

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 7:13 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 April 11, 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 Mayor Levine led the Invocation. Mayor Levine remembered Firefighter Kevin Apuzzio who died rescuing a victim during a fire earlier this morning.

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: \_\_\_\_\_ Fitzpatrick, Esq., for the Township Attorney, Kenneth W. Daly, Township Manager, Ann Marie McCarthy, Township Clerk

Mayor Levine announced that due to today's tragedy, the agenda for tonight's meeting was amended to include only the Approval of Warrants; Public Discussion and the Consent Agenda. All other items were tabled to the April 25, 2006 meeting.

#### APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$3,303,997.14 for April 11, 2006 to the Township Council for payment:

1	Current	1,404,628.32
5	Water Operating	294,177.58
6	Water Capital	550.00
4	General Capital	335,990.77
15	Trust Others	3,166.00
12	Open Space Trust	14,549.13
2	Grant	38,554.98
26	Affordable Housing	456.50
3	Collector Trust	260,577.36
14	Dog Revenue	395.00
13	Redevelopment Agency	168.75
30	Payroll Agency	946,751.06
	Sub-Total	3,299,965.45
25	Escrow Account	4,031.69
	Grand Total	3,303,997.14

Deputy Mayor Ashley-Williams moved that warrants in the amount of \$3,303,997.14 for April 11, 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			

**CONSENT AGENDA ITEMS**

Upon motion by Ms. Danile, seconded by Mr. Sumter, 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 #06-126** Authorize Rejection of Duplicating Services Bid (Flaw in Specifications).

**WHEREAS**, bids were received on March 28, 2006 for Duplicating Services for all Departments; and

**WHEREAS**, based on further review of the specifications, it was found there was a flaw in the specifications in determining the winning vendor; and

**WHEREAS**, the specifications will be rewritten and new bids solicited;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County, New Jersey that the bids for Duplicating Services for all Departments be and are hereby rejected.

**Resolution #06-127** Authorize Change Order – Housing Rehabilitation through CDBG – 1730 Easton Avenue – JDA Contracting, LLC – Additional \$1,104.00 – New Contract Amount: \$19,034.00.

**WHEREAS**, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on March 28, 2006, authorized the awarding of a contract to

**JDA CONTRACTING LLC**  
**46 Brookside Avenue**  
**Old Bridge, NJ 08857**

**An amount not to exceed \$17,930.00; and**

**WHEREAS**, during the course of the contract, it was discovered after work began there was rotted wood found beneath the surface, resulting in the need to increase the contract as follows:

**CHANGE ORDER NO. 1:**

CDBG Work for 1730 Easton Avenue – Amount not to exceed \$1,104.00

***New Contract Total not to exceed \$17,930.00; 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;

**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. 1 to the contract with JDA Contracting LLC; and

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

**Resolution #06-128** Award Bid – Tree Trimming and Removal Services (April 1, 2006 – March 31, 2008) – Miklos Tree Service, LLC – Amount Not to Exceed \$18,000.00 annually.

**WHEREAS**, a notice to bidders for the receipt of bids for Tree Trimming and Removal Services was published in the Courier News on February 9, 2006 for receipt on February 28, 2006; and

**WHEREAS**, there were three (3) addenda: February 22, 2006, February 27, 2006 and March 6, 2006 and the original bid date was postponed to March 16, 2006;

**BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following contract be awarded to the sole bidder:

MIKLOS TREE SERVICE, LLC  
256 Cedar Grove Lane  
Somerset, NJ 08873  
An amount not to exceed \$18,000.00 per year

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

**BE IT FURTHER RESOLVED** that the Chief Financial Officer has certified hereon that funds are available; and

**BE IT FURTHER RESOLVED** 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.

**Resolution #06-129** 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:	Churchill Estates		
ADDRESS:	PO Box 98 Somerset, NJ 08875		
DOCKET NO.	PLN2005-0019		
BLOCK/LOT:	100/19-22 – 101/56-69, 74-75, 77-84		
LOCATION:	Churchill, Annapolis & Delmonico		
AMOUNT DEPOSITED:	\$10,900.00 <Schoor>	\$3,000.00 <Heyer>	\$600.00 <In-Hse>
AMOUNT CHARGED:	<u>10,014.37</u>	<u>2,600.00</u>	<u>0.00</u>
AMOUNT TO BE REFUNDED:	\$ 885.63	\$ 400.00	\$600.00

APPLICANT:	Franklin Professional Park
ADDRESS:	c/o Robert Silverstein 10 Jennings Court

Hillsborough, NJ 08844

DOCKET NO. PLN2004-0072  
 BLOCK/LOT: 468.11/18.05  
 LOCATION: 32 World's Fair Drive  
 AMOUNT DEPOSITED: \$6,500.00 <Schoor> \$2,500.00 <Heyer> \$1,000.00 <In-Hse>  
 AMOUNT CHARGED: 3,900.00 192.50 120.00  
 AMOUNT TO BE REFUNDED: \$2,600.00 \$2,307.50 \$ 880.00

APPLICANT: Churchill Estates  
 ADDRESS: PO Box 98  
 Somerset, NJ 08875

DOCKET NO. PLN2005-0005  
 BLOCK/LOT: 101/70.01, 71.01 & 72.01  
 LOCATION: Churchill & Annapolis St.  
 AMOUNT DEPOSITED: \$1,500.00 <Heyer> \$1,500.00 <In-Hse>  
 AMOUNT CHARGED: 797.50 400.00  
 AMOUNT TO BE REFUNDED: \$ 702.50 \$1,100.00

APPLICANT: Cynthia Schoeneck  
 ADDRESS: 14 Coppermine Road  
 Princeton, NJ 08540

DOCKET NO. PLN2005-0003  
 BLOCK/LOT: 11.01/27.04  
 LOCATION: Coppermine Road  
 AMOUNT DEPOSITED: \$2,500.00 <Heyer> \$1,500.00 <In-Hse>  
 AMOUNT CHARGED: 1,182.50 470.00  
 AMOUNT TO BE REFUNDED: \$1,317.50 \$1,030.00

**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 #06-130** Authorize Purchase – Water Main Replacement – Rotor Clip Co., Inc. – Amount Not to Exceed \$17,400.00.

**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:** Rotor Clip Co., Inc.  
 187 Davidson Avenue  
 Somerset, NJ 08873

**ITEMS:** Water Main Replacement  
**COST:** Not to exceed \$17,400.00

**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 #06-131** Award CDBG Housing Rehabilitation Grants: JDA Contracting, LLC for 237 Park Street in the amount of \$23,175.00 and JDL Contracting Co., Inc. for 225 Hillcrest Avenue in the amount of \$24,125.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf the following CDBG Grant for Rehabilitation, copies of which are on file with the Township Clerk and available for public inspection:

**CONTRACTOR:** JDA Contracting LLC  
46 Brookside Avenue  
Old Bridge, NJ 08857  
**AMOUNT:** \$23,175.00  
**PROJECT:** 237 Park Street

**CONTRACTOR:** JDL Contracting Co., Inc.  
4 Timothy Avenue  
Kendall Park, NJ 08824  
**AMOUNT:** \$24,125.00  
**PROJECT:** 225 Hillcrest Avenue

**Resolution #06-132** Award State Contract – Installation of Above-Ground Storage Tank at Society Hill – T. Slack Environmental Services – Amount Not to Exceed \$38,970.00.

**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:** **T. Slack Environmental Services**  
4 Mark Road  
Kenilworth, NJ 07033  
**State Contract No. A63631**

**ITEMS:** Installation of Above-Ground Storage Tank at Society Hill Pump Station  
**COST:** \$38,970.00

**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 #06-133** Authorize FY2007 Preliminary Municipal Tax Levy.

**WHEREAS**, the New Jersey Division of Local Government Services has revised the Method of calculating the Local Municipal Tax Rate for Municipalities operating on a Fiscal Year basis ending June 30, per Statute; and

**WHEREAS**, NJSA 40A:4-12.1 requires the Governing Body of each Municipality operating under the State Fiscal Year to certify by resolution to the Director of the Division of Local Government Services, a preliminary Municipal Tax Levy;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Fiscal Year 2007 Preliminary Municipal Tax Levy to be utilized in calculation of the municipal portion of the third and fourth installments of property tax is \$26,421,435; and

**BE IT RUTHER RESOLVED** that certified copies of this resolution be filed with the Director of the Division of Local Government Services and with the Somerset County Board of Taxation.

**Resolution #06-134** Authorize Release of Construction Water Meter Escrow Monies

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

**WHEREAS**, the project has been completed and the Director of the Water Division of the Department of Public Works, has certified to the Township Clerk the amount of money actually due for said construction water and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: GFA DEVELOPMENT COMPANY LLC  
ADDRESS: 727 RARITAN ROAD  
CLARK, NEW JERSEY 07066

AMOUNT DEPOSITED:	\$2145.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT FOR SERVICE CHARGE & WATER USAGE	\$ 264.50
AMOUNT TO BE REFUNDED:	\$1880.50

APPLICANT: RAINBOW G&J PAINTING  
ADDRESS: PO BOX 392  
MARTINSVILLE, NJ 08836

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

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

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

**Resolution #06-135** 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:** 293/25  
**Name & Address:** Wade, Gail L.  
 431 Arthur Avenue  
 Somerset, NJ 08873  
**Amount:** \$489.33  
**Make Check Payable To:** SANJOY LLC  
 11 Stoneleigh Drive  
 Scotch Plains, NJ 07060  
**Certificate No.:** 05-071  
**Payment Received:** March 21, 2006

**Date of Sale:** June 13, 2002  
**Block/Lot:** 432/1  
**Name & Address:** Lara, E. & Lillian  
 1 North Broadway  
 White Plains, NY (For 114 Hollywood Ave.)  
**Amount:** \$296.59  
**Make Check Payable To:** James Pilewski  
 3 Devon Lane  
 Warren, NJ 07059  
**Certificate No.:** 02-177  
**Payment Received:** March 21, 2006

**Date of Sale:** June 9, 2005  
**Block/Lot:** 432/1  
**Name & Address:** Lara, E. & Lillian  
 1 North Broadway  
 White Plains, NY (For 114 Hollywood Ave.)  
**Amount:** \$160.42  
**Make Check Payable To:** James Pilewski  
 3 Devon Lane  
 Warren, NJ 07059  
**Certificate No.:** 05-094  
**Payment Received:** March 21, 2006

**Date of Sale:** June 8, 2004  
**Block/Lot:** 90/3  
**Name & Address:** Medical Intrade World  
 26 Rebel Run Drive  
 East Brunswick, NJ 08816 (For 1320 Hamilton Street)  
**Amount:** \$232,225.23  
**Make Check Payable To:** 3147, LLC  
 112 Haddontowne Court, Suite 302  
 Cherry Hill, NJ 08034  
**Certificate No.:** 04-035  
**Payment Received:** March 22, 2006

**Date of Sale:** June 9, 2005  
**Block/Lot:** 299/34  
**Name & Address:** Parks, Toby

234 Hillcrest Avenue  
 Somerset, NJ 08873  
**Amount:** \$27,161.77  
**Make Check Payable To:** American Tax Funding, LLC  
 P.O. Box 862658  
 Orlando, FL 32886-2658  
**Certificate No.:** 05-073  
**Payment Received:** March 24, 2006

**Date of Sale:** June 9, 2005  
**Block/Lot:** 173/24  
**Name & Address:** Dremak, Mike & Margaret  
 5455 N. Sheridan RD#2303  
 Chicago, IL  
 (For 53 Henry Street)  
**Amount:** \$244.02  
**Make Check Payable To:** Sanjoy LLC  
 11 Stoneleigh Drive  
 Scotch Plains, NJ 07076  
**Certificate No.:** 05-043  
**Payment Received:** March 27, 2006

**Resolution #06-136** Authorize Release of Performance Guarantee – Centex Homes (Renaissance) – PLN2001-0034 – Block 507.02/Lot 31- 43 Daulton Drive – Tie in Roof Leader Drains by Developer - \$2,500.00.

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

ITEM: Performance Guarantee  
 NAME OF APPLICANT: Centex Homes (Renaissance)  
 ADDRESS OF APPLICANT: 500 Craig Road, Manalapan, NJ 07726  
 NUMBER:  
 INSURANCE CO./BANK:  
 IN THE AMOUNT OF: \$2,500.00  
 FOR: Tie in Roof Leader Drains by Developer for Final CO – Block 502.07/Lot 31 – 43 Daulton Drive

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

**WHEREAS**, the Township Engineer, after inspection, recommended release of the aforesaid Performance Guarantee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee in the amount of \$2,500.00 be released to the above named applicant.

**Resolution #06-137** Endorse 2006 Recycling Tonnage Grant Application.

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Franklin in the County of Somerset and State of New Jersey hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Thomas Zilinek, Township Engineer/Director of DPW to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**Resolution #06-138** Authorize Execution of Amendment No. 5 to Green Acres Project Agreement.

**WHEREAS**, the New Jersey Department of Environmental Program, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Township of Franklin desires to further the public interest by obtaining a grant of \$3,450,000 from the State to fund the following project: Open Space Plan Acquisition;

**NOW, THEREFORE**, the Township Council of the Township of Franklin resolves that Brian D. Levine, Mayor or the successor of the office of Mayor is hereby authorized to:

- a) Make application for such a grant
- b) Provide additional application information and furnish such documents as may be required
- c) Act as the authorized correspondent of the above named applicant, and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

**NOW, THEREFORE, BE IT RESOLVED** by the Franklin Township Mayor and Council

- (1) That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Open Space Plan Acquisition; and

- (2) That the applicant has its matching share of the project, if match is required, in the amount of \$3,450,000;
- (3) That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and
- (4) That applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project.
- (5) That this resolution shall take effect immediately.

**Resolution #06-139** Approve 2006 Tax Rate for Fire District #1.

**WHEREAS**, the Tax Assessor has certified to the Township Council that the Assessed valuation of property for 2006 within Fire District No. 1 amounts to \$4,408,613,104; and

**WHEREAS**, the voters of Fire District No. 1 have approved a Budget of \$1,996,707 for the Calendar Year 2006; and

**NOW, THEREFORE, BE IT RESOLVED** that the sum of \$1,996,707 be allotted to Fire District No. 1 for the Calendar Year 2006 to be distributed to said Fire District as follows: 50% of the money's collected for Fire District No. 1 in the year 2006, in April, 2006 and the balance of the remaining portion of the Fire District No. 1 Budget as approved by the voter, in August, 2006; and

**BE IT FURTHER RESOLVED** that the Assessor be and he is hereby directed to levy an assessment against Fire District No. 1 of the Township of Franklin at a rate of .046 per hundred dollars valuation to realize the sum of \$1,996,707.

April 2006 - \$998,353.50

August 2006 - \$998,353.50

**Resolution #06-140** Approve 2006 Tax Rate for Fire District #2.

**WHEREAS**, the Tax Assessor has certified to the Township Council that the Assessed valuation of property for 2006 within Fire District No. 2 amounts to \$2,296,288,827; and

**WHEREAS**, the voters of Fire District No. 2 have approved a Budget of \$1,503,500 for the Calendar Year 2006; and

**NOW, THEREFORE, BE IT RESOLVED** that the sum of \$1,503,500 be allotted to Fire District No. 2 for the Calendar Year 2006 to be distributed to said Fire District as follows: 50% of the money's collected for Fire District No. 2 in the year 2006, in April, 2006 and the balance of the remaining portion of the Fire District No. 2 Budget as approved by the voter, in August, 2006; and

**BE IT FURTHER RESOLVED** that the Assessor be and he is hereby directed to levy an assessment against Fire District No. 2 of the Township of Franklin at a rate of .066 per hundred dollars valuation to realize the sum of \$1,503,500.

April 2006 - \$751,750

August 2006 - \$751,750

**Resolution #06-141** Approve 2006 Tax Rate for Fire District #3.

**WHEREAS**, the Tax Assessor has certified to the Township Council that the Assessed valuation of property for 2006 within Fire District No. 3 amounts to \$1,771,319,431; and

**WHEREAS**, the voters of Fire District No. 3 have approved a Budget of \$1,175,020 for the Calendar Year 2006; and

**NOW, THEREFORE, BE IT RESOLVED** that the sum of \$1,175,020 be allotted to Fire District No. 3 for the Calendar Year 2006 to be distributed to said Fire District as follows: 50% of the money's collected for Fire District No. 3 in the year 2006, in April, 2006 and the balance of the remaining portion of the Fire District No. 3 Budget as approved by the voter, in August, 2006; and

**BE IT FURTHER RESOLVED** that the Assessor be and he is hereby directed to levy an assessment against Fire District No. 3 of the Township of Franklin at a rate of .067 per hundred dollars valuation to realize the sum of \$1,175,020.

April 2006 - \$587,510

August 2006 - \$587,510

**Resolution #06-142** Approve 2006 Tax Rate for Fire District #4.

**WHEREAS**, the Tax Assessor has certified to the Township Council that the Assessed valuation of property for 2006 within Fire District No. 4 amounts to \$56,203,204; and

**WHEREAS**, the voters of Fire District No. 4 have approved a Budget of \$25,117 for the Calendar Year 2006; and

**NOW, THEREFORE, BE IT RESOLVED** that the sum of \$25,117 be allotted to Fire District No. 4 for the Calendar Year 2006 to be distributed to said Fire District as follows: 50% of the money's collected for Fire District No. 4 in the year 2006, in April, 2006 and the balance of the remaining portion of the Fire District No. 4 Budget as approved by the voter, in August, 2006; and

**BE IT FURTHER RESOLVED** that the Assessor be and he is hereby directed to levy an assessment against Fire District No. 4 of the Township of Franklin at a rate of .045 per hundred dollars valuation to realize the sum of \$25,117.

April 2006 - \$12,558.50

August 2006 - \$12,558.50

**Resolution #06-143** Disapproving the 2006 Petitions of Appeal filed by the Franklin Township Tax Assessor with the Somerset County Board of Taxation to increase assessments on certain properties.

**WHEREAS**, the Franklin Township Tax Assessor certified the Tax List for Franklin Township to the Somerset County Board of Taxation on or before January 10, 2006; and

**WHEREAS**, the Franklin Township Tax Assessor determined it necessary to modify the 2006 tax assessments on numerous residential and vacant properties after certifying the Tax List for Franklin Township to the Somerset County Board of Taxation; and

**WHEREAS**, the Franklin Township Tax Assessor filed Petitions of Appeal with the Somerset County Board of Taxation to increase the assessments on the approximately 649 line items included herein as Attachment No. 1; and

**WHEREAS**, the Franklin Township Tax Assessor failed to notify the Franklin Township Council of his intention to file Petitions of Appeal on the line items included herein as Attachment No. 1; and

**WHEREAS**, the Franklin Township Tax Assessor filed said appeals without the knowledge or prior approval of the Franklin Township Council; and

**WHEREAS**, the Franklin Township Council does not approve the actions of the Franklin Township Tax Assessor in filing the Petitions of Appeal on the line items included herein as Attachment No. 1 and does not intend to pursue same.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that the Franklin Township Tax Assessor's actions seeking increases to the line items included herein as Attachment No. 1 are expressly disapproved; and

**BE IT FURTHER RESOLVED** that Franklin Township Attorney, Louis N. Rainone is instructed to immediately withdraw the Petitions of Appeal on the line items included herein as Attachment No. 1.

**Resolution #06-144** Approving the 2006 Petitions of Appeal filed by the Franklin Township Tax Assessor with the Somerset County Board of Taxation to decrease assessments on certain properties.

**WHEREAS**, the Franklin Township Tax Assessor certified the Tax List for Franklin Township to the Somerset County Board of Taxation on or before January 10, 2006; and

**WHEREAS**, the Franklin Township Tax Assessor determined it necessary to modify the 2006 tax assessments on numerous residential and vacant properties after certifying the Tax List for Franklin Township to the Somerset County Board of Taxation; and

**WHEREAS**, the Franklin Township Tax Assessor filed Petitions of Appeal with the Somerset County Board of Taxation to decrease the assessments on the approximately 188 line items included herein as Attachment No. 1; and

**WHEREAS**, the Franklin Township Council approves the actions of the Franklin Township Tax Assessor in filing the Petitions of Appeal on the line items included herein as Attachment No. 1.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that the Franklin Township Tax Assessor's actions seeking reductions to the line items included herein as Attachment No. 1 are expressly approved and retroactively ratified.

**Resolution #06-145** Authorize Issuance of Raffles/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>DATE OF RAFFLE/BINGO</u></b>
St. Peter & Paul Byzantine Catholic Church 285 Hamilton Street, Somerset, New Jersey On-Premise Instant Raffles – RL#1555 Drawings – St. Peter & Paul Auditorium	April 20, 27, May 4, 11, 18, 25, June 1, 8, 15, 22, 29, July 6, 13, 20, 27, Aug. 3, 10, 17, 24, 31, Sept. 7, 14, 21, 28, 2006

**Resolution #06-148** Authorize Grant Agreement – NJ State Agriculture Development Committee – Farmland Preservation Program Acquisition of Development Easements – Block 57.01/Lot 56 (Perrin).

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf an Agreement with the NJ Department of Agriculture Development Committee Farmland Preservation Program Acquisition of Development Easements for Block 57.01/Lot 56 (Perrin).

#### **PUBLIC DISCUSSION**

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

There was no discussion from the public at this time.

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

#### **COUNCIL COMMENTS**

Ms. Danile spoke of the tragedy of the loss of Firefighter Kevin Tragedy and a Township resident, Betty Scott. She spoke of Firefighter Kevin Apuzzio who was a firefighter at the East Franklin Fire Company and a student at Rutgers University. She expressed that her prayers are with his family. She stated that volunteer firefighters are not nearly as compensated as they should be and encouraged the State to improve the benefits given to volunteer firefighters. She recommended that the Council help move forward more aggressively the placement and dedication of the Firefighters' Memorial and possibly dedicate it to the memory of Kevin Apuzzio.

Mr. Sumter expressed the same thoughts and concerns as Ms. Danile. He agreed that something should be done in his memory.

Deputy Mayor Ashley-Williams announced that it is a sad day in Franklin Township. She stated that Kevin Apuzzio made the ultimate sacrifice. She expressed her thoughts and prayers to the families of Kevin Apuzzio and Betty Scott and the entire Fire Company. She stated that it is a time to reflect on what we are doing with our lives. She added that she is glad that she voted for the Fire Commissioners' salaries and noted that they deserve more.

Mr. McKenzie expressed his sympathy to the family of Kevin Apuzzio. He expressed his prayers to the Fire Department and thanked all for their commitment and support to the community.

Ms. Eberle stated that we all owe the Fire and Police so much for their protection and our safety. She expressed her sympathy to the families and admiration to all that serve to protect the Township.

Ms. Ritchie expressed her appreciation for the firefighters' efforts and noted that Betty Scott is the mother of Police Officer Tom Coolidge. She extended her sympathy to his family.

Ms. Danile clarified that the front line firefighters do not receive any compensation. The salaries that were voted on were for the Commissioners who are not on the front line.

Mr. Vassanella commended the Fire Department as well as the First Aid Squad who both are on-call 24/7. He stated that the Township is fortunate to have these volunteers in the community.

Mayor Levine commended Kevin Apuzzio and other volunteers who put their lives on the line to serve the Township. He stated that this is a great loss to the Township and expressed hope that everyone can draw strength by coming together. He extended his thoughts and prayers to the families.

**ADJOURNMENT**

Ms. Ritchie moved to adjourn the meeting at 7:35 p.m. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Approved:

Brian D. Levine, Mayor

Date:

Ann Marie McCarthy, Township Clerk