS, pursuant to such certified figures, the population of Franklin is 50,903 persons; and

WHEREAS, as a result of the foregoing, there resulted in the Township of Franklin the authority to issue two (2) Plenary Retail Consumption License and one (1) Plenary Retail Distribution License for the sale of alcoholic beverages; and

WHEREAS, on January 11, 2005, the Township Council awarded one (1) Plenary Retail Consumption License and one (1) Plenary Distribution License to the successful bidders, thus resulting in one (1) remaining Plenary Retail Consumption License; and

WHEREAS, pursuant to NJSA 33:1-19.3, it is the desire of the Township of Franklin, Somerset County to accept sealed bids for said license as required by law subject to the terms and conditions herein specified;

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

1. The Township of Franklin hereby determines that it will sell at public sale one (1) Plenary Retail Consumption License for the sale of alcoholic beverages, in accordance with the procedure set forth in NJSA 33:1-19.3 et seq.
2. The Township Clerk shall publish a notice of proposed issuance of the alcoholic beverage license. The notice shall provide the following:
 - a. The Township, by resolution, has determined to consider the issuance of (1) Plenary Retail Consumption License by public sale to the highest qualified bidder and invites bids therefore.
 - b. The Notice shall be published in the Courier News not less than two (2) times, which publications shall not be less than one (1) week apart. The second or last notice shall be published at least thirty (30) days before the date established to open all bids from qualified bidders. The minimum time period that must be allowed for bidders to apply for the License is twenty-five (25) days after the second publication.
 - c. All prospective bidders for the license shall apply by submitting to the Clerk of the Township of Franklin in full and complete eleven (11) page application form; a separately sealed envelope with the applicant's bid and bid deposit fee; and a separate Certification of Proof of Compliance by the applicant that it meets any and all special conditions or requirements contained in the Notice and knows of no reason he or she would be disqualified from having an interest in a Retail License in New Jersey.
 - d. The Notice will advise that all bids will be sealed and that the minimum bid for this new consumption license shall be \$250,000.00 along with any terms and conditions related to the bid process, such as deposits, returns, forfeitures, etc.

- e. The Notice shall state the Township reserves the right to reject all bids if the highest bid is not accepted. A sale may be postponed or canceled at any time prior to opening of the bids.
 - f. The Notice shall specify the time, place and last date that applications and bids will be accepted. Also indicate therein will be the requirement that the Clerk of the Governing Body shall publicly announce those applicants who presumptively meet the qualification for bidding as fixed by law, rules and regulations and the enabling resolution and Notice. This public announcement must occur not less than five (5) days prior to the date of opening the sealed bids.
 - g. The time, place and date that the sealed bids will be opened must also be specified in the Notice, which must be no sooner than five (5) days after the public announcement of all presumptively qualified bidders. No bids will be opened from or on behalf of any bidder who does not qualify or has not submitted proof of qualification (full and complete eleven (11) page ABC application form and Certification of Proof of Compliance).
 - h. At the designated time, place and date, the sealed bids will be opened and all bid amounts and the highest bid amount will be declared. If the issuing authority determines to reject all bids they shall do so by formal resolution. If they determine to accept the highest qualified bid, that also shall be done by resolution under the conditions that the ultimate issuance of the license will be subject to payment of the balance of the bid price; payment of the State \$250.00 Application Fee; satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license and the receipt of favorable State and/or Federal criminal background checks; and the compliance with the publication, hearing and resolution requirement under NJAC 13:2-2.1 et. seq.
3. The minimum bid price for the Retail Consumption license shall be \$250,000.00;
 4. **Monday, April 24, 2006**, 12:00 noon at the Office of the Township Clerk, 475 DeMott Lane, Somerset , New Jersey is hereby fixed as the last date and time that applications and bids will be accepted;
 5. **Monday, May 1, 2006**, 12:00 noon at the Office of the Township Clerk, 475 DeMott Lane, Somerset. New Jersey is hereby fixed as the date, time and location for a public announcement of all presumptively qualified bidders;
 6. **Monday, May 8, 2006** at 12 noon at the Municipal Building, 475 DeMott Lane is hereby fixed as the date, time and location when sealed bids will be opened and all bid amounts and the highest bid amount will be declared;
 7. **Tuesday, July 11, 2006** at 7:00 p.m. a Resolution accepting the highest bid amount will be declared and a Resolution accepting the highest bid or rejecting all bids, as the case may be, shall be adopted;
 8. Ten 10% of the purchase price shall accompany the sealed bid. The deposit shall be cash, certified check or cashier check;
 9. Nothing contained herein shall be deemed to excise or relieve an applicant from compliance with all applicable laws, regulations and ordinances including, without limitation, compliance with all provisions of Chapter 75, Alcoholic Beverages, of the Township Code;

The Township reserves the right to reject any and all bids where the highest bid is not accepted.

APPOINTMENTS

Board/Commission Appointments

Advisory Recreation Council

The following nominations were made to the Advisory Recreation Council as a Regular Member for an unexpired three-year term ending December 31, 2006: Marcie Dunbar and Nancy Triggs. The Township Clerk polled Council on nominations for the Advisory Recreation Council Regular Member for an unexpired three-year term ending December 31, 2006 as follows:

<u>MARCIE DUNBAR</u>	<u>NANCY TRIGGS</u>
Ashley-Williams	Danile
Eberle	Levine
McKenzie	Vassanella
Ritchie	
Sumter	

Environmental Commission

The following nominations were made to the Environmental Commission as Alternate #1 Member for an unexpired two-year term ending December 31, 2006: Dr. Michael Ricketts and Andrew Cozzi. The Township Clerk polled Council on nominations for the Environmental Commission Alternate #1 Member for an unexpired two-year term ending December 31, 2006 as follows:

<u>MICHAEL RICKETTS</u>	<u>ANDREW COZZI</u>
Ashley-Williams	Levine
Danile	Vassanella
Eberle	
Ritchie	
Sumter	

There was a brief discussion regarding appointments to the Environmental Commission. Council directed the Township Clerk to review the appointments made to the Environmental Commission made in 2006 and report back before the next meeting.

Historic Preservation Commission & Rent Leveling Board

Upon motion by Ms. Ritchie, seconded by Mr. McKenzie the following appointments were approved unanimously upon acclamation:

- James Vassanella as Council Liaison to the Historic Preservation Commission for a one-year term ending 12/31/06.
- Rajiv Prasad as Non-Senior Citizen Resident Member to the Senior Citizen Advisory Committee for a one-year term ending 12/31/06.

EXECUTIVE SESSION

Upon motion by Ms. Ritchie, seconded by Ms. Danile, the following resolution was adopted as follows upon call of the roll:

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

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

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

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

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

**Open Space Acquisitions – Block 74.01/Lot 8.01; Personnel (Salaries);
Collective Bargaining and West Point Avenue Property Acquisition**

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

Mayor Levine announced that Council would be adjourning to Executive Session. No other business would be conducted and the recording of the meeting would end.

ADJOURNMENT

Ms. Ritchie moved to adjourn the meeting at 9:00 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