

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 7:02 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 January 24, 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 Councilman Vassanella 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

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.
- Reported he has heard from residents questioning whether the defeated school referendum would be subject to Council review, as when the school budgets are defeated. He stated that bond issues are not subject to Council review.
- Announced that the Fair Share Plan Subcommittee would be meeting on Thursday, January 26th. He expressed his optimism that the subcommittee would come to an equitable and agreeable solution.
- Announced that Franklin has a host of Black History Month celebrations and advised residents to check for a mailing or the Township's website.
- Reported that earlier in the day, Representative Rush Holt held a meeting of Middlesex County Mayors. Since Franklin is the only municipality represented in Somerset County, he was invited to attend the meeting. Discussions ensued regarding mutual concerns. Congressman Holt pledged to help Franklin with some Federal grants for our district as he has done in the past.

DEPUTY MAYOR REPORT

Deputy Mayor Ashley-Williams made the following report:

- Announced that Howard University is offering free tuition to graduating seniors and honor students if they meet the financial requirements.
- Reported that she attended the Annual Mayor's Day sponsored by the League of Municipalities. Governor Corzine spoke on property tax reform relief. She stated that many Mayors and Deputy Mayors had the opportunity to speak and gave good solutions and ideas. She stated that the Township has sent their position on this matter and asked residents to contact their legislators regarding the Special Session.

COMMITTEE REPORTS

Mr. McKenzie reported that he and Mr. Vassanella attended the Board of Education meeting last Thursday and presented, on behalf of Council, to the Board of Education with a proclamation and commendations in relation to National School Board Association Month.

Mayor Levine reported that he and Deputy Mayor Ashley-Williams attended the first Redevelopment Agency meeting of the new year. He stated they had some potential small applications to review. He stated that there was a change in the board's attorney. He noted that he was the only one on the board not aware there was a proposal to change attorneys. He felt this was a disservice to the Mayor and Council.

Deputy Mayor Ashley-Williams clarified that all members of the Redevelopment Agency received the proposals for attorneys in their packets and all had the opportunity or option to call to discuss the proposals. She stated that no decision was made until the meeting.

Ms. Ritchie stated that Mayor Levine submits nominations for attorneys with no information in the packets or telephone calls to discuss them.

REVIEW OF THE PREPARED AGENDA

Mayor Levine led the following review of the prepared agenda:

Mr. Vassanella made a motion to amend the agenda to discuss clarification of agenda protocol and formation of subcommittees as a discussion item on tonight's agenda. Ms. Danile seconded the motion. A brief discussion by Council ensued and as a result, Ms. Ritchie moved to table Mr. Vassanella's motion. Said motion was seconded by Deputy Mayor Ashley-Williams and carried as follows upon call of the roll:

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

Mr. Vassanella made a motion to amend the agenda to add clarification and/or explanation by the Township Attorney of how and when subcommittees are created and the guidelines of the same. Said motion was seconded by Ms. Danile. After a brief discussion by Council, Ms. Ritchie made a motion to table Mr. Vassanella's motion. 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	Eberle	Danile		Regan
McKenzie	Ritchie	Levine		
Sumter		Vassanella		

A discussion ensued among members of Council of the agenda process and nomination process for boards and commissions. Mr. Rainone explained the agenda process as outlined in the Municipal Code Book.

Mayor Levine briefly reviewed each ordinance listed for introduction.

Ms. Ritchie commended the Police Department for their donation of accrued vacation and compensatory time to Police Officer who is being deployed to Iraq in March as outlined in Resolution #06-029.

Ms. Ritchie expressed her pleasure regarding Resolution #06-034 – Reappointment of Virginia M. Woodbury, Deputy Township Clerk. She noted that Ms. Woodbury is a valuable asset to the Township.

Ms. Ritchie expressed her support of Resolution #06-036 – Chapter 159 0 2005 Somerset County Municipal Planning Partnership Grant – Transit Feasibility Study in the amount of \$25,000.00. She stated that it is important to address mass transit services in the Township.

A brief discussion ensued regarding clarification of Resolution #06-038 – Authorize Extension of Grace Period of First Quarter Tax to February 24, 2006.

A lengthy discussion ensued regarding the nominations for Council Liaisons and Subcommittees. The following changes were made to the nominations:

James Vassanella was added to the nominations for the following Standing Committees: Financial Oversight and Land Use & Open Space. Mr. Vassanella withdrew his name from nomination to the Public Works Standing Committee. Mr. Vassanella was added to the nominations for the Board of Education Joint Subcommittee and the Planning Board Joint Subcommittee. Mayor Levine was added to the nominations for the Planning Board Joint Subcommittee.

DISCUSSION ITEMS

Meadows Foundation Annual Report

John Mullen, President of The Meadows Foundation gave the following annual report highlights:

- The restoration of the Van Liew Suydam House had its Grand Opening on October 2, 2005. It generated over \$35,000 in private donations over and above grant monies.
- The Foundation received an award for “Educational Programming” presented by the Somerset County Cultural and Heritage Commission.
- The Foundation received an award for “Non-Profit of the Year” presented by the Franklin Township Chamber of Commerce.
- Public Policy Support in favor of the Millstone Community application for a \$2.5 million Green Acres Grant by resolution of the Meadows Board of Directors.
- Public Policy Support not in favor of a PSE&G monopole and high tension wires passing down DeMott Lane through the Van Wickle property by a resolution of the Meadows Board of Directors.
- Educational, Historical and Cultural Programming.
- Fireside Chat Series – Several of them sold out – Highlight Lindbergh Chat.
- Candlelight Concerts – Several of them sold out – Highlight – Award Winning Poet.
- Participated in the “Battle of Bound Brook” re-enactment.
- Started a new event “Colonial Times” on October 15th and 16th.

- Regular Annual Events – “Bunny Jamboree”; “Pumpkin Patch” and “Sinterklaas”.
- Tulipwood – Concluded 2004 Open Space Advisory Committee Grant – Began 2005 Open Space Advisory Committee Grant. Interviewing for Resident Caretaker. Private donations in excess of \$2,000.00.
- Hageman Farm – Started NJ State Grant. Placed s new Resident Caretaker on site – Bob Hush. Open Space Advisory Committee summer help on rainy days to get house in order. Foundation paid for a new furnace to be installed and emergency funds were requested and received from Franklin Township for porch (front and side) repairs.
- Van Wickle House – hosted many parties and weddings and other events over the past year. New Resident Caretaker placed – Ken Karmichael.
- Annual meeting and election in November hosted by Randy Jones, Open Space Advisory Committee Chairman as guest speaker to discuss the Open Space and Historic Preservation strategy for Franklin Township.
- Began 30th Anniversary Celebration Planning for 2006.

Deputy Mayor Ashley-Williams stated that the Foundation is doing great things. She noted that she has attended some fireside chats and they were enjoyable.

Mayor Levine asked some clarification questions regarding the Board of Directors – their membership – nomination and election process. He asked that they consider a Council member be on the Board of Directors.

Avian Flu Pandemic Planning

Walter Galanowsky, Health Director and Michele Samarya-Timm made the a presentation regarding planning for an avian flu pandemic and what steps the Township is making. They reported that there are links on the Township’s website regarding information of avian flu.

Schedule a Special Council Meeting

After a brief discussion, it was the consensus of Council to schedule a special Council meeting to be held on Wednesday, February 8, 2006 at 7:00 p.m. in Council Chambers to discuss and take action on the Fair Share Plan.

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$1,456,948.85 for January 24, 2006 to the Township Council for payment:

1	Current	356,267.44
5	Water Operating	625,122.64
4	General Capital	389,603.01
12	Open Space Trust	19,616.99
2	Grant	17,374.50
3	Collector Trust	31,475.99
30	Payroll Agency	9,175.52
	Sub-Total	1,448,636.09
25	Escrow Account	8,312.76
	Grand Total	1,456,948.85

Ms. Danile moved that warrants in the amount of \$1,456,948.85 for January 24, 2006 to be paid. Said motion was seconded by Ms. Ritchie and carried as follows upon call of the roll:

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

PUBLIC DISCUSSION

Ms. Danile 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.

Laura Wolf, 117 Smith Road, alleged that her neighbor at 112 Smith Road discharges pool cover water during the fall and spring which floods her backyard. This creates a hazard since her property is at a lower elevation. Drainage of this water has created a dangerous situation and a soil erosion problem. She requested that Council take the following actions:

- Create and approve an ordinance that addresses drainage of swimming pools and hot tubs.
- Direct the property owners of 112 Smith Road to cease immediately any draining of pool or pool cover water onto their property.
- Grant a waiver to her to replace the eroded soil without the requirement of a survey and plan with the stipulation that the property owner will not substantially alter the topography of the property.

This matter will be followed up by the Township Manager and Township Attorney.

John McConville, 5 Stone Leigh Way, asked for clarification of the resolution regarding the donation of time to the Police Officer. He stated the when Council tabled Mr. Vassanella's motion is was stifling their discussions. He expressed his concerns regarding the Joint Subcommittee of the Planning Board and his support of the Joint Subcommittee of the Board of Education.

John Walker, 63 Claremont Road, presented updates of the Franklin Park Water Contamination issue. He stated that he has become aware of low attendance at Zoning Board of Adjustment meetings and asked Council to look into it.

Karen Zoller, North Brunswick, presented an updated map of Home Depots in a ten mile radius. She expressed her opposition of the Morris development proposal in the Fair Share Plan.

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

COUNCIL COMMENTS

Mr. Sumter announced that February is Black History Month and to check out some of the programs held in the Township during the month.

Ms. Danile recognized the passing of Betty Leventhal. She spoke on the Smoke Free Air Act that is to become effective on April 15, 2006.

Ms. Eberle thanked Mr. Walker for all his work on the Franklin Park Water Contamination issue. She expressed her pleasure of the proposed handwashing ordinance.

Mr. McKenzie thanked Mr. Walker for his updates and concerns regarding the Franklin Park Water Contamination issue. He stated that one of the goals of the Joint Subcommittee of the Board of Education is to look for ways Council and support and recommend strategies regarding school spending and funding.

Mr. Vassanella agreed with Mr. McKenzie and noted that they are attending a school board seminar this week. He stated that in regards to the Zoning Board, they should revisit and look at applications that have received. He suggested that Council hold an open house in November/December for residents to meet and discuss the various boards and commissions.

Deputy Mayor Ashley-Williams thanked Mr. Walker for his comments. She stated that Council will look into the attendance of Zoning Board Members. She stated that Council will be looking more closely at attendance of all boards and commissions. She stated that they have stacks of applications of people who want to serve and work on these boards and commission.

Mayor Levine clarified that there is a Special Council Meeting on February 8th and the Regular Meeting is February 14th.

ORDINANCES - INTRODUCTIONS

Ordinance No. 3591

Mayor Levine presented the following ordinance:

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

Mayor Levine stated that 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 February 14, 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 February 14, 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. 3592

Mayor Levine presented the following ordinance:

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

Mayor Levine stated that 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 February 14, 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 February 14, 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. 3593

Mayor Levine presented the following ordinance:

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

Mayor Levine stated that 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 February 14, 2006.

Deputy Mayor Ashley-Williams moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on February 14, 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. 3594

Mayor Levine presented the following ordinance:

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

Mayor Levine stated that 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 February 14, 2006.

Deputy Mayor Ashley-Williams moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on February 14, 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. 3595

Mayor Levine presented the following ordinance:

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

Mayor Levine stated that 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 February 14, 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 February 14, 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. 3596

Mayor Levine presented the following ordinance:

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

Mayor Levine stated that 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 February 14, 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 February 14, 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. 3597

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DECELOPMENT, SECTION 112-6 – ZONING DISTRICTS (ESTABLISHMENT OF ZONING DISTRICTS; ZONING MAP & PURPOSES OF DISTRICT), SECTION 112-8 – GENERAL REGULATIONS (SCHEDULE 1 – PERMITTED USES; SCHEDULE 2 – LOT AND YARD REQUIREMENTS & SCHEDULE 3 – HEIGHT, COVERAGE AND BUILDING REUIREMENTS) AND ADDING A NEW SECTION 112-32.05 - RETAIL DISTRICT OVERLAY ZONE.

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

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on February 14, 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			

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 #06-024 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 will 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 7, 2001
Block/Lot: 34.09/59.02 C0171
Name & Address: Abbas, Ghulam & Anisa

138 Topaz Drive
Franklin Park, NJ 08823

Amount: \$2,514.04
Make Check Payable To: George Shrier
201 South 2nd Avenue, Box 16
Highland Park, NJ 08904

Certificate No.: 01-263
Payment Received: January 10, 2006

Date of Sale: June 8, 2000
Block/Lot: 34.09/59.02 C0171
Name & Address: Abbas, Ghulam & Anisa
138 Topaz Drive
Franklin Park, NJ 08823

Amount: \$1,525.52
Make Check Payable To: George Shrier
201 South 2nd Avenue, Box 16
Highland Park, NJ 08904

Certificate No.: 20-248
Payment Received: January 10, 2006

Date of Sale: June 9, 2005
Block/Lot: 528.04/19.11
Name & Address: Lauffer Bldg. c/o Schultz
237 South Street, POB 2049
Morristown, NJ

Amount: \$14,228.80
Make Check Payable To: Crusader Servicing Corp.
179 Washington Lane
Jenkintown, PA 19046

Certificate No.: 05-101
Payment Received: January 13, 2006

Date of Sale: June 10, 2003
Block/Lot: 180/177
Name & Address: Cabrera, Leonardo & Elsie
19 Meister Street
Somerset, NJ 08873

Amount: \$2,924.02
Make Check Payable To: Crusader Servicing Corp.
179 Washington Lane
Jenkintown, PA 19046

Certificate No.: 03-110
Payment Received: January 11, 2006

Date of Sale: April 6, 1995
Block/Lot: 114/12
Name & Address: Johnson, Laurence & Steven
32 Arden Street
Somerset, NJ 08873
(For 40 Camner Avenue)

Amount: \$10,283.61
Make Check Payable To: TSC I, LLC
P.O. Box 169
Oakhurst, NJ 07755

Certificate No.: 95-117
Payment Received: January 11, 2006

Resolution #06-025 Authorize Reduction of Performance Guarantee – Rotor Clip Company Inc. – PLN2004-0023 – Block 502.02/Lot 33.02 – 187 Davidson Avenue - Site Improvements – From \$791,466.00 to \$242,711.00.

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

ITEM:	Irrevocable Letter of Credit
NAME OF APPLICANT:	Rotor Clip Co. Inc.
ADDRESS OF APPLICANT:	187 Davidson Avenue, Somerset, NJ 08873
SITE PLAN DOCKET:	PLN2004-0023
NUMBER:	#68006100
INSURANCE CO./BANK:	Bank of America
IN THE AMOUNT OF:	\$791,466.00
FOR:	Site Improvements for Block 502.02/Lot 33.02

WHEREAS, the Township Engineer, after inspection, recommends reduction of the aforesaid Irrevocable Letter of Credit;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Irrevocable Letter of Credit #68006100 from \$791,466.00 to \$242,771.00 to the above named applicant.

Resolution #06-026 Award Bid – Sale of Undersized, Township-Owned Lot – Block 180/Lot 38 – 74 Ambrose Street – Olga Russell – \$4,400.00.

WHEREAS, a notice to bidders for the sale of undersized Township lot was published in the Courier News on December 27, 2005 and January 3, 2006; posted on the Township website; and mailed to three (3) adjacent property owners; and

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bid be awarded:

Olga Russell
62 Ambrose Street
Somerset, NJ 08873

Sale of Undersized Township Lot – Block 190, Lot 38 known as 74 Ambrose Street

\$4,400.00; and

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

Resolution #06-027 Issue Special Events Permit – Franklin Township Food Bank – Tour de Franklin – April 30, 2006 from 6:30 am to 4:00 pm.

WHEREAS, a request has been received from Franklin Township Food Bank for permission to have activities in conjunction with the Tour de Franklin on April 30, 2006 between 6:30 a.m. and 4:00 p.m. to be conducted within the Municipal Complex Parking Lot; and,

WHEREAS, Franklin Township Food Bank 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 Franklin Township Food Bank to have activities in conjunction with the Tour de Franklin on April 30, 2006 between 6:30 a.m. and 4:00 p.m. to be conducted within the Municipal Complex Parking Lot, 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 in accordance with Section 97-6 (e) of the Township Code that there shall be deposited with the Township Clerk a cash deposit, money order, certified check or treasurer's check in the amount of \$300.00 to guarantee the maintenance of the premises on which the applied for activity is to be conducted; and,

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

Resolution #06-028 Authorize Reduction of Performance Guarantee – Shree Swamminarayan Satsang Mandal USA, Inc. – P6064P – Block 386.04/Lot 34 – Amwell Road/DeMott Lane – Remainder of Site Improvements – From \$250,494.00 to \$197,215.20.

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

ITEM:	Performance Bond
NAME OF APPLICANT:	Shree Swamminarayan Satsang Mandal USA Inc.
ADDRESS OF APPLICANT:	1667 Amwell Road, Somerset, NJ 08873
SITE PLAN DOCKET:	P96064P
NUMBER:	#2744
INSURANCE CO./BANK:	Valley National Bank
IN THE AMOUNT OF:	\$250,494.00
FOR:	Remainder Site Improvements for Block 386.04/Lot 34

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Bond #2744 from \$250,494.00 to \$197,215.20 to the above named applicant.

Resolution #06-029 Approve Request for the Donation of Accrued Vacation and Compensatory Time to Police Officer to be deployed in Iraq in March 2006.

WHEREAS, it has been requested that the donation of accrued vacation and compensatory time to Officer Leonard J. Bird who has been deployed to Iraq and would be leaving in March 2006;

WHEREAS, the donation to time would afford Officer Bird the opportunity to spend time with his family before his deployment to Iraq;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby approve the donation of accrued vacation and compensatory time to Police Officer Leonard J. Bird prior to his deployment to Iraq.

Resolution #06-030 Authorize Release of Planning/Building Review 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:	John & Elizabeth Ramspacher	
ADDRESS:	20 Marigold Lane Somerset, NJ 08873	
DOCKET NO.	PLN2004-0044	
BLOCK/LOT:	361/79	
LOCATION:	20 Marigold Lane	
AMOUNT DEPOSITED:	250.00 <Heyer>	250.00 <In-Hse>
AMOUNT CHARGED:	<u>175.00</u>	<u>200.00</u>
AMOUNT TO BE REFUNDED:	75.00	50.00

APPLICANT:	Cardinal Health John Cocco		
ADDRESS:	14 Schoolhouse Road Somerset, NJ 08873		
DOCKET NO.	PLN2004-0022		
BLOCK/LOT:	514/20.01, 20.03		
LOCATION:	14 Schoolhouse Road		
AMOUNT DEPOSITED:	\$1,950.00 <CME>	\$750.00 <Heyer>	\$300.00 <In-Hse>
AMOUNT CHARGED:	<u>0.00</u>	<u>655.00</u>	<u>0.00</u>
AMOUNT TO BE REFUNDED:	\$ 1,950.00	\$ 95.00	\$300.00

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

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

Resolution #06-031 Authorize Tax Remittals.

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

<u>Block/Lot</u>	<u>Name/Address</u>	<u>QTR/YR</u>	<u>Amount</u>
507.24/46	Robert & Philip Bassin	2005	8,634.27
	425 Breakers Lane	2006	4,185.18
	Somerset, NJ 08873		
507.30/3.02	James Mikusi 4303 Chesterwood Way Somerset, NJ 08873	2006	263.25

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

Resolution #06-032 Authorize Refund of Tax Overpayments.

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

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

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

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>QTR/YR</u>	<u>AMOUNT</u>
507.27/46	Robert & Philip Bassin	4/04	8634.27
	425 Breakers Lane	4/05	4185.18
	Somerset, NJ 08873		
507.30/3.02	James Mikusi	4/05	484.32
	4303 Chesterwood Way		
	Somerset, NJ 08873		

Resolution #06-033 Authorize Abandoned Vehicle Auction at Township Impound Yard on Tuesday, February 14, 2006 at 10:00 a.m.

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

Date: Tuesday, February 14, 2006
Time: 10:00 AM
Place: Franklin Township Police Department Impound Yard
 Churchill Avenue and Berry Street, Somerset

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

Vehicle has Transferable/Regular Title

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

BE IT FURTHER RESOLVED that Notice of Auction pursuant to Statute shall be published in the official newspaper of the Township of Franklin on January 23, 2006.

Resolution #06-034 Reappointment of Virginia M. Woodbury, Deputy Township Clerk – Township Clerk's Office.

WHEREAS, under N.J.P.E.R.S. RULES, an employee must be retired when they attain the age of seventy (70) years unless the employing agency files a written notice certifying approval for an extension of employment for full year and thereafter on a yearly basis for one (1) year; and

WHEREAS, VIRGINIA M. WOODBURY, who has been a Clerical in the Township Clerk's Office since June 1985, will attained the age of seventy-one in February 2006 and has requested that she not be required to retire at this time; and

WHEREAS, the Township Clerk of the Township of Franklin, Somerset County has recommended that she be permitted to continue her employment with the Township of Franklin for the period February 2, 2006 and continuing until February 1, 2007;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, in the County of Somerset and State of New Jersey does hereby recommend that **VIRGINIA M. WOODBURY** be retained as Deputy Township Clerk in the Township Clerk's Office for the period February 2, 2006 and continuing until February 1, 2007.

Resolution #06-035 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>
Franklin Women's Club 232 Treptow Road, Somerset, NJ On-Premise 50/50 – RL#1541 On-Premise Raffle – RL#1542 Drawings: Sampson G. Smith School	April 7, 2006 6:30 pm – 10:00 pm
Douglass Organization for Occupational And Related Educational Services, Inc. 25 Gibbons Circle, New Brunswick, NJ Off-Premise 50/50 – RL#1543 On-Premise 50/50 – RL#1544 Drawings: DoubleTree Hotel, Somerset, NJ	March 25, 2006 10:00 pm
Church of St. Matthias 168 JFK Blvd., Somerset, NJ On-Premise 50/50 – RL#1545	May 16 – May 19, 2006 6:00 pm – 10:00 pm May 20, 2006 – 2:00 pm – 10:00 pm May 21, 2006 – 2:00 pm – 9:00 pm
Off-Premise 50/50 – RL#1546 Non-Draw Raffles – RL#1547 Drawings: St. Matthias Church Grounds	May 21, 2006 – 9:00 pm May 16 – May 21, 2006 As Above

Resolution #06-036 Authorize Insertion in Budget - Chapter 159 – 2005 Somerset County Municipal Planning Partnership Grant Program – Transit Feasibility Study - \$25,000.00.

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 \$25,000.00 with \$0.00 match for –2005 SOMERSET COUNTY MUNICIPAL PLANNING PARTNERSHIP GRANT PROGRAM – TRANSIT FEASIBILITY STUDY 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 \$25,000.00 which is now available as revenue from:

**2005 SOMERSET COUNTY MUNICIPAL PLANNING PARTNERSHIP GRANT PROGRAM
– TRANSIT FEASIBILITY STUDY**

BE IT FURTHER RESOLVED that a like sum of \$25,000.00, –2005 SOMERSET COUNTY MUNICIPAL PLANNING PARTNERSHIP GRANT PROGRAM – TRANSIT FEASIBILITY STUDY, be and the same is hereby appropriated under the caption of:

**2005 SOMERSET COUNTY MUNICIPAL PLANNING PARTNERSHIP GRANT PROGRAM
– TRANSIT FEASIBILITY STUDY**

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 #06-037 Amend Professional Services Agreement – Schoor DePalma – Fair Share Plan – Additional \$15,000.00 – New Contract Amount: \$65,000.00.

WHEREAS, the Township Council awarded on contract to Schoor DePalma for preparation and submission of the Township’s Affordable Housing Fair Share Compliance Plan in the amount of \$40,000.00 on May 24, 2005; and

WHEREAS, the Township Council amended the contract to Schoor DePalma for preparation and sub submission of the Township’s Affordable Housing Fair Share Compliance Plan in the amount of \$10,000.00 on December 13, 2005; and

WHEREAS, a need exists to amend said contract to provide an additional \$15,000.00 therefor; and

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

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

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

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

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

VENDOR NAME:	Schoor DePalma
ADDRESS:	PO Box 5192, Clinton, NJ 08809-0192
CONTRACT AMT:	\$50,000.00
ADD'L AMOUNT:	Not to exceed \$15,000.00
NEW CONTRACT AMT:	\$65,000.00
SERVICE:	Affordable Housing Fair Share Compliance Plan

Resolution #06-038 Authorize Extension of Grace Period First Quarter Tax to February 24, 2006.

WHEREAS, the 2006 First Quarter Taxes are payable February 1, 2006; and

WHEREAS, due to the late mailing of the tax bills, it has been deemed that the penalty for the payment of First Quarter Taxes shall be set a .001%;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, in the County of Somerset and State of New Jersey that the interest rate for late payment of 2006 First Quarter Taxes is .001%;

BE IT FURTHER RESOLVED that this resolution shall expire on February 24, 2006.

Resolution #06-039 Award Bid – Franklin Park Water Main Extension – MSP Construction Corp. - \$556,903.00.

WHEREAS, a notice to bidders for the receipt of bids for Franklin Park Water Main Extension was published in the Courier News on September 26, 2005 with two addenda on October 18, 2005 and October 31, 2005 with a bid opening of November 10, 2005; 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 bid be awarded:

MSG Construction Corp.
126 Walnut Street
Newark, NJ 07105

Franklin Park Water Main Extension

Amount not to exceed \$556,903; and

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

APPOINTMENTS

Board/Commission Appointments

The following nominations for appointment to the Senior Citizen Advisory Committee, each for a one-year term ending January 31, 2007 were approved unanimously upon acclamation:

Franklin Township Senior Citizens Club

Regular: Charles Seigel
Alternate: Isabella McKenna

Parkside Senior Citizens Club

Regular: Beverly Greene
Alternate: Flossie Chapman

Franklin Park Senior Citizens Club

Regular: Muriel Seigal
Alternate: Margaret Rumph

United Seniors of Franklin

Regular: Rose Kane
Alternate: Lucy Joseph

Somerset Residence Senior Citizens Club

Regular: Harold Leventhal
Alternate: Mel Coben

Council Liaisons & Subcommittees

Administration Standing Committee

Upon motion by Mr. McKenzie, seconded by Deputy Mayor Ashley-Williams, the following appointments were made to the Administration Standing Committee, each for a one-year term ending December 31, 2006: *Wandra Ashley-Williams; Teresa Danile; and Brian D. Levine.*

Financial Oversight Standing Committee

The following nominations were made to the Financial Oversight Standing Committee, each for a one-year term ending December 31, 2006: *Teresa Danile; Ellen E. Ritchie; Brian D. Levine and James Vassanella.* The Township Clerk polled Council on nominations for the Financial Oversight Standing Committee, each for a one-year term ending December 31, 2006 as follows:

<u>DANILE</u>	<u>RITCHIE</u>	<u>LEVINE</u>	<u>VASSANELLA</u>
Ashley-Williams	Ashley-Williams	Ashley-Williams	Danile
Danile	Eberle	Danile	Vassanella
Eberle	McKenzie	Eberle	
McKenzie	Ritchie	Levine	
Ritchie	Sumter	McKenzie	
Sumter		Ritchie	
Vassanella		Sumter	
		Vassanella	

Mayor Levine announced that Teresa Danile, Ellen E. Ritchie and Brian D. Levine were appointed to the Financial Oversight Standing Committee, each for a one-year term ending December 31, 2006.

Public Safety Standing Committee

The following nominations were made to the Public Safety Standing Committee, each for a one-year term ending December 31, 2006: Brian G. Regan; Willis Sumter; James Vassanella and Brian D. Levine. The Township Clerk polled Council on nominations for the Public Safety Standing Committee, each for a one-year term ending December 31, 2006 as follows:

<u>REGAN</u>	<u>SUMTER</u>	<u>VASSENELLA</u>	<u>LEVINE</u>
Ashley-Williams	Ashley-Williams	Ashley-Williams	Danile
Danile	Danile	Eberle	Levine
Eberle	Eberle	Levine	Ritchie
McKenzie	Levine	McKenzie	
Ritchie	McKenzie	Sumter	
Sumter	Ritchie	Vassanella	
Vassanella	Sumter		
	Vassanella		

Mayor Levine announced that Brian G. Regan, Willis Sumter and James Vassanella were appointed to the Public Safety Standing Committee, each for a one-year term ending December 31, 2006.

Land Use & Open Space Standing Committee

The following nominations were made to the Land Use & Open Space Standing Committee, each for a one-year term ending December 31, 2006: Ellen E. Ritchie; Brian G. Regan; Shirley Eberle; Brian D. Levine and James Vassanella. The Township Clerk polled Council on nominations for the Land Use & Open Space Standing Committee, each for a one-year term ending December 31, 2006 as follows:

<u>RITCHIE</u>	<u>REGAN</u>	<u>EBERLE</u>	<u>LEVINE</u>	<u>VASSANELLA</u>
Ashley-Williams	Ashley-Williams	Ashley-Williams	Levine	Danile
Danile	Eberle	Danile	Vassanella	Vassanella
Eberle	Levine	Eberle		
Levine	McKenzie	McKenzie		
McKenzie	Ritchie	Ritchie		
Ritchie	Sumter	Sumter		
Sumter	Vassanella			

Mayor Levine announced that Ellen E. Ritchie, Brian G. Regan and Shirley Eberle were appointed to the Public Safety Standing Committee, each for a one-year term ending December 31, 2006.

Senior Services, Parks & Recreation Standing Committee

The following nominations were made to the Senior Services, Parks & Recreation Standing Committee, each for a one-year term ending December 31, 2006: Shirley Eberle; Teresa Danile; Fred McKenzie and Brian D. Levine. The Township Clerk polled Council on nominations for the Senior Services, Parks & Recreation Standing Committee, each for a one-year term ending December 31, 2006 as follows:

<u>EBERLE</u>	<u>DANILE</u>	<u>MCKENZIE</u>	<u>LEVINE</u>
Ashley-Williams	Ashley-Williams	Ashley-Williams	Levine
Danile	Danile	Danile	
Eberle	Eberle	Eberle	
Levine	Levine	McKenzie	
McKenzie	McKenzie	Ritchie	
Ritchie	Ritchie	Sumter	
Sumter	Sumter	Vassanella	
Vassanella	Vassanella		

Mayor Levine announced that Shirley Eberle, Teresa Danile and Fred McKenzie were appointed to the Senior Services, Parks & Recreation Standing Committee, each for a one-year term ending December 31, 2006.

Public Works Standing Committee

Upon motion by Mr. McKenzie, seconded by Ms. Ritchie, the following appointments were made to the Public Works Standing Committee, each for a one-year term ending December 31, 2006: *Fred McKenzie; Willis Sumter; and Brian D. Levine.*

Joint SubcommitteesBoard of Education

The following nominations were made to the Board of Education Joint Subcommittee, each for a one-year term ending December 31, 2006: Brian D. Levine; Wandra Ashley-Williams; Teresa Danile; Fred McKenzie and James Vassanella. The Township Clerk polled Council on nominations for the Board of Education Joint Subcommittee, each for a one-year term ending December 31, 2006 as follows:

<u>LEVINE</u>	<u>ASHLEY-WILLIAMS</u>	<u>DANILE</u>	<u>MCKENZIE</u>	<u>VASSANELLA</u>
Ashley-Williams	Ashley-Williams	Ashley-Williams	Ashley-Williams	Danile
Eberle	Danile	Danile	Danile	Levine
Levine	Eberle	Eberle	Eberle	Vassanella
Ritchie	Levine	Levine	McKenzie	
Sumter	McKenzie	McKenzie	Ritchie	
	Ritchie	Ritchie	Sumter	
	Sumter	Sumter		

Mayor Levine announced that Brian D. Levine; Wandra Ashley-Williams; Teresa Danile and Fred McKenzie were appointed to the Board of Education Joint Subcommittee, each for a one-year term ending December 31, 2006.

Planning Board

The following nominations were made to the Planning Board Joint Subcommittee, each for a one-year term ending December 31, 2006: Ellen E. Ritchie; Teresa Danile; Shirley Eberle; James Vassanella and Brian D. Levine.

A lengthy discussion ensued regarding the purpose and the need of the joint subcommittee. It was recommended that Planning Board matters and dialogue be the charge of the Land Use and Open Space Standing Committee.

Mr. Vassanella moved to table the appointments to the Planning Board Joint Subcommittee. Said motion was seconded by Ms. Ritchie. The motion was withdrawn and then moved again. Said motion to table the appointments to the Planning Board Joint Subcommittee and to have Planning Board matters and dialogue be the charge of the Land Use and Open Space Standing Committee was carried as follows upon call of the roll:

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

Standing Committees

Public Relations and Cable TV Standing Committee

Mr. Vassanella asked for a count of how many standing committees/joint subcommittees each Council member has been appointed to. The Mayor and Township Clerk made the following count of standing committees/joint subcommittees: Ashley-Williams-1; Danile-3; Eberle-2; Levine-3; McKenzie-2; Regan-2; Ritchie-2; Sumter-2 and Vassanella-1. He suggested that the first two spots be given to himself and Deputy Mayor Ashley-Williams since they are only on one standing committee each. Mr. Sumter and Ms. Ritchie called the question.

The following nominations were made to the Public Relations and Cable TV Standing Committee, each for a one-year term ending December 31, 2006: Wandra Ashley-Williams; Ellen E. Ritchie; Brian D. Levine and James Vassanella. The Township Clerk polled Council on nominations for the Public Relations and Cable TV Standing Committee, each for a one-year term ending December 31, 2006 as follows:

<u>ASHLEY-WILLIAMS</u>	<u>RITCHIE</u>	<u>LEVINE</u>	<u>VASSANELLA</u>
Ashley-Williams	Ashley-Williams	Ashley-Williams	Danile
Danile	Danile	Eberle	Levine
Eberle	Eberle	Levine	McKenzie
McKenzie	Levine	Ritchie	Vassanella
Ritchie	McKenzie	Sumter	
Sumter	Ritchie		
	Sumter		

Mayor Levine announced that Wandra Ashley-Williams; Ellen E. Ritchie and Brian D. Levine were appointed to the Public Relations & Cable TV Standing Committee, each for a one-year term ending December 31, 2006.

EXECUTIVE SESSION

Upon motion by Ms. Ritchie, seconded by Deputy Mayor Ashley-Williams, the following resolution was adopted as follows upon call of the roll:

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

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

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

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

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

Personnel – Evaluations of Township Manager and Township Clerk

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

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

ADJOURNMENT

Ms. Danile moved to adjourn the meeting at 11:30 p.m. Said motion was seconded by Deputy Mayor Ashley-Williams and carried unanimously upon call of the roll.

Approved: *As Amended.*

Brian D. Levine, Mayor

Date: *February 28, 2006*

Ann Marie McCarthy, Township Clerk