

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 7:09 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 May 9, 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 Mr. Sumter 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/PROCLAMATIONS

#### National Safe Kids Week

Mayor Levine read the following proclamation:

**WHEREAS**, Childhood drowning is the second leading cause of unintentional injury-related death among children ages 1 to 14; and

**WHEREAS**, In 2003, 782 children ages 14 and under died as a result of unintentional drowning; and

**WHEREAS**, In 2004, more than 3,700 children ages 14 and under were treated in hospital emergency rooms for unintentional drowning-related incidents; and;

**WHEREAS**, From 1985 to 2004, 34 children ages 14 and under died as a result of pool and hot tub entrapment, hair entanglement and evisceration/disembowelment and more than 130 children ages 14 and under were injured as a result of pool and hot tub entrapment; and

**WHEREAS**, Twenty percent of survivors of near-drowning incidents suffer severe, permanent neurological disability; and

**WHEREAS**, **Safe Kids Worldwide**, in partnership with Johnson & Johnson, will launch a nationwide public education campaign and safety initiative called "**Safe Pools for Safe Kids**" to promote safe swimming pool, hot tub and spa environment by the use of fences/barriers, door alarms, pool alarms and drain covers; and

**WHEREAS**, **Safe Kids New Jersey**, led by the New Jersey State Safety Council, will hold local community outreach events during **Safe Kids Week 2006** including releasing a report about parents' attitudes and behaviors around drowning prevention to assist in the overall mission of **Safe Kids Worldwide and Safe Kids New Jersey – keeping kids safe.**

**NOW, THEREFORE, I, BRIAN D. LEVINE**, Mayor of The Township of Franklin, County of Somerset, State of New Jersey, on behalf of the Township Council, do hereby proclaim **MAY 6-13, 2006 NATIONAL SAFE KIDS WEEK** and call upon all residents of the Township of Franklin to join me in supporting the efforts and activities of **Safe Kids New Jersey** to provide “**Safe Pools for Safe Kids**”.

### **Older Americans Month**

Mayor Levine read the following proclamation:

**WHEREAS**, Franklin Township is home to older adults; and

**WHEREAS**, the older adults in Franklin Township are among millions helping to redefine aging in America; and

**WHEREAS**, older adults are entitled to live healthier lives through a combination of independence and choice; and

**WHEREAS**, older citizens need the assistance of their communities to thrive, including the understanding and support from their friends and family; and

**WHEREAS**, coordinated efforts to provide support on issues as diverse as housing, transportation, and health care can be vital to healthy aging and long-term living; and

**WHEREAS**, the aging population is growing and offering more wisdom to succeeding generations than ever before;

**NOW, THEREFORE, BE IT RESOLVED THAT I, BRIAN D. LEVINE, MAYOR** of the Township of Franklin, Somerset County, New Jersey on behalf of the Township Council, do hereby proclaim MAY 2006 as “**Older Americans Month**” in the Township of Franklin and commend this observance to all our citizens.

### **Lions Club Convention Days**

Mr. Vassanella presented the following proclamation to Mr. Jordan of the Lions Club:

**WHEREAS**, Lions Clubs International has over 1.3 million members in 44,975 clubs and 753 districts in 196 countries and geographic areas; and

**WHEREAS**, the State of New Jersey has over 6,000 Lions in 260 clubs in five districts and will hold their 85<sup>th</sup> Annual State Convention at the Doubletree Hotel in Somerset, NJ, May 19 through May 21, 2006; and

**WHEREAS**, Lions International is the largest service organization in the world and became committed to sight when Helen Keller asked the Lions to become “Knights of the Blind” at the 1925 International Convention; and

**WHEREAS**, the Lions of New Jersey have eighteen state sight projects that they support along with starting Campaign Sight First II to combat global blindness; and

**WHEREAS**, the Lions of the State of New Jersey will convene to do the business of their state and districts and educate themselves to become “Knights of the Blind”;

**NOW, THEREFORE, BE IT RESOLVED THAT I, BRIAN D. LEVINE, MAYOR** of the Township of Franklin, Somerset County, New Jersey on behalf of the Township Council, do hereby proclaim MAY 19 through MAY 21, 2006 as “**Lions’ Club Convention Days**” in the Township of Franklin and commend this observance to all our citizens.

**National Teachers' Day**

Mr. McKenzie presented Mr. Westfield with the following proclamation:

**WHEREAS**, teachers make public schools great; and

**WHEREAS**, teachers work to open students' minds to ideas, knowledge and dreams; and

**WHEREAS**, teachers keep American democracy alive by laying the foundation for good citizenship; and

**WHEREAS**, teachers fill many roles, as listeners, explorers, role models, motivators and mentors; and

**WHEREAS**, teachers continue to influence us long after our school days are only memories,

**NOW, THEREFORE, I, COUNCILMAN FRED MCKENZIE**, on behalf of Mayor Brian D. Levine and the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, do hereby proclaim this 9<sup>th</sup> day of May, 2006 as **NATIONAL TEACHER DAY** in the Township of Franklin, Somerset County.

**Click It or Ticket**

Mayor Levine read the following proclamation:

**WHEREAS**, there were 757 motor vehicle fatalities in New Jersey in 2005; and

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

**WHEREAS**, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**WHEREAS**, the State of New Jersey will participate in the nationwide **Click It or Ticket** safety belt mobilization from May 22 – June 4, 2006 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

**WHEREAS**, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 86% to 88%; and

**WHEREAS**, a further increase in safety belt usage in New Jersey will save lives on our roadways;

**NOW, THEREFORE, BE IT RESOLVED THAT I, BRIAN D. LEVINE, MAYOR** of the Township of Franklin, Somerset County, New Jersey on behalf of the Township Council, do hereby declare its support for the "**Click It or Ticket**" safety belt mobilization both locally and nationally from MAY 22 – JUNE 4, 2006 and pledges to increase awareness of the mobilization and benefits of safety belt use.

**DEPUTY MAYOR REPORT**

Deputy Mayor Ashley-Williams made the following report:

- Announced that the Skate Park will be opening on May 13<sup>th</sup>. Information can be received from the Parks and Recreation Department – Monday through Friday between 8:30 am to 4:30 pm. She noted that participants need to attend a mandatory safety clinic and children 12 and under need to have an adult present with them at the skate park. More information can be found on the Township's website.
- Announced that May 21, 2006, St. Matthias will be holding a Memorial Service for fallen Firefighter Kevin Apuzzio at 3:30 pm. It is open to the public.

### 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 that most Council meetings are open to the public. Council meetings are generally on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of the month. The public is invited and encouraged to attend. Listings can be found on FTT-25 and the Township website. If anyone is interested in volunteering for any boards, commissions, etc, to contact them.

### REVIEW OF THE PREPARED AGENDA

Mayor Levine led a brief review of the prepared agenda. Deputy Mayor Ashley-Williams made a motion to move the Public Discussion to before the Consent Agenda. Said motion was seconded by Ms. Ritchie and carried unanimously upon call of the roll.

### APPROVAL OF MINUTES

Mayor Levine presented the following minutes: Work Session/Regular Meeting of April 11, 2006 & April 25, 2006; Executive Session of April 25, 2006 and Special Meeting of May 2, 2006.

Mr. McKenzie moved approval of the following minutes: Work Session/Regular Meeting of April 11, 2006 & April 25, 2006; Executive Session of April 25, 2006 and Special Meeting of May 2, 2006. Said motion was seconded by Ms. Danile 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		Sumter (5/2)	Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

### APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$7,758,142.52 for May 9, 2006 to the Township Council for payment:

1	Current	6,197,215.44
5	Water Operating	192,499.74
6	Water Capital	201,553.42
4	General Capital	598,171.57
18	Self Insurance Trust	11,000.00
12	Open Space Trust	873.14

2	Grant	52,526.37
26	Affordable Housing	8,650.88
3	Collector Trust	21,164.62
14	Dog Revenue	299.60
30	Payroll Agency	424,557.24
	Sub-Total	7,751,295.02
25	Escrow Account	6,847.50
	Grand Total	7,758,142.52

Ms. Danile moved that warrants in the amount of \$7,758,142.52 for May 9, 2006 to be paid. 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			

### INTRODUCTION OF ORDINANCES

#### Ordinance No. 3608

Mayor Levine presented the following ordinance:

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT FOR THE WATER UTILITY OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$397,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$397,000 BONDS OR NOTES OF THE WATER UTILITY OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF**

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 June 13, 2006.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 13, 2006 at 7:00 p.m. in the Council Chambers, Municipal Building. 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. 3609

Mayor Levine presented the following ordinance:

**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 3364 HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP ON FEBRUARY 11, 2003 ENTITLED, "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS UTILITY VEHICLES, EQUIPMENT AND TOOLS AND THE ACQUISITION OF GIS UTILITY SOFTWARE TO IMPLEMENT GIS MAPPING SERVICES FOR THE WATER UTILITY OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$347,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF**

**\$347,500 BONDS OR NOTES OF THE WATER UTILITY OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF," AS AMENDED BY BOND ORDINANCE NUMBER 3519 FINALLY ADOPTED ON FEBRUARY 17, 2005, TO INCREASE THE APPROPRIATION THEREIN BY \$250,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$250,000 TO FINANCE THE ADDITIONAL COSTS THEREOF**

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 June 13, 2006.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 13, 2006 at 7:00 p.m. in the Council Chambers, Municipal Building. 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. 3612**

Mayor Levine presented the following ordinance:

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A STEEL GARAGE FOR THE WATER UTILITY OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$55,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$55,000 BONDS OR NOTES OF THE WATER UTILITY OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF**

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 June 13, 2006.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 13, 2006 at 7:00 p.m. in the Council Chambers, Municipal Building. 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. 3613**

Mayor Levine presented the following ordinance:

**BOND ORDINANCE PROVIDING FOR THE UPGRADE OF THE WATER UTILITY'S MONITORING SYSTEMS WITHIN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE WATER UTILITY OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF**

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 June 13, 2006.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 13, 2006 at 7:00 p.m. in the Council Chambers, Municipal Building. 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. 3614**

Mayor Levine presented the following ordinance:

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$107,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$101,800 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF**

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 June 13, 2006.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 13, 2006 at 7:00 p.m. in the Council Chambers, Municipal Building. 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. 3615**

Mayor Levine presented the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 1, GENERAL PROVISIONS, ARTICLE II, GENERAL PENALTY, SUBSECTION 1-3, VIOLATIONS AND PENALTIES.**

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 June 13, 2006.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 13, 2006 at 7:00 p.m. in the Council Chambers, Municipal Building. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

AYES

Ashley-Williams  
Eberle  
McKenzie  
Sumter

AYES

Danile  
Levine  
Ritchie  
Vassanella

NAYSABSTAINABSENT

Regan

PUBLIC DISCUSSION

Mr. McKenzie moved to open the meeting for public discussion. Said motion was seconded by Deputy Mayor Ashley-Williams 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.

Maddie Michaylin, 107 Bennington Parkway, supported the school budget and system. She favored the least amount of cuts to the budget.

William Beals, 6 Alma Court, Franklin Township Youth Council, asked that the cuts to the budget be minimal and that they do not affect after school programs.

Heather Gross, 15 Richmond Drive, asked Council to consider the students when reviewing the school budget. She asked that cuts not be made to arts and music programs.

Mariah Grippo, 5 Masada Street, supported extra curricular activities, noting that they need support. She asked Council not to reduce the school budget.

Brian Bonnano, 303 Astor Court, spoke of the school budget preparation and the problems the Board of Education faces with the budget. He spoke of the need of property tax reform.

Jean Hanson, 3 London Place, supported the school budget and asked that arts, music and after school programs not be affected by cuts to the budget. She expressed her excitement that the skate park is opening, noting that her son gave a presentation on the skate park six years ago. Ms. Ritchie suggested that Parks and Recreation consider involving her son in the grand opening of the skate park.

Wendy, Casale, 68 (inaudible) Avenue, asked that Council consider the children at risk without programs. She stated that the children are their future. He asked that the cuts be minimal.

Steven Levine, 171 Stone Manor Drive, spoke of his support of the school budget and gave some ideas of how to get the message to the Governor that property tax reform is needed.

Harold Leventhal, 360 DeMott Lane, wished the Mayor a happy birthday.

Michael Beals, 6 Alma Court, supported the school budget and asked that Council take the children into consideration when making cuts to the school budget.

Yvette Chaney, 141 North Lawrence Street, asked that the World Language teachers not be affected in the school budget cuts. She spoke of the difficulty she had when she had to vote for the budget at the East Franklin Fire House. She suggested more signage be placed to indicate where the voting is.

Phillip Kramer, 429 Canal Road, noted he voted against the budget and for the second question. He suggested that the Board of Education begin to televise their meetings. He asked that Council respond to the voters who voted down the budget. He stated that the tax system in the State is broken.

Gayle Lore, PTO, spoke for the children and supported the budget as well as the activities and education.

Ava Stanley, 25 Hill Avenue, supported the budget and education in the Township.

Conrad, 56 (inaudible) Road, asked that the music programs not be affected by any cuts to the budget.

Joel Mintz, 17 Sherman Circle, noted he voted against the budget and for the second question. He spoke of the pressure on the Council when people use the children in their arguments. He stated that no one wants to hurt the children.

Fern Shegoski, 34 Appleman Road, supported the children and education in the Township and supported the budget. She stated that it is difficult to vote numerous times during the year and suggested consolidating some of the elections to get more voters out.

Brian St. Rose, 45 Baier Avenue, expressed his pride of the Franklin Township teachers. He spoke of the need to have the Board of Education meetings televised. He supported the school budget. He expressed his frustration regarding the summer program and those that are not eligible for the program, noting that it is unfair. He gave some suggestions to raise school revenues. He spoke of the poor conditions many of the roads in the Township are in.

John McConville, 5 Stone Leigh Way, noted that it is a shame that those who voted against the budget are not in attendance. He stated that these are hard times with increasing taxes and that the spending cannot continue.

Janet Parker, 100 Phillips Road, asked that the music, gifted and talented and arts programs not be affected by any budget cuts. She asked why businesses' taxes don't increase like homeowners' taxes. She spoke of the need for cricket fields.

Diane Mancebo, 73 Sapphire Lane, advocated for children, especially special education children. She spoke in support of after school programs and asked that cuts not be made to any programs.

Jesse Lindsay, 255 Berger Street, asked that no cuts be made to any programs. She stated that she can't afford any more increases in taxes and that the seniors in the Township also cannot afford any more increases. She stated that she would have to go back to work if the taxes keep increasing.

Renee Cartegena, 13 Lexington Road, asked that cuts not be made to any programs, especially after school programs. She asked that the Board of Education and Council work together.

A motion was made by Deputy Mayor Ashley-Williams to close the public portion after the next two speakers. Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

Claude Chaney, 41 North Lawrence Street, stated that local taxes provide the same problem as the federal taxes.

Jay Hernandez, 20 Atlantic Road, former Board of Education member, asked that politics be kept out of the decision regarding the school budget. He stated the school budget is for the children. He stated he had been approached by Council members regarding the school budget and election. He stated the bottom line is that reductions should be based on beliefs and not on politics. He asked what the School Board is supposed to do with increasing enrollment as a result of increasing development. Ms. Ritchie and Ms. Danile asked for clarification regarding his statement regarding Council members approaching him. Ms. Danile stated that Council is

working in the best interests of everyone involved and if he was approached, that is a violation of ethical standards.

Deputy Mayor Ashley-Williams moved to close the public discussion. Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

**CONSENT AGENDA ITEMS**

Upon motion by Mr. McKenzie, seconded by Ms. Danile, 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 #06-175** Authorize Fireworks Display – The Palace at Somerset – Bhandarkar Wedding – May 13, 2006.

**WHEREAS**, The Palace at Somerset Park has made application for permission to hold a fireworks display on Saturday, May 13, 2006 in conjunction with the Bhandarkar Wedding Celebration to be conducted at The Palace at Somerset Park, 333 Davidson Avenue, Somerset; and

**WHEREAS**, the Uniform Fire Code (NJAC 5:18 et seq.) and the New Jersey Fireworks Act (NJSA 21:2-1 et. seq.) provides that the Governing Body of the Municipality may, upon application in writing, grant permission for a public display of fireworks by organizations or groups of individuals;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby grant permission to The Palace at Somerset Park to hold a public display of fireworks on Saturday, May 13, 2006 in conjunction with the Bhandarkar Wedding Celebration to be conducted at The Palace at Somerset Park, 333 Davidson Avenue, Somerset subject to the following conditions:

- (1) Submission to the Director of Fire Prevention an application pursuant to and meeting the specifications of the Uniform Fire Code and the New Jersey Fireworks Act;
- (2) Approval of the location of the storage place for said fireworks by the Director of Fire Prevention;
- (3) Submission of Certificate of Insurance by The Palace at Somerset Park covering the fireworks; and
- (4) Submission of Surety as per N.J.S.A. 21:3-5.

**Resolution #06-176** Resolution Supporting the Community Development Program and Urging Congress to Restore its Funding

**WHEREAS**, the Community Development Block Grant (CDBG) program was enacted, and signed into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and

**WHEREAS**, the CDBG program has as its primary objective "... the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and

**WHEREAS**, the CDBG program has considerable flexibility to allow communities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and

**WHEREAS**, throughout its 30-year history, the CDBG program has been a partnership among the federal, state and local governments, business, and the nonprofit sector which carry out activities that improve the lives and neighborhoods of low and moderate income families; and

**WHEREAS**, according to the Department of Housing and Urban Development (HUD), in FY 2004 CDBG provided funds for thousands of activities, assisting over 23 million persons and households through such activities as expanding homeownership activities, eliminating slums and blighting influences, improving infrastructure such as roads, water and sewer systems, libraries, community centers, adult day care and after school care for children, homeless housing facilities, employment training, transportation services, crime awareness, and business and job creation; and

**WHEREAS**, the Township of Franklin uses CDBG funds in the amount of \$331,170 for housing rehabilitation loans to low and moderate income homeowners and other beneficial activities; and

**WHEREAS**, the President's FY 2007 budget proposes to completely eliminate the CDBG program; and

**WHEREAS**, should such a proposal be enacted, it would have a devastating effect on Township of Franklin's CDBG program;

**NOW, THEREFORE, BE IT RESOLVED**, that the Franklin Township Council hereby calls on the Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide a FY 2007 funding of at least \$4.7 billion overall, with no less than \$4.35 billion in *formula funding*.

**Resolution #06-177** Authorize Tax Title Lien Redemption – Outside Buyers.

**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:

<b>Date of Sale:</b>	June 9, 2005
<b>Block/Lot:</b>	200/1
<b>Name &amp; Address:</b>	Reyes, F. & Martinez, R 74 Highland Avenue Somerset, New Jersey 08873
<b>Amount:</b>	\$877.96
<b>Make Check Payable To:</b>	James C. Older 87 East Mountain Road Hillsborough, NJ 08844

**Certificate No.:** 05-051  
**Payment Received:** April 25, 2006

**Date of Sale:** June 10, 2003  
**Block/Lot:** 189/40  
**Name & Address:** Jenkins, M. & Hill, L.  
P.O. Box 116  
Somerset, NJ 08875  
(For 89 Highland Avenue)

**Amount:** \$11,984.43  
**Make Check Payable To:** Plymouth Financial Co.  
P.O. Box 2288  
Morristown, NJ 07962

**Certificate No.:** 03-115  
**Payment Received:** April 20, 2006

**Date of Sale:** June 8, 2004  
**Block/Lot:** 379/18  
**Name & Address:** Hatch, Sharon M.  
21 Cortland Drive  
Somerset, NJ 08873

**Amount:** \$510.15  
**Make Check Payable To:** JNH Funding Corp.  
90 Dayton Avenue, Bldg. 6  
Passaic, NJ 07055

**Certificate No.:** 040093  
**Payment Received:** April 17, 2006

**Date of Sale:** June 10, 2003  
**Block/Lot:** 379/18  
**Name & Address:** Hatch, Sharon M.  
21 Cortland Drive  
Somerset, NJ 08873

**Amount:** \$657.32  
**Make Check Payable To:** JNH Funding Corp.  
90 Dayton Avenue, Bldg. 6  
Passaic, NJ 07055

**Certificate No.:** 03-194  
**Payment Received:** April 17, 2006

**Date of Sale:** June 9, 2005  
**Block/Lot:** 241.01/27  
**Name & Address:** Taylor, Prince & Madina  
5 Robert C. Keri Ct.  
Somerset, NJ 08873

**Amount:** \$1,161.33  
**Make Check Payable To:** JNH Funding Corp.  
90 Dayton Avenue, Bldg. 6C  
Passaic, NJ 07055

**Certificate No.:** 05-063  
**Payment Received:** April 28, 2006

**Resolution #06-178** Authorize Purchase – Ingersoll Rand Security Tech – Security Access System for Public Safety Building – Not to Exceed \$22,700.00.

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:** Ingersoll Rand Security Tech  
2 Cranberry Road  
Parsippany, NJ 07054  
**ITEMS:** Security Access System for Public Safety Building  
**COST:** Not to exceed \$22,700.00

**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 #06-179** Award Fair & Open Contract for Professional Services – FY2007 Open Space Consultant – Loos Consulting – Not to Exceed \$65,000.00.

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

**WHEREAS**, the Chief Financial Officer has certified in writing, 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**, 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.

**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 to Bidders was posted on the Township website on March 28, 2006 with a deadline for proposals to be submitted on April 13, 2006; and

**WHEREAS**, one (1) proposal was 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:** LOOS CONSULTING  
**ADDRESS:** 39 Fisher Drive  
Franklin Drive, NJ 08823  
**SERVICE:** Open Space Consulting Services for FY2007  
**CONTRACT AMOUNT:** Not to exceed \$65,000.00

**Resolution #06-180** Authorize Release of Performance Guarantee – Raritan Computer Inc. – Letter of Credit #JS64144277 - \$289,776.00 – Docket #PLN2004-002 – Block 517.06/Lot 15.11 – 400 Cottontail Lane – Site Improvements.

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

**ITEM:** Irrevocable Letter/Credit  
**NAME OF APPLICANT:** Raritan Computer Inc.  
**ADDRESS OF APPLICANT:** 400 Cottontail Lane, Somerset, NJ 08873  
**NUMBER:** JS64144277  
**INSURANCE CO./BANK:** Fleet National Bank  
**IN THE AMOUNT OF:** \$289,776.00  
**FOR:** Site Improvements – Block 517.06/Lot 15.11 – 400 Cottontail Lane

**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 \$289,776.00 be released to the above named applicant.

**Resolution #06-181** Amend Contract – South Jersey Energy – Natural Gas for Municipal Buildings – Additional \$50,000.00.

**WHEREAS**, by resolution adopted October 26, 2004, a contract under the Somerset County Cooperative Bid CC-3-04 was authorized with South Jersey Energy for natural gas for the municipal buildings in the amount not to exceed \$54,000.00 annually; and

**WHEREAS**, a need exists to amend said contract to provide an additional \$50,000.00 to cover the increased cost of energy; 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

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced amended contract with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) 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.

**VENDOR NAME:** SOUTH JERSEY ENERGY  
**ADDRESS:** 1 South Jersey Plaza Folsom, NJ 08037  
**CONTRACT AMOUNT:** Not to exceed an additional \$50,000.00  
**SERVICE:** Provide natural gas for Municipal Buildings.

**Resolution #06-182** Reject Bids for Tractor, Attachments & Trade-in.

**WHEREAS**, bids were received on April 13, 2006 for Tractor, Attachments & Trade-in; and

**WHEREAS**, it was anticipated that the amount paid on the trade for the bulldozer would exceed the cost for the tractor; and

**WHEREAS**, the sole bidder's bid would have cost the Township \$7,130 which was not budgeted for this equipment; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County, New Jersey that the bids for Tractor, Attachments & Trade-in be and are hereby rejected.

**Resolution #06-183** Authorize Submission of Grant Application - Somerset County Youth Services Commission Annual Grant in the amount of \$5,000.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a grant application to the Somerset Youth Service Commission Annual Grant Program to apply for funds for the following:

1. \$1,000 for the Edgemere Enlightenment Center
2. \$1,000 for the ARISE Program
3. \$1,000 for the Parkside Kids Canteen Program
4. \$1,000 for the SGS Men to Boys Program
5. \$1,000 for the SGS Women to Girls Program

and does authorize the appropriate Township officials to execute these grant applications on its behalf.

**Resolution #06-184** Authorize Submission of Grant Application – Somerset County Youth Service Commission New Initiatives Grant in the amount of \$5,000.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a grant application to the Somerset Youth Service Commission New Initiative Grant Program to apply for funds in the amount of \$5,000 to provide \$2,000 for the Franklin Township Board of Education Hip Hop Dance Program; \$1,000 for the Fathers Mentoring Program and \$2,000 for

the Franklin Township Youth Council and does authorize the appropriate Township officials to execute these grant applications on its behalf.

**Resolution #06-185** Award Bid – Dayton Chevrolet Inc. – Chevrolet Parts – Two-Year Contract – An Amount Not to Exceed \$75,000.00

**WHEREAS**, a notice to bidders for the receipt of bids Chevrolet car and truck parts was published in the Courier News on April 6, 2006 for receipt on April 20, 2006; 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 following bids be awarded:

<b>DAYTON CHEVROLET, INC.</b>	
<b>P.O. BOX 936</b>	
<b>DAYTON, NEW JERSEY 08810</b>	<b>NOT TO EXCEED \$75,000.00</b>
	<b>TWO-YEAR PERIOD</b>
	<b>AS NEEDED; and</b>

**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 #06-186** Approval of Stormwater Detention Facility Maintenance Agreement – Canal Walk Associates LLC – Phase II.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf Stormwater Detention Facility Maintenance Agreement with Canal Walk Associates, LLC, with offices located at 812 Central Avenue, Westfield, NJ 07090 for property known as Block 513.01, Lots 6.01, 6.02 & 7 and Block 516/Portion of Lot 2 located on Constitution Way & Republic Row pursuant to the Planning Board Resolution approval dated December 15, 2004, a copy of which is on file in the office of the Township Clerk and available for public inspection.

**Resolution #06-187** Award State Contract – Major Police Supply – Equip Police Vehicles – Not to Exceed \$97,766.82.

**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:** Major Police Supply  
47 North Dell Avenue  
Kenvil, NJ 08747  
**State Contract No. A60538**

**ITEMS:** Equip Police Vehicles  
**COST:** \$97,766.82

**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 #06-188** Award Purchase/State Contract – Major Police Supply – Prisoner Van Insert – Not to Exceed \$9,815.95.

**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:** Major Police Supply  
47 North Dell Avenue  
Kenvil, NJ 08747

**ITEMS:** Prisoner Van Insert

**COST:** Not to exceed \$9,815.95

**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 #06-189** 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:	IPS
ADDRESS:	2001 Joshua Road, Lafayette Hill, PA 19444
DOCKET NO.	PLN2001-0044
BLOCK/LOT:	514/20.01
LOCATION:	14 Schoolhouse Road
AMOUNT DEPOSITED:	\$500.00 <In-Hse>
AMOUNT CHARGED:	<u>343.75</u>
AMOUNT TO BE REFUNDED:	\$156.25

**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 #06-190** Authorize Insertion in FY2006 Budget – Chapter 159 – FY2006 Public Health Priority Funding Grant in the amount of \$9,419.00.

**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 \$9,419.00 with \$0.00 match for FY2006 PUBLIC HEALTH PRIORITY FUNDING GRANT 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 \$9,419.00 which is now available as revenue from: FY2006 PUBLIC HEALTH PRIORITY FUNDING GRANT;

**BE IT FURTHER RESOLVED** that a like sum of \$9,419.00, – FY2006 PUBLIC HEALTH PRIORITY FUNDING GRANT, be and the same is hereby appropriated under the caption of: FY2006 PUBLIC HEALTH PRIORITY FUNDING GRANT;

**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 #06-191** Authorize Insertion in FY2006 Budget – Chapter 159 – FY2006 Clean Communities Grant in the amount of \$53,366.94.

**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 \$53,366.94 with \$0.00 match for FY2006 CLEAN COMMUNITIES GRANT 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 \$53,366.94 which is now available as revenue from: FY2006 CLEAN COMMUNITIES GRANT;

**BE IT FURTHER RESOLVED** that a like sum of \$53,366.94, – FY2006 CLEAN COMMUNITIES GRANT, be and the same is hereby appropriated under the caption of: FY2006 CLEAN COMMUNITIES GRANT;

**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 #06-192** Authorize Insertion in FY2006 Budget – Chapter 159 – FY2006 Somerset County Youth Services Commission Annual Grant in the amount of \$5,000.00.

**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 \$5,000.00 with \$0.00 match for FY2006 SOMERSET COUNTY YOUTH SERVICES COMMISSION ANNUAL GRANT 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 \$5,000.00 which is now available as revenue from: FY2006 SOMERSET COUNTY YOUTH SERVICES COMMISSION ANNUAL GRANT;

**BE IT FURTHER RESOLVED** that a like sum of \$5,000.00, – FY2006 SOMERSET COUNTY YOUTH SERVICES COMMISSION ANNUAL GRANT, be and the same is hereby appropriated under the caption of: FY2006 SOMERSET COUNTY YOUTH SERVICES COMMISSION ANNUAL GRANT;

**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 #06-193** Authorize Issuance of Special Event Permit – Franklin High School – Senior Class 2006 Promenade – Community/Senior Center & Grosso Grove – May 19, 2006 from 4:00 p.m. to 6:00 p.m.

**WHEREAS**, a request has been received from Franklin High School (Lawrence Zambrowsky, Vice Principal, 415 Francis Street, Somerset NJ 08873) for permission to have FHS Promenade - Pre Prom Photo Sessions on May 19, 2006, to be conducted in the Community/Senior Center, 505 DeMott Lane, Somerset NJ and surrounding Municipal Grounds (Grosso Grove) between the hours of 4:00 pm - 6:00 pm; and

**WHEREAS**, Franklin High 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 conduct FHS Promenade on May 19, 2006 between the hours of 4:00 pm and 6:00 pm, to be conducted in the Community/Senior Center and surrounding Municipal Grounds (Grosso Grove), 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 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.

**Resolution #06-194** Authorize Issuance of Special Event Permit – High Road @ Somerset – Empty Bowls Project – 220 Cottontail Lane – May 17, 2006 from 12 Noon to 1:30 p.m.

**WHEREAS**, a request has been received from for permission to have an Empty Bowls Project to raise money for hunger fighting organizations on Wednesday, May 17, 2006 from Noon to 1:30 pm, to be conducted at the High Road @ Somerset, 2200 Cottontail Lane, Somerset; and

**WHEREAS**, The High Road @ Somerset 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 The High Road @ Somerset to conduct an Empty Bowls Project to raise money for hunger fighting organizations on Wednesday, May 17, 2006 from Noon to 1:30 pm, to be conducted at the High Road @ Somerset, 2200 Cottontail Lane, Somerset subject to compliance with the requirements of Township Officials, including but not limited to the Recreation Director and the Director of Health; and

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

**Resolution #06-195** 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:

<u>NAME OF ORGANIZATION</u>	<u>DATE OF RAFFLE/BINGO</u>
Church of St. Matthias 168 JFK Boulevard, Somerset, NJ On-Premise Raffle – RL#1556 Drawing: Bunker Hill Golf Course, Princeton	June 23, 2006 6:00 pm
National Multiple Sclerosis Society 246 Monmouth Road, Oakhurst, NJ On-Premise 50/50 – RL#1557 Drawing: The Palace at Somerset	November 15, 2006 11:00 am – 3:00 pm

Easter Seal Society of New Jersey, Inc.  
 1 Kimberly Road, East Brunswick, NJ  
 On-Premise Raffle – RL#1558  
 On-Premise Raffle – RL#1559  
 On-Premise Raffle – RL#1560  
 Drawings: O'Connor's Restaurant, Somerset

July 10, 2006  
 7:00 pm – 9:00 pm

### DEFEATED 2006-07 SCHOOL BUDGET

Board President Eva Nagy and Board Vice President Peter Jordan gave a brief recap of their presentation at the May 2, 2006 Council meeting regarding the 2006-07 School Budget. A very lengthy question, answer and discussion ensued regarding the 2006-07 School Budget. Ms. Ritchie and other Council members reviewed the school budget line item by line item with the School Board.

During the discussion, a motion was made by Ms. Eberle to reduce the 2006-07 School Budget by \$750,000.00. In response to questions by Council members, Mr. Rainone explained that Council is required to list specific line items and the amount to be reduced in the school budget. Mr. Rainone further stated that Council has a list of proposed reductions as prepared by the Township Auditor. If it is the consensus of Council, a resolution could be prepared for next Tuesday in this amount with specific line items and amounts. The motion was seconded by Deputy Mayor Ashley-Williams.

A discussion ensued regarding how Ms. Eberle determined the amount of \$750,000 as the amount to cut from the school budget. Ms. Eberle stated that she took last year's cut of \$500,000 and increased in relevance of the increase to the school budget. A discussion ensued regarding Council's interpretation of Ms. Eberle's motion. Mr. Rainone advised Council they are in possession of \$1.6 million in proposed cuts to the school budget and they could work off this list for the specific line items and amounts or implement some of the other line items that were previously discussed during the earlier discussion of the school budget.

Mr. Vassanella expressed his objection to how Council was constructing a resolution to reduce the school budget. He recommended that Council meet next Tuesday, May 16<sup>th</sup> to complete the discussion and adopt a resolution.

Mr. Rainone reminded that there are two questions to be considered – the school budget and the second question regarding the charter school.

After further discussion, Mayor Levine moved to amend Ms. Eberle's motion and add \$229,000 in reductions that include funds that were allocated to school administrators who did not use their vacation time when the new high school was opening. Ms. Ritchie seconded the motion. After a brief discussion by Council, the motion *failed* as follows upon call of the roll:

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

Mr. Vassanella moved to reduce the school operating budget by \$1,185,000 and to restore the second question in the amount of \$435,000. Said motion was seconded by Mayor Levine and *failed* as follows upon call of the roll:

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

After further discussion, including Mr. Daly's recommended reductions to the school budget, Ms. Eberle's motion *carried* as follows upon call of the roll which resulted in the following resolution:

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

**WHEREAS**, the legal voters of the School District of the Township of Franklin, in the County of Somerset and State of New Jersey, at an Annual District Election Meeting conducted by the Board of Education on April 18, 2006, defeated, disapproved and rejected the Budget of the said Board of Education for the School Year 2006-07 of those voting; and

**WHEREAS**, as a result of such rejection of said Budget, the legal obligation devolved upon the Governing Body of the Township of Franklin pursuant to Revised Statute 18:22-37 to certify to the Somerset County Board of Taxation the amount or amounts which it determines necessary to provide a thorough and efficient system of schools of said district for the school year beginning July 1, 2006 and ending June 30, 2007; and

**WHEREAS**, the voters rejected the following:

1.	General Fund Tax Levy	\$97,656,217.00
2.	Second Question	\$ 533,000.00

**WHEREAS**, the Township Council of the Township of Franklin, Somerset County, after considering and reviewing the budget of the Board of Education as originally proposed is of the opinion that said budget, item 1 above, should be reduced by \$262,288.00 of various General Fund appropriations, and that the amount included in this section in the resolution is deemed to provide a thorough and efficient system of school and education in said district for the school year 2006-07;

**WHEREAS**, the Township Council of the Township of Franklin, Somerset County, after considering and reviewing the budget of the Board of Education as originally proposed is of the opinion that said budget, item 2 above, should be -0-;

**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 Board of Education Budget Tax for the 2006-07 School Year be reduced to the amounts, as follows:

A.	General Fund Tax Levy	\$96,893,929.00
B.	Second Question	\$ 0.00

**BE IT FURTHER RESOLVED** that the following amounts are required to provide a thorough and efficient system of school and education in the district for School Fiscal Year 2006-07 and that the following total sums are to be raised by taxes to support the 2006-07 Budget:

<b>GENERAL FUND</b>	<b>\$96,893,929.00</b>
<b>DEBT SERVICE</b>	<b>\$ 5,591,169.00</b>

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Franklin that the attached detailed sheet of taxes for the 2006-07 Board of Education Budget and the 2006 Tax Levy are presented as necessary; and

**BE IT FURTHER RESOLVED** that certified copies of this resolution be delivered to the Somerset County Board of Taxation and the Franklin Township Board of Education; and

**BE IT FURTHER RESOLVED** that attached hereto is a list of accounts and proposed reduction in said accounts, which list is incorporated herein and made part hereof:

**SCHEDULE OF PROPOSED REVENUE INCREASES  
AND APPROPRIATION DECREASES**

**APPROPRIATION DECREASES:**

Account Name: General Supplies  
 Account Number: 11-190-100-610  
 Item(s) Adjusted: Reduce based upon significant increase in the prior year  
 due to the new high school facility  
 Total Amount: \$50,000.00

Account Name: Other Objects  
 Account Number: 11-190-100-890  
 Item(s) Adjusted: Conference reimbursements  
 Total Amount: \$63,750.00

Account Name: Support Services – General Administration  
 Account Number: 11-000-230-105  
 Item(s) Adjusted: P/T Position to Remain P/T  
 Total Amount: \$25,000.00

Account Name: Support Services – General Administration  
 Account Number: 11-000-230-890  
 Item(s) Adjusted: Special Election  
 Total Amount: \$28,538.47

Account Name: Support Services – School Administration  
 Account Number: 11-000-240-105  
 Item(s) Adjusted: Salaries – Secretarial/Clerical  
 Total Amount: \$40,000.00

Account Name: Ground Maintenance  
 Account Number: 11-000-262-420  
 Item(s) Adjusted: Maintenance upgrades  
 Total Amount: \$25,000.00

Account Name: Undistributed Expenditures  
 Account Number: 11-000-221-320  
 Item(s) Adjusted: District In-Service  
 Total Amount: \$20,000.00

Account Name: Instructional Staff Training  
 Account Number: 11-000-223-320  
 Item(s) Adjusted: Small Learning Communities  
 Total Amount: \$4,000.00

Account Name: Central Services  
 Account Number: 11-000-251-890  
 Item(s) Adjusted: Miscellaneous Expense – Business Office  
 Total Amount: \$1,025.00

Account Name: Undistributed Expenditure  
 Account Number: 11-000-221-890  
 Item(s) Adjusted: Miscellaneous Expense – In-Service/Training  
 Total Amount: \$4,974.53

**TOTAL APPROPRIATION DECREASE: \$262,288.00**

**REVENUE INCREASES:**

Account Name: Surplus  
 Account Number: 10-303  
 Item(s) Adjusted: Increase Revenue  
 Total Amount: \$500,000.00

**TOTAL REVENUE INCREASE: \$500,000.00**

**TOTAL GENERAL FUND LEVY DECREASE: \$762,288.00**

**SCHEDULE OF TAX REQUIREMENTS**

	<b>AMOUNT REQUIRED FOR FISCAL YEAR <u>2006-2007</u></b>	<b>AMOUNT TO BE INCLUDED IN <u>2006 TAX LEVY</u></b>
1. General Fund	\$96,893,929.00	\$93,942,002.00
2. Debt Service Fund	\$5,591,169.00	\$5,569,454.50
3. Total Approved by Township Council	\$102,485,098.00	\$99,511,456.50
4. Local District School Levy for 2006-2007	\$102,485,098.00	

**ADJOURNMENT**

Mr. McKenzie moved to adjourn the meeting at 1:00 a.m. (05/10/06). Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

Approved:

Brian D. Levine, Mayor

Date:

Ann Marie McCarthy, Township Clerk