

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

Mayor Levine called the Work Session/Regular Meeting of the Township Council to order. Mayor Levine stated "In accordance with Section 5 of the Open Public Meeting Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, a list of dates, annually, indicating that this Work Session/Regular Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on May 23, 2006. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk."

Everyone present participated in the Pledge of Allegiance and Ms. Eberle led the Invocation.

The Township Clerk called the roll.

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

Absent: None

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

COMMENDATIONS/PROCLAMATIONS

Youth Council/Showcase for Diversity

Mayor Levine presented commendations with Ms. Danile and Alice Osipowitz, Director of Parks and Recreation to the Youth Council for their work in the Showcase for Diversity held on Sunday, May 7, 2006.

ACT-SO Medallists

Mayor Levine and Deputy Mayor Ashley-Williams presented the following commendation to the ACT-SO Medallists:

WHEREAS, The Academic, Cultural, Technological and Scientific Olympics (ACT-SO) is a major youth initiative of the National Association for the Advancement of Colored People (NAACP), founded in 1978 by renowned author and journalist, Vernon Jarrett; and

WHEREAS, ACT-SO is a yearlong enrichment program designed to recruit, stimulate, improve and encourage high academic and cultural achievement among African-American high school students; and

WHEREAS, as a result of medalling in State Competition held at Arts High School in Newark, these four students from Franklin High School will be competing at the National ACT-SO competition in Washington, D.C. during the NAACP Annual Convention in July 2006:

GOLD MEDALISTS

Joseph Momoh (Sophomore) – Architecture & Drawing

Charmaine Thomas (Senior) – Video

Ashley Umukoro (Senior) – Entrepreneurship

BRONZE MEDALIST

Christiana Umukoro (Sophomore) - Drama

NOW, THEREFORE, WE, BRIAN D. LEVINE, MAYOR AND WANDRA ASHLEY-WILLIAMS, DEPUTY MAYOR of the Township of Franklin in the County of Somerset, State of New Jersey, on behalf of the Township Council and all of the residents do hereby recognize and commend these students for their accomplishments and wish them every success in their future endeavors.

Myasthenia Gravis Awareness Month

Mayor Levine read the following proclamation:

WHEREAS, Myasthenia Gravis is a neuromuscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and

WHEREAS, the symptoms of this disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and

WHEREAS, the Myasthenia Gravis Foundation of America, Inc. is a non-profit organization founded. "to facilitate the timely diagnosis and optimal care of individuals affected by myasthenia gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy and patient care"; and

WHEREAS, Myasthenia Gravis is the most common neuromuscular disorder affecting the residents of New Jersey; and

WHEREAS, it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure;

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 June 2006 as **MYASTHENIA GRAVIS AWARENESS MONTH** in the Township of Franklin.

Deputy Mayor Ashley-Williams recognized Ms. Danile of her earning her Ph.D in Education from St. John's University.

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 2nd and 4th Tuesdays of the month. He stated to watch for budget meetings to be scheduled in the summer. HE asked that Council submit their summer schedules to the Township Manager by mid-June. 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.
- Announced that the Home News Tribune has offered a Mayor's Blog at thnt.com. It is offered to all Mayors in central New Jersey. He noted that Franklin Township is the only municipality to take them up on their offer. He stated he would periodically list

happenings and opinion on the blog. He invited comments, questions and answers from the public.

- He spoke with Verizon executives regarding the cable franchise request. He stated that many residents have written and emailed him regarding Verizon providing cable services. He expressed his concerns that he would like to keep a local cable access channel for communication with the public and they responded that would not be a problem if granted the franchise. He stated that free enterprise is the hallmark of the United States and always encourages competition. He stated that he would not want the “Walmart-effect” whereby large company pushes smaller businesses out. He stated that Verizon understood his concerns for small businesses.
- Announced that Somerset County launched the Community Access Transit (CAT) this week. It will provide bus service from various places in Franklin, especially 350 and 360 DeMott Lane. He thanked the Somerset County Freeholders for implementation of this service and thanked the NJ Department of Transportation for additional funding.
- Reported he attended the Kevin Apuzzio Memorial at St. Matthias last Sunday. In addition to himself, Ms. Daniel, Ms. Eberle, Mr. Vassanella and Mr. Regan were in attendance. He noted that Father Doug, as always, captured the moment and spirit for everyone. He expressed his gratitude to have Father Doug as a spiritual leader in Franklin.
- Announced that the St. Matthias Carnival was held last week. He thanked Father Doug, the parishioners and volunteers who provided the carnival for the community.
- Announced that the Memorial Day Parade is Monday, May 29th. Memorial Day stated three years after the Civil War ended. It is a time for a nation to remember those who gave the ultimate sacrifice for their country.
- Announced that the Primary Election is Tuesday, June 6th. He noted that sample ballots would be mailed out shortly.
- Announced that the National Guard would be holding an event to welcome our NJ troops home on Saturday, June 3rd at 11:00 a.m. The parade would be on Hamilton Street.

DEPUTY MAYOR REPORT

Deputy Mayor Ashley-Williams made the following report:

- Announced that the Township’s children would be honored at least once a month. The Township Clerk’s office is working with the schools.
- Announced she attended a Property Tax Summit with Ms. Eberle. She noted the frustration felt at the Summit. Some legislative changes to be looked at are changing how the school board elections are held, possibly changing the election to the general election and the option of not voting on the school budget.
- Thanked everyone who called and emailed her about the school board budget.

COMMITTEE REPORTS

Administration Report

Ms. Danile presented the following report from the Administration Subcommittee:

“The Administration Committee met on May 3, 2006. Present were Mayor Levine, Deputy Mayor Ashley-Williams, Councilwoman Danile, Township Manager Kenneth W. Daly and Assistant Township Manager Donna Vieiro.

A presentation regarding performance measures was given by Kathryn Kloby from Rutgers University. Ms. Kloby is the Research and Project Coordinator for the National Center for Public Productivity. The National Center has undertaken a special initiative to facilitate the use of performance measurement in municipal governments in New Jersey through the development of a Performance Measurement Consortium. The Township will be collaborating with the National Center to identify useful performance measures, provide online training and also coordinate meetings with other municipalities. One of the goals of the consortium is to create a system of measurement that can be used by the elected and appointed officials to assess the jurisdiction’s performance over time and in comparison to other jurisdictions.

After the presentation by Ms. Kloby, the committee discussed the following timeline and process for identification and implementation of a performance measurement system:

Anticipated Timeline

- Training of staff through Rutgers online programs June – September
- Creation of Performance Measurement Group which October
will be comprised of staff members
- Begin meetings with Kathryn Kloby October – November
- Meet with Administration Committee to determine November – December
timeline and benchmarks

Based on the information provided by Ms. Kloby and her explanation of the process necessary to develop a performance measurement system, the committee agreed that it would not be prudent to try to incorporate performance measures into this year’s budget. As such the timeline presented at the Council Retreat will be modified to provide enough time for staff to become educated on the process. Ms. Kloby also indicated that it would be ill advised to rush into this undertaking in such a small window as a few months.

It is the goal then to begin to incorporate a few new performance measurement indicators into each department’s budget during the preparation of the FY2008 budget. This process will continue to be expanded each fiscal year, and will provide a basis for the development of a business plan. Those departments that have incorporated performance measures into their budgets in the past, will continue to do so in the FY2007 budget.”

Land Use & Open Space Committee

Ms. Ritchie presented the following report:

“The purpose of this memo is to give an overview of the results of the Land Use & Open Space Committee meeting held on May 16, 2006 at 7:35 p.m. Councilwoman Shirley Eberle, Councilman Brian Regan and Councilwoman Ellen Ritchie was in attendance. Also present at the meeting was Open Space Consultant John Loos, Township Manager Kenneth W. Daly and Staff Planner Khalilah Stewart.

The following items on the Agenda was discussed:

Alternatives on West Point Avenue - Preservation

Mr. Loos presented the recommendations of the Open Space Committee meeting on the preservation of West Point Avenue subdivision. The Open Space Committee proposed an alternative to outright purchase of the entire subdivision. The alternative design calls for a land swap between the Township and the applicant in order to leave a portion of the area in its original state. The Open Space Committee also recommended keeping a portion of West Point Avenue unimproved and using it as an emergency access lane or creating a bike lane in

addition to creating a pocket park with a small parking area to allow those wishing to use the Bike Lane or the Pocket park to park their vehicles.

The Land Use and Open Space Committee is in favor of the alternative design and authorized Mr. Loos to contact the applicant for further discussion, after Mr. Daly gets advice from the Township Attorney and appraiser.

Lemantovich Property:

Mr. Loos provided the Committee with a status update of the Lemantovich project. The previous concept plan included the owners of the Lemantovich farm subdividing a one-acre parcel around the existing house and reserving a one-acre exception area in which they would construct another single-family dwelling in the future. This plan allows the maximum of 25 building lots to be developed at \$165,000 per lot. The owners revised the plan so that the subdivisions or the construction of the second dwelling along Amwell Road would not take place, but the one-acre exception around the existing house would remain.

The Township would have to pay an additional \$165,000 for the extra building lot, but Mr. Loos stated the new concept plan was more favorable, despite the increase in cost per acre. The Committee agreed and instructed Mr. Loos to work with the owners to sign the contract based on the new concept plan.

Tree Removal Ordinance:

The Committee reviewed a memo from Tom Zilinek, Township Engineer/Department Director of Public Works regarding changes to the Tree Removal Ordinance proposed by the Shade Tree Commission. The changes include a revision of Section 222-8 Section B to allow the Shade Tree Commission to review all permits for tree removal and land disturbance not involving subdivision or site plan approval within ten (10) days of their regularly scheduled meeting, provided the application is received five (5) days prior to the meeting. Section 222-11 Section C was also changed increasing the permit fees on tree removals on private property. Another recommendation was to substitute the Shade Tree Commission in place of the Environmental Commission throughout the ordinance.

Because of legal concerns, the Committee recommended the changes to Section 222-8 Section B be made to the ordinance, but not Section 222-11 Section C. Councilwoman Ritchie offered to provide the Township with a sample tree removal ordinance used in other municipalities such as Old Bridge, which have stood up in court.

Release of Deed Restriction at 136 Martin Street:

Mr. Victor Fakondo applied for a release of Deed Restriction to use 136 Martin Street (Block 230 Lots 29 - 30) for a single-family dwelling. After review of the staff comments, the Committee decided to recommend the deed restriction remain in place.

Walgreen's – Intersection of Route 27 and Route 518:

The Committee reviewed a request from James F. Clarkin regarding the allowance of the Walgreen Eastern Company, Inc (Walgreens) to tie into the sanitary sewer service of South Brunswick. Walgreens has acquired the existing shopping center at the intersection of Route 27 and the Georgetown-Franklin Turnpike (Route 518) with the goal of constructing a Walgreens store at the site.

The Committee decided to recommend allowing Walgreens to tie into South Brunswick sewer service system with the stipulation that no other development will be allowed to tie into South Brunswick or piggyback off of Walgreen's' system.

Request to Purchase Township Property – 39 – 41 Delmonico Avenue:

The Council received a request from Fred and Roberta Orange to purchase Block 93 Lots 12 - 17 from the Township. After review of the staff comments and a discussion on the apparent intent of the applicant, the size and location of the parcel, the Committee decided to not to recommend

selling the parcel as it has been identified as a potential site for the creation of several affordable units.

Request to Purchase Township Property – Garfield Avenue:

The Council received a request from an applicant to purchase Block 556 Lot 1 from the Township for the purposes of constructing single-family dwellings on Lots 2 - 11. The applicant submitted plans denoting both a three lot subdivision and a five-lot subdivision; the number of lots will be determined if the property will be able to attain access to public water and sewer.

The Committee requested additional information on whether the Township owned any lots in Block 555 and how any development would effect the Ball Field/Park that is located within Blocks 546 and 549.

The Old Schoolhouse:

The Committee discussed the concept of dismantling and moving or selling the Old Schoolhouse to allow the site to be used as a fire fighter memorial. The Committee requested more information as to the viability of putting the Old Schoolhouse up for auction or dismantling and moving it to another designated site.

Orlando Gines Request for a Shed:

Mr. Orlando Gines has requested permission to place a 10' by 14' shed on a paper street that he a Temporary License for Ingress and Egress to Use and Occupy. The shed is proposed to hold gravel, stones, sand and a Lawn Tractor. The Committee did not support changing the license, but did ask for more information to be obtained about the legality on whether the Zoning Board of Adjustment had the authority to grant a variance for a structure in a paper street.

Meadow Leases:

In order to keep up with the County's new requirement of a 25-year or more easement lease period on historic sites, the Committee recommended updating the Township lease easement period to 30 years.

Future Agenda Items – Elizabeth Avenue Sewers and Land for Fire District #2:

Township Manager Kenneth W. Daly informed the Committee about two pending items that will be discussed at a future meeting. One issue is the possibility of extending the public sewer system along Elizabeth Avenue. The second pending agenda item will deal with the request from Fire District #2 to find a new parcel for its facilities."

Public Works Committee

Mr. McKenzie presented the following report:

"Listed below is a summary of the Pubic Works Committee held on May 9, 2006. In attendance were Mayor Levine, Councilman McKenzie and Councilman Sumter.

1. Road Resurfacing Program

a) 2007 NJDOT Transportation Trust Fund

The Committee decided to apply for the following three roads: Grouser Road, Jacques Lane and Suydam Road. These roads were chosen because they are tar and chip roads. Paving these streets will eliminate the bleeding problems that arise every summer.

b) 2006 Local Road

The inclusion of local streets in the 2006 program should funds allow was discussed. The committee decided to resurface the roads rated 1 with low traffic volume. In all there are eleven such roads remaining from the roads survey. These eleven roads are evenly spread out between the five wards. These roads would only be done in the event the bids cam in under budget.

c) *2007 Capital Roads (5 Year Schedule)*

The 5-Year Paving Program was discussed. The committee decided to go ahead with the proposed plan as submitted for the 2007 capital budget.

2. Pool Ordinance

The committee discussed three alternates for the homeowners in the Smith Road area.

3. Magnolia Street Lighting

The committee discussed several alternates for street lighting on Magnolia Road between Buttonwood Drive and Terry Terrace.”

Ms. Danile thanked the Police Department for maintaining order during the St. Matthias Carnival. She spoke of the East Millstone Fire Department Breakfast held on Sunday to raise funds for the Kevin Apuzzio Memorial Fund.

Ms. Danile spoke of Mr. Hernandez’s comments made at the May 9th meeting where he stated that members of Council should not mix politics with children. She stated that he had stated that he was approached by Council members at the High School Ribbon Cutting Ceremony wanting to make a deal towards influencing the budget. She stated this is disturbing since he was upset enough to appear in front of Council regarding it when most of Council did not have any idea what he was talking about. She stated that she had no idea what he was talking about and was completely surprised by his comments. She stated that she assured him at the last Council meeting that if what he spoke of transpired that it was a violation of ethical standards and that Council would be looking into it further. Ms. Danile reiterated that she was not involved in the alleged incident. She asked if other Council members who were not involved would like to speak about this incident. She proposed an ethics board review of this matter should be conducted.

Deputy Mayor Ashley-Williams stated that she shared Ms. Danile’s concerns. She stated that she was also concerned about Mr. Hernandez’s comments. She expressed her concerns that fingers were pointed at all Council members when only a couple were involved. She stated that she also does not have any idea what he was speaking of and that she did not speak to him. She announced that she did not have anything to do with the alleged incident. She agreed that if it is true that it be turned over to the Ethics Board.

Mr. Sumter stated that he does not have any idea of what is going on and he would also like Mr. Hernandez’s comments be investigated.

Ms. Eberle stated that she was shocked to hear a person who was involved with children make allegations that may or may not be true and to make them appear to have occurred. She stated that she is disappointed that anyone that have any kind of administrative office that deals with children would throw out allegations since we are always trying to teach children not to make judgments on people before they even know the facts. Ms. Eberle stated that she found this to be personally insulting and was very surprised when it was brought up at a Council meeting.

Ms. Ritchie stated that at the last meeting she had clearly indicated that she was shocked at his comments and had asked what he was speaking about. She stated that his response was that he was not talking about her. She stated that his comments were not allegations, but accusations. She stated that he had pointed his finger at the Council as a whole and accused all of them of getting involved in politics when it came to the School Board Budget. She stated that she strongly believed that the matter should be looked into.

Mr. McKenzie stated that he was not involved in the matter. He stated on the record that an investigation of his allegations should be conducted.

Mr. Regan stated that he was not in attendance at the May 9th meeting when the comments were made. He stated that this is the first time he has heard of this matter and stated that he is surprised and would support a review of it.

Mr. Vassanella stated that he thought that Council should review the matter and expand the scope to make sure any other allegations that didn't come forward in public regarding certain meetings and arrangements for certain dollar amounts being worked out in advance concerning how much be cut from the school budget prior to the May 9th meeting. He suggested that the scope of the review include all Council/Board of Education interaction or separate interaction amongst themselves. He suggested that Council sit down with some members of the School Board and work these things out.

Ms. Ritchie asked Mr. Vassanella to clarify his comments. Mr. Vassanella replied that Council was going to have a forum so that they could delve into these matters. Ms. Ritchie stated that no one has agreed to have a forum. She stated that Mr. Vassanella's comments are similar in nature to Mr. Hernandez's comments where allegations are made and not explained. Mr. Vassanella replied that he was not making any allegations. He stated that members of the public have brought matters to his attention. Ms. Ritchie stated that he stated there were discussions regarding money issues. Mr. Vassanella stated that this was brought to his attention outside of Council. He stated that he is suggesting that Council expand the scope to cover all the issues concerning any Council behavior when dealing with school budgets. Ms. Ritchie asked him to be more specific. She stated that Council would not conduct an investigation on hearsay. She stated that if people are coming to public meetings and making accusations and allegations regarding Council members they should have facts to back up their statements and to inform Council of what they are speaking of.

Mayor Levine asked if a Council member could encapsulate what Mr. Hernandez's concerns were. Ms. Danile stated that Mr. Hernandez referenced a deal, to votes and a deal. He alleged that he was approached by Council members to exchange budgetary influence for votes. She stated that at face value it was unethical. She stated that she took exception to be included in his allegations. She stated that if there are members of this Council who have conducted themselves that way, the matter should be investigated and those Council members be reprimanded.

Mayor Levine clarified that he was not involved in the alleged incident. He stated that people have approached him over time asking for his support of an issue and if he did not support the issue, they would not support him during election time. He stated that if the matter crossed the line, then it should be looked at.

Deputy Mayor Ashley-Williams asked Mayor Levine if he thought it is alright for a Council member to make threats or a deal. She stated when individual citizens talk to one another or state that they would support a candidate if they supported something of interest to them is different from a Council member, who has the responsibility of acting on the school budget after it is defeated.

Mayor Levine stated that he has discussed budgets with citizens and has let his opinions be known. Deputy Mayor Ashley-Williams asked Mayor Levine if he ever told a Board of Education member that if they did not do what he wanted them to do he would not support them at re-election or support the school budget. Mayor Levine stated that on a personal level, he didn't think he ever discussed that with a Board of Education member. She asked him he thought the situation was appropriate. Mayor Levine stated the facts are vague in nature. Deputy Mayor Ashley-Williams suggested that the matter be investigated. Mayor Levine stated that if it is the consensus of Council to review the matter, the matter should be reviewed.

Ms. Danile clarified previous comments made and stated that this is not a situation where a voter is saying if you support an issue, I will vote for you - that is a matter of one exercising their voting rights depending on what the candidate stands for. She stated that Mr. Hernandez referred to someone on Council approached him with a deal.

Mr. Regan asked if Council could have a copy of the portion of the May 9th meeting where Mr. Hernandez made his comments. Deputy Mayor Ashley-Williams stated that the May 9th meeting is on FTTV-25 until Friday if he would like to physically watch the meeting. Ms. Ritchie asked if a transcript could be done. The Township Clerk stated that both an audio copy of that portion of the May 9th meeting will be made for each Council member, the Township Manager and Township Attorney as well as a written transcript.

Ms. Ritchie asked Ms. Danile what exactly she would like from Council. She asked if she would like it referred to the ethics board or to the Township Attorney. She asked Ms. Danile how she would like Council to proceed. Ms. Danile replied that it be referred to the ethics board and to the Attorney to whatever extent he could be involved.

Mr. Rainone stated that he was unsure of what exactly Mr. Hernandez was trying to state at the May 9th meeting. He stated that the Township Manager thinks that they should reach out to Mr. Hernandez to find out exactly what he is claiming happened. Then the appropriate thing to do would be to refer it to the ethics board who determines whether or not it is an ethical violation. He stated that the ethics board is not set up to conduct investigations, but they can make a determination as to whether or not an ethics violations occurred and whether or not a charge should be issued. He suggested that Council retrieve further information from Mr. Hernandez and then Council can decide what action to take at that time. Mr. Daly agreed. He stated that they would talk to Mr. Hernandez and then report back to Council.

Mr. Rainone suggested that the Township Clerk provide both an audio copy of that portion of the May 9th meeting will be made for each Council member, the Township Manager and Township Attorney as well as a written transcript in their Friday packet.

Mayor Levine asked Ms. Danile if this was satisfactory to her since she made the request. Ms. Danile replied it was satisfactory. Mayor Levine stated that hopefully in the next week or two, the Township Manager would report back to Council on this matter. Mr. Daly replied he would report back to Council at the next meeting.

REVIEW OF THE PREPARED AGENDA

Mayor Levine led a review of the prepared agenda. Council members asked questions regarding various resolutions and ordinances which were answered by the Township Manager.

COUNCIL DISCUSSION ITEMS

Geriatric Services Housing Corporation (350 DeMott Lane) – Tax Assessment

Mr. Daly reported that an added assessment was place on the aforesaid property in error. The assisted living property is tax exempt. The 2004 assessment was placed and the property was incorrectly taxed \$69,250.07. After a brief discussion, a motion was made to add a resolution authorizing tax remittal of this property by Ms. Ritchie. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Manager's Report – Emergency Services

Mr. Daly gave a brief background of the Franklin Township Police Department and 9-1-1. He stated that emergency services also include five (5) rescue squads and four (4) fire districts that encompass ten (10) volunteer fire companies.

Mr. Daly reviewed the following history:

- 1995 – 1996 Township computer aided dispatch (CAD) system, promises made to Fire Service
- 1999 – 2000 Fire Districts partly reimbursed

Nov. 1999 Move towards fire dispatch through Somerset County
 Nov. 2000 Somerset County dispatch of Franklin fire calls fully operational

He reported on the OEM Exercise: Hurricane Oscar conducted on May 17, 2006. He stated that a Category 3 Hurricane hits Franklin. It is a good learning tool. It indicated a serious situation regarding fire dispatching.

He spoke of the articles in the Home News regarding the Staybridge Fire that occurred in 2005. He spoke of the dispatch problems that occurred. He stated that the serious issue is the transferring of calls during a fire dispatch. This results in lost time and lost information as well as loss of audio quality with each transfer. All fire alarms go through a co-dedicated line to Somerset County dispatch and then transferred back to Franklin.

He stated that there is a problem with the system. There are occurrences 2-3 times a week that Police are not notified of fire dispatches. He reported that the Police Department has heard fire tones and called the County and was told “too busy now”. There was a car fire on Easton Avenue that the Police Department was notified of and there wasn’t any Police Officers at the scene to direct traffic. He also spoke of the problems that the County lacks familiarity with Franklin Township. He spoke of the April 11 fire on Whittier Avenue.

He recommended the following to be done:

- The Township develop a plan to provide coordinated, clear dispatch for all emergency services in Franklin Township through Franklin Township.
- A meeting be scheduled with the Township Manager, Franklin Township Police Department, Fire Chiefs to work on a consensus plan.
- Report back to Council at the June 13, 2006 meeting.

He stated that the problem is with the system and is not with anyone personally. He recommended that Council as a whole look into this and not be sent to a subcommittee.

Council thanked Mr. Daly for his report and agreed that this is a serious issue that needs to be solved. Council gave Mr. Daly their full support.

Request for Waiver of Community/Senior Center Rental Fee on June 10, 2006 – Boy Scout Troop #113

Mr. Daly reported that the Boy Scout Troop 113 would be celebrating their 40th anniversary on June 10, 2006. They requested that the fees normally charged for an event at the Senior/Community Center be waived. A discussion ensued regarding the costs to be incurred. It was stated that it is \$25 per room per hour on the weekend since there is no staff in the building at that time and would have to be brought in. Mr. Vassanella supported this request and stated that each group that would be requesting waivers should be acted upon by a case by case basis. No action was taken on this request.

APPROVAL OF MINUTES

Mayor Levine presented the following minutes: Work Session/Regular Meeting of May 9, 2006 as amended.

Deputy Mayor Ashley-Williams moved approval of the following minutes Work Session/Regular Meeting of May 9, 2006 as amended. Said motion was seconded by Ms. Danile and carried as follows upon call of the roll:

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

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$2,090,134.50 for May 9, 2006 to the Township Council for payment:

1	Current	539,175.02
5	Water Operating	362,473.80
6	Water Capital	5,200.00
4	General Capital	523,585.47
15	Trust Others	21,335.85
18	Self Insurance Trust	4,066.25
12	Open Space Trust	5,946.65
2	Grant	78,825.43
29	Unemployment Trust	8,396.69
3	Collector Trust	79,082.60
30	Payroll Agency	382,521.87
	Sub-Total	2,010,609.63
25	Escrow Account	79,524.87
	Grand Total	2,090,134.50

Mr. Regan moved that warrants in the amount of \$2,090,134.50 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			
Eberle	Levine			
McKenzie	Regan			
Ritchie	Sumter			
Vassanella				

Mr. Regan left the meeting at 9:46 p.m.

ORDINANCES – PUBLIC HEARING & FINAL CONSIDERATION**Ordinance No. 3603**

Mayor Levine offered the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 62 - SALARIES & COMPENSATION – SECTION 62-3 – ANNUAL BASE COMPENSATIONS FOR ELECTED AND APPOINTED EMPLOYEES/OFFICIALS

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

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

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

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

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

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

Deputy Mayor Ashley-Williams left the meeting at 9:49 p.m.

Ordinance No. 3607

Mayor Levine offered the following ordinance:

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY BY ADDING A NEW CHAPTER 330, TO BE ENTITLED STORMWATER MANAGEMENT, WHICH CHAPTER PROVIDES STORMWATER CONTROL REGULATIONS AND PENALTIES FOR VIOLATION OF THE CHAPTER.

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

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

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

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

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

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

Ordinance No. 3610

Mayor Levine offered the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226 - VEHICLES AND TRAFFIC, SECTION 226-10 – STOPPING OR STANDING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS; SECTION 226-13 – PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS; SECTION 226-22 – TURN PROHIBITIONS; SECTION 226-30 - HANDICAPPED PARKING; AND SECTION 226-31 – CONTROL OF MOVEMENT AND PARKING ON PUBLIC AND BOARD OF EDUCATION PROPERTY.

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

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

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

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

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

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

Ordinance No. 3611

Mayor Levine offered the following ordinance:

AN ORDINANCE CHANGING THE NAME OF ALEXANDER AVENUE IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY TO KEVIN APUZZIO AVENUE

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

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

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

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

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

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

PUBLIC DISCUSSION

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

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

Harold Leventhal, 360 DeMott Lane, commended Mr. Daly on his presentation regarding Township dispatching. He expressed his concerns regarding the sound system in Council Chambers.

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

COUNCIL COMMENTS

Mr. Sumter thanked Mr. Daly for his presentation regarding Township dispatching.

Ms. Danile, in response to Mr. Leventhal's concerns, stated the sound system needs to be looked at. She stated that it is a great tribute to Kevin Apuzzio to name a street in honor of him giving the ultimate sacrifice. Mr. Sumter agreed and noted that the Township will be forever grateful.

Ms. Ritchie spoke of the Griggstown Greenway and the matter of all-terrain vehicles. She stated that FEMA is revising the flood insurance maps and she noticed that the only change for Franklin was an increase of one (1) foot at the border with Middlesex County. She spoke of a letter from the NJ Rate Payer Advocate included in their packet and suggested that they come to make a presentation that could be shown on Channel 25. She reminded that there is a drought watch and compliance at this time is voluntary.

Ms. Eberle spoke of the inspirational service for Kevin Apuzzio at St. Matthias Church. She expressed her gratitude to his parents. She expressed her contentment of the ethic review of the accusation made by Mr. Hernandez.

Mr. McKenzie spoke of remembering the veterans during Memorial Day weekend. He announced that the National Guard would be having a welcome home celebration for our troops on June 3rd.

Mr. Vassanella spoke of the volunteer effort given to the Kevin Apuzzio Memorial at East Franklin Fire Department. He noted that this is a separate memorial from the Firefighters Memorial. He reported on the Emergency Life Support Meeting where the trunked radio system was discussed.

Mr. Vassanella referenced Boy Scout Troop 113's request to have their fees waived for the use of the Senior/Community Center on June 10th for their 40th anniversary celebration.

Ms. Ritchie suggested that the Council recognize the troops at a future meeting.

Mr. Vassanella made a motion to grant Boy Scout Troop 113's request to have their fees waived for the use of the Senior/Community Center on June 10th for their 40th anniversary celebration. Said motion was seconded by Mr. McKenzie. A brief discussion ensued and the motion *failed* upon call of the roll:

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

INTRODUCTION OF ORDINANCES

Ordinance No. 3616

Mayor Levine presented the following ordinance:

AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR PARKS AND CONSERVATION PURPOSES (BLOCK 508.02, LOT 4)

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>
Danile	Eberle			Ashley-Williams
Levine	McKenzie			Regan
Ritchie	Sumter			
Vassanella				

Ordinance No. 3617

Mayor Levine presented the following ordinance:

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3256 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP ON DECEMBER 11, 2001 ENTITLED, "BOND ORDINANCE PROVIDING FOR THE PAYMENT OF THE PURCHASE PRICE FOR THE ACQUISITION OF LANDS FOR OPEN SPACE AND FARMLAND PRESERVATION, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$14,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$13,680,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," AS AMENDED BY BOND ORDINANCE NUMBER 3293 FINALLY ADOPTED ON JUNE 13, 2002, AS AMENDED BY BOND ORDINANCE NUMBER 3369 FINALLY ADOPTED ON APRIL 8, 2003, AS AMENDED BY BOND ORDINANCE NUMBER 3401 FINALLY ADOPTED ON SEPTEMBER 23, 2003, AS AMENDED BY BOND ORDINANCE NUMBER 3522 FINALLY ADOPTED FEBRUARY 8, 2005, AS AMENDED BY BOND ORDINANCE NUMBER 3601 FINALLY ADOPTED MARCH 28, 2006, TO AMEND THE DESCRIPTION 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>
Danile	Eberle			Ashley-Williams
Levine	McKenzie			Regan
Ritchie	Sumter			
Vassanella				

Ordinance No. 3618

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, ARTICLE VII, CONTINUUM OF CARE SENIOR LIVING FACILITIES, SUBSECTION 112-63 – DEFINITIONS AND SUBSECTION 112-64K – R-CoC FACILITIES.

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 29, 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 29, 2006 at 9:00 a.m. in the Senior/Community Center, 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>
Danile	Eberle			Ashley-Williams
Levine	McKenzie			Regan
Ritchie	Sumter			
Vassanella				

CONSENT AGENDA ITEMS

Upon motion by Ms. Ritchie, 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>
Danile	Eberle			Ashley-Williams
Levine	McKenzie			Regan
Ritchie	Sumter			
Vassanella				

Resolution #06-197 Award Contract – Civil Solutions – Annual Hosting Agreement.

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

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification 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. 40A:11-5(m)**) requires that the resolution authorizing the award of contracts for "EXTRAORDINARY UNSPECIFIABLE SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This agreement is awarded without competitive bidding as an "EXTRAORDINARY UNSPECIFIABLE SERVICE" under the provisions of the Local Public Contracts Law.
- (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 Extraordinary Unspecifiable 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 Extraordinary Unspecifiable Service Agreement authorized herein.

VENDOR NAME: CIVIL SOLUTIONS
ADDRESS: 850 S. White Horse Pike
 PO Box 579
 Hammonton, NJ 08037
CONTRACT AMOUNT: Not to Exceed \$10,800.00
SERVICE: Host Internet DataViewer Service for a Period of Three (3) Years – 2006-2008

Resolution #06-198 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:

Date of Sale: June 7, 2001
Block/Lot: 424.14/97C0021
Name & Address: Secretary of Veterans Affairs
 20 Washington Place
 Newark, NJ 07102
Amount: \$1,523.67
Make Check Payable To: James C. Older
 87 East Mountain Road
 Hillsborough, NJ 08844

Certificate No.: 01-131
Payment Received: May 3, 2006

Date of Sale: June 10, 1999
Block/Lot: 274/49
Name & Address: Sanders, Lyndia
Amount: \$502.73
Make Check Payable To: Herbert Sehgel
P.O. Box 284
Kingston, New Jersey 08528

Certificate No.: 99-192
Payment Received: May 2, 2006

Date of Sale: June 8, 2004
Block/Lot: 324/28.01
Name & Address: Kovacs, Arthur & Elizabeth
41 Castleton Avenue
Somerset, NJ 08873

Amount: \$51,807.68
Make Check Payable To: Fidelity Tax LLC
P.O. Box 5707
Fort Lauderdale, FL 33310

Certificate No.: 04-082
Payment Received: May 9, 2006

Date of Sale: June 9, 2005
Block/Lot: 361/49
Name & Address: Seelamsetty, P.
142 Silverside Avenue
Little Silver, NJ
(For 4 Abbott Road)
Amount: \$23,139.02
Make Check Payable To: Wachovia Custodian for Plymouth Park Tax
P.O. Box 2288
Morristown, NJ 07962-2288

Certificate No.: 05-084
Payment Received: May 11, 2006

Resolution #06-199 Authorize Raffles 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:

NAME OF ORGANIZATION

DATE OF RAFFLE/BINGO

Elijah's Promise
18 Neilson Street, New Brunswick, NJ
On-Premise 50/50 Raffle – RL#1561
Drawing: The Palace At Somerset Park

June 5, 2006
5:30 pm – 9:30 pm

St. Sharbel Maronite Church
7 Reeve Street, Somerset, NJ
Off-Premise Raffle – RL#1562
Drawing: St. Sharbel Church Grounds

June 25, 2006
9:00 pm

Second Chance for Animals, Inc.
P.O. Box 5172, Somerset, NJ
Off-Premise 50/50 – RL#1563
Drawing: Franklin Township Animal Shelter

November 18, 2006
1:30 pm

Somerset Hills Learning Institute
182 Main Street, Gladstone, New Jersey
Off-Premise Raffle – RL#1564
Drawing: The Palace at Somerset Park

October 27, 2006
11:00 pm

Resolution #06-200 Authorize Discharge of Mortgages – CBDG Housing Rehabilitation Program.

WHEREAS, the Township of Franklin holds the following mortgages in conjunction with dwelling renovations through the CDBG Housing Rehabilitation Program:

Mortgage Date: April 27, 1998
Mortgage Amount: \$9,415.00
Block/Lot: 292/5
Owner of Premises: Ernestine Taylor
Location of Premises: 993 Hamilton Street, Somerset, NJ 08873

Mortgage Date: June 22, 1998
Mortgage Amount: \$6,103.00
Block/Lot: 235/13
Owner of Premises: Virginia Woolard
Location of Premises: 218 Matilda Avenue, Somerset, NJ 08873

Mortgage Date: August 7, 1998
Mortgage Amount: \$4,800.00
Block/Lot: 96/18
Owner of Premises: Doloris Reese
Location of Premises: 37 Annapolis Street, Somerset, NJ 08873

Mortgage Date: August 28, 1998
Mortgage Amount: \$9,000.00
Block/Lot: 234/8
Owner of Premises: Cosmo Tomaro
Location of Premises: 52 Norma Avenue, Somerset, NJ 08873

Mortgage Date: August 31, 1998
Mortgage Amount: \$8,815.00
Block/Lot: 180/90
Owner of Premises: Margaret Donato
Location of Premises: 20 Oliver Street, Somerset, NJ 08873

Mortgage Date: August 31, 1998
Mortgage Amount: \$10,000.00
Block/Lot: 299/1
Owner of Premises: Gussie Robinson
Location of Premises: 275 Girard Avenue, Somerset, NJ 08873

Mortgage Date: October 19, 1998

Mortgage Amount: \$10,000.00
Block/Lot: 470/6
Owner of Premises: Joanne Borys
Location of Premises: 29 Ulysses Road

Mortgage Date: October 19, 1998
Mortgage Amount: \$1,206.00
Block/Lot: 151/3
Owner of Premises: Violet Ashford
Location of Premises: 26 Pine Street, Somerset, NJ 08873

Mortgage Date: October 24, 1998
Mortgage Amount: \$7,060.00
Block/Lot: 107/11
Owner of Premises: Ella Brown
Location of Premises: 74 Berry Street, Somerset, NJ 08873

Mortgage Date: March 27, 1999
Mortgage Amount: \$7,430.00
Block/Lot: 280/1
Owner of Premises: Carol & Antonio Jordan
Location of Premises: 124 Clifton Street, Somerset, NJ 08873

Mortgage Date: July 28, 1999
Mortgage Amount: \$525.00
Block/Lot: 183/11
Owner of Premises: Anna Sagi
Location of Premises: 120 Brookline Avenue, Somerset, NJ 08873

Mortgage Date: September 8, 1999
Mortgage Amount: \$1,670.00
Block/Lot: 29/1
Owner of Premises: Curtis Rhoda
Location of Premises: 305 Ridge Boulevard, Princeton, NJ 08540

Mortgage Date: September 17, 1999
Mortgage Amount: \$4,885.00
Block/Lot: 150/28
Owner of Premises: Louise Richardson
Location of Premises: 38 Matilda Avenue, Somerset, NJ 08873

Mortgage Date: October 14, 1999
Mortgage Amount: \$700.00
Block/Lot: 73/11
Owner of Premises: Frances Voorhees
Location of Premises: 32 Elm Street, Somerset, NJ 08873

Mortgage Date: March 29, 2000
Mortgage Amount: \$9,250.00
Block/Lot: 323/11
Owner of Premises: Anthony Nocerino
Location of Premises: 20 Bloomfield Avenue, Somerset, NJ 08873

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

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

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

Resolution #06-201 Award State Contract – Cherry Valley Tractor Sales – Repair Parts for Tub Grinder – Not to Exceed \$10,000.00.

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

VENDOR: Cherry Valley Tractor Sales
35 Route 70 West
Marlton, NJ 08053
State Contract No. A40874

ITEMS: Repair Parts for Tub Grinder
COST: \$10,000.00

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

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

Resolution #06-202 Reduction of Water Usage Bill – Block 130/Lot 5 – 757 Franklin Blvd from \$2,994.42 to \$1,082.60.

WHEREAS, there was a water leak during the Winter of 2004 into the Spring of 2005 at Block 130, Lot 5, known as 757 Franklin Boulevard that resulted in a water usage bill of \$2,994.42; and

WHEREAS, it is the recommendation of the Collector of Revenue to reduce the water usage bill for the above premises to \$1,082.60 - Township cost;

BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby authorizes the reduction of the water usage bills for Block 130, Lot 5, known as 757 Franklin Boulevard to \$1,082.60 - Township cost.

Resolution #06-203 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: Daniel Solasky
ADDRESS: 312 Samuel Place
Somerset, NJ 08873

DOCKET NO.	BRA02-016	
BLOCK/LOT:	562.02/45-57	
LOCATION:	537 Jerome Avenue	
AMOUNT DEPOSITED:	\$350.00 <In-Hse>	
AMOUNT CHARGED:	<u>37.50</u>	
AMOUNT TO BE REFUNDED:	\$312.50	
APPLICANT:	Sprint Spectrum L.P. c/o Gregory Meese Price, Meese, Shulman & D'Arminio	
ADDRESS:	50 Tice Boulevard Woodcliff Lake, NJ 07677	
DOCKET NO.	ZBA2003-0546	
BLOCK/LOT:	386.17/137	
LOCATION:	1100 Easton Avenue	
AMOUNT DEPOSITED:	\$2817.57 <Russ Strn>	\$2400.00 <In-Hse>
AMOUNT CHARGED:	<u>2817.57</u>	<u>860.00</u>
AMOUNT TO BE REFUNDED:	\$ 0.00	\$1540.00

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 #06-204 Authorize Execution of Stormwater Detention Agreement with Blackstone Group.

WHEREAS, Blackstone Group, LLC with offices at 45 North Gaston Avenue, Suites 2A and 2B, Somerville, New Jersey 08878 is the owner of a tract of land located at Franklin Blvd. and Norma Avenue in the Township of Franklin and designated on the tax map of the Township of Franklin as Block 234, Lots 3-7 ("the Property"); and,

WHEREAS, Blackstone received preliminary and final major subdivision approval from the Planning Board of the Township of Franklin for six residential building lots on the property, together with associated Variance and design waivers; and,

WHEREAS, in accordance with the provision of the Planning Board approval and the State residential site improvement standards the Township of Franklin is required to accept dedication of all similar detention facility with the understanding that the Township will be solely responsible for the maintenance of the tension basin; and,

WHEREAS, in light of the size of the subdivision in question, the Township of Franklin has agreed to accept Fifteen Thousand Dollars (\$15,000.00) for the purposes of offsetting costs related to the maintenance of the detention basin and to satisfy all Blackstone obligations pursuant to the Ordinances of the Township of Franklin;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the attached Stormwater Detention Facility Maintenance Agreement between Blackstone Group, LLC and the Township of Franklin.

Resolution #06-205 Authorize Issuance of Special Event Permit – American Legion Post 478 – Memorial Day Parade/Community Barbeque – May 29, 2006.

WHEREAS, a request has been received from the American Legion Post 478 for permission to have a Community Barbeque after the Memorial day Parade be conducted in the

Community/Senior Center, 505 DeMott Lane, Somerset NJ and surrounding Municipal Grounds (Grosso Grove) between the hours of 10:30 pm – 2:30 pm; and

WHEREAS, the American Legion Post 478 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 American Legion Post 478 for permission to have a Community Barbeque after the Memorial day Parade be conducted in the Community/Senior Center, 505 DeMott Lane, Somerset NJ and surrounding Municipal Grounds (Grosso Grove) between the hours of 10:30 pm – 2:30 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 #06-206 Authorize Issuance of Special Event Permit – Franklin Township Food Bank – Golf Outing & Barbeque – September 18, 2006.

WHEREAS, a request has been received from Franklin Township Food Bank for permission to have a barbeque in conjunction with the Franklin Food Bank Golf Outing in Colonial Park on September 18, 2006 between 10:00 am and 3:30 pm; 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 a barbeque in conjunction with the Franklin Food Bank Golf Outing in Colonial Park on September 18, 2006 between 10:00 am and 3:30 pm, 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 they represent a non-profit organization;

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 applicant 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 #06-207 Approval of Donation of Abandoned Bicycles to Freetown, Sierra Leone.

WHEREAS, the Police Department is currently in possession of a number of bicycles that have been found abandoned throughout the Township that have gone unclaimed; and

WHEREAS, the current number of bicycles in storage has exceeded the Township's storage capacity and unsuccessful efforts have been made to locate a charity; and

WHEREAS, the government of Freetown, Sierra Leone has expressed an interest in taking all of the bicycles, no matter the condition, to send to said bicycles to those in need in Sierra Leone; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that it hereby gives permission to donate all unclaimed bicycles held in storage by the Franklin Township Police Department to the government of Freetown, Sierra Leone.

Resolution #06-208 Amend Resolution Awarding Contract to National Waterworks – Fixed-Based Radio Automatic Meter Reading System – Correct Amount to \$98,129.00.

WHEREAS, a notice to bidders for the receipt of bids for Fixed-Based Radio Automatic Meter Reading System, Phase I was published in the Courier News on March 9, 2006 with a bid opening of March 30, 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;

WHEREAS, at a Regular Meeting held on April 25, 2006, the Township Council awarded the bid to National Waterworks for Fixed-based Radio Automatic Meter Reading System, Phase I in the amount of \$93,129.00 which amount is incorrect;

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bid award is hereby amended as follows:

National Waterworks
228 Williamstown Road
Berlin, NJ 08009

Fixed-Based Radio Automatic Meter Reading System, Phase I

Amount not to exceed \$98,129.00; 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 company.

ITEMS: Ammunition
COST: \$11,304.00

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

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

Resolution #06-212 Authorize Purchase Under State Contract – Garden State Office Systems and Equipment – Storage cabinets, tables and sorting equipment – Community Development Department – Not to Exceed \$80,595.52.

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: **Garden State Office Systems and Equipment**
 560 Stelton Road
 Piscataway, NJ 08854-3890
State Contract No. A63763

ITEMS: Storage Cabinets, Tables and Sorting Equipment for Community Development Offices
COST: \$80,595.52

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 #06-213 Award State Contract – Warnock Automotive – 2006 Explorer for Health Department – Not to Exceed \$20,360.95.

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

VENDOR: **Warnock Automotive**
 d/b/a Warnock Ford
 175 Route 10, POB 524
 East Hanover, NJ 07936
State Contract No. A63961

ITEMS: 2006 Explorer for Health Department
COST: \$20,360.95

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

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

Resolution #06-214 Approval of Donation of 1987 Van to SPCA.

WHEREAS, pursuant to N.J.S.A. 40A:11-36 (2), municipalities are allowed to dispose of surplus property to another contracting unit without advertisement or auction;

WHEREAS, the Township owns a 1987 Dodge Van that is no longer in service, as it experienced an engine fire and was subsequently replaced by a new van; and

WHEREAS, the New Jersey Police SPCA has expressed an interest in said van to transport large numbers of animals after it is repaired; and

WHEREAS, as the cost to repair said van far exceeds its value, it is the recommendation of the Police Department to dispose of said van to the New Jersey Police SPCA;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby authorizes the disposal of the 1987 Dodge Van to the New Jersey Police SPCA.

Resolution #06-215 Award Non-Fair and Open Contracts – Schoor DePalma and CME Associates – Escrow Consultants – June 1, 2006 through May 31, 2007.

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; 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, Schoor DePalma has submitted a proposal dated April 26, 2006 indicating they will provide engineering services as Escrows Consultants for the period of June 1, 2006 through May 31, 2007; and

WHEREAS, CME Associates has submitted a proposal dated April 12, 2006 indicating they will provide engineering services as Escrows Consultants for the period of June 1, 2006 through May 31, 2007; and

WHEREAS, both Schoor DePalma and CME Associates have completed and submitted a Business Entity Disclosure Certification which certified that they have not made any reportable contributions to a political or candidate committee in the Township of Franklin in the previous one year, and that the contract will prohibit Schoor DePalma and CME Associates from making any reportable contributions through the term of the contract;

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

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

- (2) The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
- (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: SCHOOOR DEPALMA
ADDRESS: Justin Corporate Center
 200 State Highway Nine
 PO Box 900
 Manalapan, NJ 07726-0900
CONTRACT AMOUNT: N/A
SERVICE: Engineering Services as Escrow Consultants as outlined in a
 proposal dated April 26, 2006.

VENDOR NAME: CME ASSOCIATES
ADDRESS: 3141 Bordentown Avenue
 Parlin, NJ 08859
CONTRACT AMOUNT: N/A
SERVICE: Engineering Services as Escrow Consultants as outlined in a
 proposal dated April 12, 2006.

Resolution #06-216 Award State Contract – IT Equipment and Applications – Dell (\$120,000.00) and Vertex Technologies Inc. (\$30,000.00).

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

VENDOR: **Dell**
 One Dell Way
 MS 8723
 Round Rock, TX 78682
 State Contract No. A81247

ITEMS: IT Equipment and Applications
COST: \$119,000.00

VENDOR: **Vertex Technologies Inc.**
 One Keystone Avenue, Suite 700
 Cherry Hill, NJ 08003
 State Contract No. A81223

ITEMS: IT Equipment and Applications
COST: \$30,000.00

Resolution #06-219 Authorize Release of Performance Guarantee – Briad Lodging Group, LLC – Docket No. PLN2001-0011 – Block 468.09/Lot 46 – 101 Pierce Street – Site Improvements – Bond #45013827 - \$370,418.40.

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

ITEM: Performance Bond
 NAME OF APPLICANT: Briad Lodging Group LLC
 ADDRESS OF APPLICANT: 30A Vreeland Road, Florham Park, NJ 07932
 NUMBER: 45013827
 INSURANCE CO./BANK: Greenwich Insurance Co.
 IN THE AMOUNT OF: \$370,418.40
 FOR: Site Improvements – Block 468.098/Lot 46 – 101 Pierce Street

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 \$370,418.40 be released to the above named applicant.

Resolution #06-220 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>
77/7 Water	Muldowney, Joseph & Dolores 1816 Amwell Road Somerset, NJ 08873	2/06 Bad Meter Reading Water	\$176.55
37.02/3.01CO155	Township of Franklin	3/06 Senior Disallowance Posted to Wrong Year	\$250.00
11,11/14	Mandhir Sen 50 Treetops Circle Princeton, NJ 08540	2/06 Check 1,000.00 over	\$1,000.00
34,09/59.02CO478	Russo, Mary Kate 89 Sapphire Lane Franklin Park, NJ 08823	3/06 Homeowner and Mortgage Co. Paid	\$768.17
37.02/5.04CO133	Edward Shamy, Esq. 2300 Rt. 27 North Brunswick, NJ 08902	3/06 Attorney and Mortgage Co. Paid	\$1,548.98

267/4	Doherty, Thomas & Felice, M.A. 127 Rodney Avenue Somerset, NJ 08873	2/06 Homeowner and Mortgage Co. Paid	\$1,281.53
507.20/22	Lerner, Paul & Ann 123 Stone Manor Drive Somerset, NJ 08873	3/06 Homeowner and Mortgage Co. Paid	\$1,595.35
513.28/8	Tribel, Charles & Carolyn 16 Jay's Corner Somerset, NJ 08873	4/05 1/06 Interest	\$1,796.21 \$1,351.33 \$ 6.83

Resolution #06-221 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</u>	<u>REASON</u>	<u>AMOUNT</u>
513.28/8	Tribel, Charles & Carolyn 16 Jay's Corner Somerset, NJ 08873	FY2006 100% Disabled Veteran	\$4,501.76

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 #06-222 Authorize Discharge of CDBG Mortgage – Genetter Bell – 608 Easton Avenue – Block 263.01/Lot 3.

WHEREAS, the Township of Franklin holds the following mortgage in conjunction with dwelling renovations through the CDBG Housing Rehabilitation Program:

Mortgage Date:	December 19, 2005
Mortgage Amount:	\$32,765.00
Block/Lot:	263.01/Lot 3
Owner of Premises:	Genetter Bell
Location of Premises:	608 Easton Avenue

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

WHEREAS, the owner has paid off said mortgage;

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

Resolution #06-223 Authorize Tax Remittal.

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

<u>BLOCK/LOT</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
386.07/55.02	Geritric Svcs. Hsg. Corp. 350 DeMott Lane Somerset, NJ 08873	2004 Added Assessment Tax Exempt	\$69,250.07

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.

EXECUTIVE SESSION

Upon motion by Ms. Danile, seconded by Mr. Sumter, 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>
Danile	Eberle			Ashley-Williams
Levine	McKenzie			Regan
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 (Tax Assessor) & Litigation (COAH)

- 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

Mr. McKenzie moved to adjourn the meeting at 11:20 p.m. Said motion was seconded by Ms. Eberle and carried unanimously upon call of the roll.

Approved:

Brian D. Levine, Mayor

Date:

Ann Marie McCarthy, Township Clerk