

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 7:10 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 Municipal Complex at 7:00 p.m. on August 8, 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. Eberle, Mr. Levine, Mr. McKenzie, Ms. Ritchie, Mr. Sumter

Absent: Ms. Ashley-Williams, Ms. Danile, Mr. Regan, Mr. Vassanella

Also present: Louis N. Rainone, 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.
- Reminded that most Council meetings are open to the public. Council meetings are generally on the 2nd and 4th Tuesdays of the month. Public is invited and encouraged to attend. Tonight is the final scheduled Budget Hearing.
- See listings on FTTV-25 and Township Website.
- Sign up for updates on Township Websites of meetings, minutes, etc. View agenda and all ordinances and resolutions pending.
- If interested in volunteering for any boards, commissions, etc., call or write Council.
- Mayor's Blog offered by the Home News Tribune – Thnt.com. Periodically will list happenings and opinions on it. Invited comments, answers and suggestions.
- Thanked Police Department for fine effort at Operation Cooperation.
- Thanked Congressman Holt, who held a Town Hall meeting at Franklin Park school on August 2nd.
- Sadly reported the passing of long-time resident and employee, Doris Griffin.
- Reported that the Somerset Community Action Program Board of Trustees met last week and discussed a letter forwarded to them by the Township.

REVIEW OF THE PREPARED AGENDA

Mayor Levine led the following review of the prepared agenda:

Warrant List

Mayor stated the warrant list is larger than usual as a result of no warrant list in July. He referred to two checks in the amount of \$356,000 for the Renovations to the Library. He noted that it is nearing the end and asked if all items are in order. Mr. Daly replied that the project is coming to a close. He noted that there are a number of change orders that have not been received from the contractor. Mr. Daly was directed to hold the checks until the change order information is received.

Ordinance No. 3630 – Cat Licensing

Ms. Ritchie asked why the ordinance is necessary. Mr. Galanowsky replied that it was approved by the Advisory Board of Health and the Public Safety Committee. He noted that in 1991, it was required that all cats be immunized against rabies. Licensing cats will allow recognition of cats that are immunized against rabies.

Ms. Ritchie asked if the current staff could handle the additional licensing. The Township Clerk's Office has responded that it can handle it. Ms. Ritchie asked if there were any provisions for house cats. Mr. Galanowsky replied that a cat does not have to go outside to be exposed to rabies.

Mr. Sumter asked what is the cost for immunizations. Mr. Galanowsky replied that the Township holds a free clinic each year. The license costs \$5.00 per year.

After a brief review by the Township Attorney, it recommended that the ordinance be held until other sections of the ordinance are amended to comply with cat licensing. Upon motion by Ms. Ritchie, seconded by Ms. Eberle, Ordinance No. 3630 was removed from the agenda.

A brief question and answer period ensued regarding various Consent Agenda Items.

BUDGET HEARINGS

Open Space

Randy Jones, Chairman of the Open Space Advisory Committee and John Loos, Open Space Consultant presented the Open Space budget. They reviewed the proposed FY2007 expenditures and reported that the overall budget is \$47,525 less than the FY2006 budget. They reviewed various increases and decreases in the Open Space Budget as presented in the FY2007 budget book.

Purchasing

Ms. Miller reviewed the Purchasing and General Services Budgets. She reported that her budget has decreased by \$7,865.00. The reductions include the following: Copiers from \$23,915 to \$21,000; Edmunds from \$1800 to \$1600; Channel 25 from \$2000 to \$0; Office Supplies from \$2700 to \$2000; Channel 25 Tapes from \$3100 to \$0.

Ms. Miller requested \$1,000 to join the Morris County Cooperative Pricing Council. She noted that included is heavy equipment, services and various commodities. She further noted that Somerset County is a member.

Ms. Miller reported that she has one Capital request, which is the purchase of a new postage meter. She reported that the Post Office has notified the Township that it will not accept or recognize the Township's current postage meter after December 31, 2006.

Personnel/Assistant Manager/IT

Ms. Vieiro stated that she was able to streamline operations of the office and eliminate one position, with an estimated cost savings of \$25,000. She stated one priority is the development and implementation of the Performance Evaluation System. She explained the struggles made with keeping costs of medical benefits down. She stated that the transition to Oxford went smoothly and there was a cost savings last year. She noted that as with all health insurances, the costs have increased this year. She reported the successful implementation of Robert Wood Johnson Hospital EMS to supplement daytime and weekend coverage at no cost. This was necessary as a result of Rural Metro leaving the State of New Jersey.

Ms. Vieiro reported that in the IT Department, responsibilities have been reallocated as follows: Krista Hegedus/Justin Heyman – Network Administration; Trunked Radio System; Security/Business Continuity and Help Desk Operations and Mike Gallagher – GIS; Telecom; FTTV-25 and Dialogic System. She reported that IT has developed a 10-year plan for the replacement of Citrix, computers, printers and servers. She stated that she has reduced her budget by \$30,000 from Consultants and requested it be appropriated for an additional IT staff person. She spoke of the deficiencies that will occur if she does not have an additional staff person and if one of the current staff is let go. She spoke of the major accomplishments of moving forward with the GIS Program. She stated that if she loses the staff person that works with GIS, it will not move along as well as it has. She noted that the Township has spent \$530,000 on GIS since 2002.

Mr. Daly reported that he has made many cuts to the budget to keep the increase to 5%. He stated that this is the third budget hearing where department heads have reported the impact to services that will occur with these cuts.

Ms. Vieiro reported that the Police Department has lent Sgt. Ferrar to maintain the Police side of IT in regards to minor technical problems. She noted that if he were reassigned to the road, IT would suffer even more. A brief discussion ensued regarding medical benefit costs and the Trunked radio system.

Clerk

Ms. McCarthy reported that the Township Clerk budget has increased slightly as a result of major revisions to the Code Book. She stated that she requested supply line items for the Mayor and Council Budget and the Election Budget.

All Other Lines of Revenue

Mr. Daly reviewed all the Miscellaneous Budgets and Miscellaneous Revenues for FY2007 which included the following: Auditor; Prosecutor; CSA; Shade Tree Commission; Accumulated Leave; Tax Appeal Refunds; Salary Adjustments; Tax Title Liens and Foreclosures; Environmental Commission; Historic Preservation Commission; Utilities; Contingent; Social Security; Library; Grants; Interlocal Service Agreements; Insurance; Capital Improvements; Municipal Debt Service; Deferred Charges and Reserve for Uncollected Taxes.

COUNCIL DISCUSSION ITEMS

Veteran's Day

Mayor Levine reported that the American Legion would like to work with the Township on a Veteran's Day Program. After a brief discussion, it was decided that Mr. Sumter and Mr. McKenzie would work with the American Legion on a Veteran's Day Program.

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$9,681,657.50 for August 8, 2006 to the Township Council for payment:

1	Current	8,249,044.12
5	Water Operating	16,471.53
6	Water Capital	3,950.00
4	General Capital	1,076,685.13
15	Trust Others	10,616.87
18	Self Insurance Trust	1,640.00
12	Open Space Trust	6,029.86
2	Grant	89,731.29
3	Collector Trust	89,529.83
14	Dog Revenue	758.40
30	Payroll Agency	58,946.70
	Subtotal	9,603,403.73
25	Escrow Account	78,271.77
	Grand Total	\$9,681,657.50

Mr. McKenzie moved that warrants in the amount of \$9,681,657.50 for August 8, 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

ORDINANCES – PUBLIC HEARINGS & ADOPTION

Ordinance No. 3622

Mayor Levine offered the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 112, LAND DEVELOPMENT - SECTION 112-42, D&R CANAL AREA REDEVELOPMENT PLAN

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 Ms. Ritchie 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.

Andy Fekete, 27 Market Street, expressed his concerns and comments regarding the Rubber Property.

Jan ten Broeke, 2346 Amwell Road, spoke of history of buildings in the area and thanked the Onkas/Franklin Inn. He stated that the bookstore has been successful in raising money for the restoration. He noted that the overflow of books have been shipped to Africa.

There being no further comments by the public, Mr. Sumter moved to close the public hearing on the ordinance. Said motion was seconded by Mr. McKenzie 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 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

Ordinance No. 3625

Mayor Levine offered the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 115, DOGS & OTHER ANIMALS, SECTION 115-25 – FEES (INCREASE ANIMAL CONTROL FEES)

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 Ms. Ritchie 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.

Jan ten Broeke, 2346 Amwell Road, supported the ordinance. He noted that a cat licensing ordinance would be impractical for farm cats.

There being no further comments by the public, Ms. Ritchie moved to close the public hearing on the ordinance. Said motion was seconded by Mr. McKenzie 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 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

Ordinance No. 3626

Mayor Levine offered the following ordinance:

ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 230, MASSAGE, BODYWORK & SOMATIC THERAPY, SECTION 230-2 – PERMIT REQUIRED. (ADDING AS EXCEPTION TO ESTABLISHMENT PERMITS “OR OTHER LICENSED

PRACTITIONERS THAT ARE LICENSED BY THE NJ BOARD OF MEDICAL EXAMINERS.”)

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.

Jackie Faust, 18 Deborah Drive, asked if the ordinance mandated limitations. Mr. Rainone replied that the State doesn't license massage establishments and this ordinance adds the exception that massage therapists do not have to be licensed if they are a licensed practitioner licensed by the NJ Board of Medical Examiners. Ms. Faust stated that massage therapy has been hit hard with taxes and added costs such as insurance and stated there are more than enough restrictions.

There being no further comments by the public, Mr. Sumter moved to close the public hearing on the ordinance. Said motion was seconded by Mr. McKenzie 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

PUBLIC DISCUSSION

Mr. McKenzie moved to open the meeting for public discussion. Said motion was seconded by Mr. Sumter and carried unanimously upon voice vote.

Geraldine Fudge, 35 Ray Street, stated that she is representing neighbors in the 5th Ward. She stated that an explosion at 60 Newport Street could have been avoided. She stated that her house was 12 feet from the explosion and her fence was damaged. She stated that she visited the Zoning Office to complain about the overcrowding at that residence. She asked for help from the Township regarding illegal housing. Mr. Daly replied he would be following up on this matter and the Construction Official has a proposal regarding inspections when there is a change of tenant or building is sold.

Laura Graumann, 587 Post Lane, thanked Council for the resolution regarding the tax assessment moratorium. She stated that resolution has covered all aspects of the matter. She suggested that Council members and residents attend the County Board of Taxation when this matter is discussed. She stated there is an underlying matter regarding the supervision of the Tax Assessor's Office, which should be addressed by the County.

Joe Marotto, 53 Culver Street, submitted a petition addressing the area's dis-satisfaction with the Easton Farms Drainage Project. He also submitted photographs. He asked that the matter be resolved. Mr. Daly replied he is aware of this matter and would follow up on it.

Debra Enright, 129 Hollywood Avenue, expressed her dis-satisfaction with the Easton Farms Drainage Project. She stated the pipes are exposed and something needs to be done. She stated she got water in her basement.

Shiela Murph, 4 Deborah Drive, expressed her concerns regarding Hampton Ridge safety matters. She requested that Council adopt an ordinance prohibiting vehicles/motor scooters. She spoke of excessive speeding in the area.

Ms. Boyle, 37 Julie Court, expressed her concerns regarding vandalism and intimidating teens/gangs in the Hampton Ridge area. She asked for an ordinance to remove low income housing out of the Township. She stated that low income housing affects house prices and schools. She stated that the Police are unable to do any the problem continues to get worse.

Margaret Donato, Neighborhood Preservation Program, stated the Township is plagued by illegal housing and it has to be stopped. She stated that Kossuth Street is deplorable and has been forgotten by the Township.

Bob Raike, 132 Douglas Avenue, thanked Mr. Daly for the letter, he expressed his concerns regarding the poor condition of Kossuth Street.

Anil Takkallapalli, 9 Julie Court, asked for help by the Township and Police Department regarding the burglaries in the Hampton Ridge area.

Jackie Faust, 18 Deborah Drive, expressed her concerns regarding policing the Hampton Ridge neighborhood. She stated that Police and security is needed in the area.

Leon Smith, 33 Julie Court, expressed concerns regarding safety issues in the Hampton Ridge area.

Lucas Osuntuyi, 20 Julie Court, expressed concerns regarding safety issues in the Hampton Ridge area. He asked that drain covers be installed to protect erosion of soil. He stated a Route 27 study is needed as a result of serious congestion due to the increase in development in the area.

Antonio Faust, 18 Deborah Drive, spoke of speeding in the area and safety signs are needed for the children in the area.

Ananth Gunpuneedi, 28 Deborah Drive, spoke of her elderly parents and the dangers of strangers knocking on their doors. She stated that there is an increase in traffic in the area.

Reverend Charles G. Olah, 22 Deborah Drive, stated public safety is at stake in the neighborhood.

Robert Mettler, 2303 Amwell Road, spoke of the new animal shelter and the Wilson dog incident. He opposed a cat licensing ordinance. He praised the D&R Redevelopment Area.

Carol Mortellito, 31 Julie Court, expressed safety and quality of life concerns in the Hampton Ridge area. She blamed low income housing and stated more needs to be done.

Michele Fiedler, 30 Julie Court, supported all the comments made by her neighbors.

John McConville, 5 Stone Leigh Way, spoke of need to address crime problems in the Township. He stated that there has been no resolution regarding the dispatching of the Fire Department. He spoke of the amount of money funded to GIS. He stated that municipal employees should pay for their own health benefits. He expressed his concerns regarding the Assessor and the assessment problem in the Township.

Sridevi Nookla, 35 Julie Court, spoke of the burglaries and the unsafe environment in the neighborhood. She stated that it has been reported to the Police Department and the situation continues to get worse. A solution is needed.

John Walker, 63 Claremont Avenue, commended the fast action of awarding the water main contract to MSP Construction. He stated there is a good chance the project could be completed by December. He spoke of concerns regarding the well closings. He asked Council to reconsider laying off an employee in the Engineering Department.

Geraldine Fudge, 35 Ray Street, expressed her concerns regarding the seriousness of illegal housing in the Township.

Mr. Bhagavadhuln, 25 Julie Court, expressed concerns regarding safety and asked what suggestions and/or methods can be done to improve the situation.

Mr. Daly reported that he has spoken with the Police Chief and will set up a meeting with the neighbors and the Police to address these concerns. Mr. McKenzie asked that Council be included on report to Police and suggested a neighborhood watch be explored.

Ms. Mahender, Deborah Drive, stated Police is only a temporary solution to the problem and a long term solution is needed.

Mr. Daly stated that he would give out the Engineering Report regarding the Easton Farms Drainage Project. In response to the Engineering position, the removal of this position creates a position of a license professional engineer. He stated he would follow-up on grates for the catch basins.

Mr. McKenzie moved to close the public discussion. Said motion was seconded by M s. Ritchie and carried unanimously upon call of the roll.

INTRODUCTION OF ORDINANCES

Ordinance No. 3627

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-6(B), OFFICIAL ZONING MAP.

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 September 26, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. McKenzie moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12, 2006 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Ms. Ritchie and carried as follows upon call of the roll:

AYES

Eberle

McKenzie

Sumter

AYES

Levine

Ritchie

NAYS

ABSTAIN

ABSENT

Ashley-Williams

Danile

Regan

Vassanella

Ordinance No. 3628

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 260, PARKS AND RECREATION, SECTION 260-6, PROHIBITED ACTIVITIES, SUBSECTION (C) ANIMALS AND ADDING NEW ARTICLE VI, GRIGGSTOWN NATIVE GRASSLAND PRESERVE (PART OF TEN MILE RUN GREENWAY) REGULATIONS AND ARTICLE VII, NEGRI-NEPOTE NATIVE GRASSLAND PRESERVE (PART OF THE MIDDLEBUSH GREENWAY) REGULATIONS.

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 September 12, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. McKenzie moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12, 2006 at 7:00 p.m. at the Municipal Complex. 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

Ordinance No. 3629

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-111(G), BANNERS AND PENANTS AND ATTACHMENT 7, FEES.

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 September 26, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. Sumter moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12, 2006 at 7:00 p.m. at the Municipal Complex. 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

Ordinance No. 3631

Mayor Levine presented the following ordinance:

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY BY AMENDING CHAPTER 330, ENTITLED, STORMWATER MANAGEMENT, WHICH PROVIDES

STORMWATER CONTROL REGULATIONS AND PENALTIES FOR VIOLATION OF THE CHAPTER.

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 September 12, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. Sumter moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12, 2006 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. McKenzie and carried as follows upon call of the roll:

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

Ordinance No. 3632

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 201, SEWERS AND SEWAGE DISPOSAL BY ADDING NEW ARTICLE V, ILLICIT CONNECTIONS TO MUNICIPAL SEPARATE STORM SEWER SYSTEM(S).

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 September 12, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. McKenzie moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12, 2006 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

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

Ordinance No. 3633

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY, MORE PARTICULARLY CHAPTER 333, STREETS AND SIDEWALKS, ARTICLE V , BANNERS, SECTION 333-55, CRITERIA FOR DISPLAY OF BANNERS ACROSS TOWNSHIP STREETS; APPLICATION REQUIRED AND SECTION 333-56, APPROVAL PROCEDURE; ALTERNATIVE LOCATION.

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 September 12, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. McKenzie moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12,

2006 at 7:00 p.m. at the Municipal Complex. 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

Ordinance No. 3634

Mayor Levine presented the following ordinance:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)

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 September 12, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. Sumter moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12, 2006 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. McKenzie and carried as follows upon call of the roll:

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

Ordinance No. 3635

Mayor Levine presented the following ordinance:

AN ORDINANCE TO AUTHORIZE ACQUISITION OF CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, FOR THE PURPOSE OF CONSTRUCTING A SEWER PUMP STATION – BLOCK 151/LOTS 9-11

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 September 12, 2006 at 7:00 p.m. at the Municipal Complex.

Mr. McKenzie moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on September 12, 2006 at 7:00 p.m. at the Municipal Complex. 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>
Eberle	Levine			Ashley-Williams
McKenzie	Ritchie			Danile
Sumter				Regan
				Vassanella

CONSENT AGENDA ITEMS

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

Resolution #06-330 Authorize Extension of Grace Period for 2006 Third Quarter Property Taxes.

WHEREAS, 2006 Third Quarter Property Tax is payable August 1, 2006; and

WHEREAS, due to late mailing of the tax bills, it has been deemed that the penalty for the late payment of Third Quarter Tax shall be set at .001%; and

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 Third Quarter Tax is .001%; and

BE IT FURTHER RESOLVED that this resolution shall expire on August 25, 2006.

Resolution #06-331 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>QTR/YR</u>	<u>AMOUNT</u>
62/6	Cave, John	FY05	\$15.93
	P.O. Box 2188	FY06	\$13.71
	East Millstone, NJ 08875	Duplicate Line Item	

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 #06-332 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>
34.01/59.01C0204	O'Grady, Harold 44 Edward Drive Franklin Park, NJ 08823	3/06 Double Payment	\$1,008.39
468.09/30	Michael M. Stadler Trust	FY05	\$11,584.29

	Account	FY06	\$20,113.70
	90 Woodbridge Center Drive Suite 150 Woodbridge, NJ 07059	Tax Appeal	
507.32/3.08	Township of Franklin	Pulte used	
507.32/3.04		credits on	
507.17/61		sales Move	
TO		to	
507.36/1	355.08	homeowner	
507.36/4	354.60	s accounts	
507.36/5	354.60	FY06	
507.34/1.06	74.09		
507.34/1.09	82.36		
507.30/1.04	71.09		
507.32/3.08	1,402.36		
386.08/74.036	Lubrowski, Edward & Doris 80 Gates Road Somerset, NJ 08873	1-2/06 Tax Exempt	3,630.22
513.21/30	Yaoping, Lu 8 Republic Row Somerset, NJ 08873	3/06 Over Estimated	875.07

Resolution #06-333 Authorize Tax Title Redemption – Outside Buyer.

WHEREAS, at a sale of land for delinquent taxes and all liens held by the Collector of Taxes of Franklin Township, Somerset County, various blocks and lots were sold to the following persons; and

WHEREAS, said property and/or liens have been redeemed by the owners thereof, and the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption in the following specific amount;

NOW, THEREFORE, BE IT RESOLVED that the amounts covering the certificates of sale, together with all the charges due the said individuals at the time of redemption be and the same are hereby ordered refunded to the said individuals, and the proper officials of the Township of Franklin, Somerset County, New Jersey are hereby authorized and empowered to execute a voucher to the said individuals in the following amounts:

Date of Sale: June 9, 2005
Block/Lot: 34.02/16.03 C2816
Name & Address: Hansen, Brooks Ernst
16 Fisher Drive
Franklin Park, NJ 08823
Amount: \$1,871.58
Make Check Payable To: James C. Older
87 East Mountain Road
Hillsborough, NJ 08844
Certificate No.: 05-013
Payment Received: July 25, 2006

Date of Sale: June 8, 2006
Block/Lot: 34.09/59.02 C0335
Name & Address: Musante, Anna Marc
15 Cameo Court
Franklin Park, NJ 08823

Amount: 1,175.39
Make Check Payable To: Stuart Lasher
P.O. Box 83
Milltown, NJ 08850
Certificate No.: 06-026
Payment Received: July 28, 2006

Date of Sale: June 8, 2006
Block/Lot: 89.01/1.01 C1203
Name & Address: Frankel, Richard H.
343 Washington Road
Sayerville, NJ
(For 13 Clyde Road)

Amount: \$7,665.05
Make Check Payable To: Plymouth Financial Co.
P.O. Box 2288
Morristown, NJ 07962-2288
Certificate No.: 06-058
Payment Received: July 14, 2006

Date of Sale: June 8, 2006
Block/Lot: 90/4
Name & Address: ATL Holdings LLC
15649 Eastbow Drive
Odessa, FL
(For 2 Shirley Avenue)

Amount: \$48,153.68
Make Check Payable To: American Tax Funding, LLC
P.O. Box 862658
Orlando, FL 32886-2658
Certificate No.: 05-026
Payment Received: July 27, 2006

Date of Sale: June 8, 2006
Block/Lot: 119/1
Name & Address: Rolmar, LLC
8 Sebring Road
Somerset, NJ 08873
(For 833 Somerset Street)

Amount: \$563.20
Make Check Payable To: James Pilewski
3 Devon Lane
Warren, NJ 07059
Certificate No.: 06-065
Payment Received: July 26, 2006

Date of Sale: June 8, 2006
Block/Lot: 119/3
Name & Address: Rolmar, LLC
8 Sebring Road
Somerset, NJ 08873
(For 837 Somerset Street)

Amount: \$1,219.46
Make Check Payable To: James Pilewski
3 Devon Lane
Warren, NJ 07059
Certificate No.: 06-066
Payment Received: July 26, 2006

Date of Sale: June 8, 2006
Block/Lot: 119/6
Name & Address: Rolmar, LLC
 8 Sebring Road
 Somerset, NJ 08873
 (For 843 Somerset Street)

Amount: \$3,168.67
Make Check Payable To: James Pilewski
 3 Devon Lane
 Warren, NJ 07059

Certificate No.: 06-067
Payment Received: July 26, 2006

Date of Sale: June 8, 2006
Block/Lot: 119/47
Name & Address: Rolmar, LLC
 8 Sebring Road
 Somerset, NJ 08873
 (For 12 Blair Avenue)

Amount: \$10,998.35
Make Check Payable To: Wachovia-Cust/Sass Muni V Drt
 123 S. Broad St., PA1328S
 Tax Lien Services Group
 Philadelphia, PA 19109

Certificate No.: 06-068
Payment Received: July 26, 2006

Date of Sale: June 8, 2006
Block/Lot: 156/29
Name & Address: Yucra, Martin
 55 Newport Avenue
 Somerset, NJ 08873

Amount: \$158.56
Make Check Payable To: Daxuan Wang
 11 Walnut Street
 Livingston, NJ 07039

Certificate No.: 06-084
Payment Received: July 28, 2006

Date of Sale: June 8, 2006
Block/Lot: 170/4
Name & Address: Hall, Ceretha
 2 Triplet Road
 Somerset, NJ 08873
 (For 616 Hamilton Street)

Amount: \$800.20
Make Check Payable To: James C. Older
 87 East Mountain Road
 Hillsborough, NJ 08844

Certificate No.: 06-091
Payment Received: July 10, 2006

Date of Sale: June 8, 2006
Block/Lot: 219/2.08
Name & Address: Ninson, Vincent & Anna
 28 Baier Avenue
 Somerset, NJ 08873

Amount: \$351.33
Make Check Payable To: Chun T. Li
9 Maljim Court
Wayne, NJ 07470
Certificate No.: 06-117
Payment Received: July 11, 2006

Date of Sale: June 8, 2006
Block/Lot: 275/21
Name & Address: Miller, Linda L.
27 Carmen Street
Somerset, NJ 08873

Amount: \$656.08
Make Check Payable To: JNH Funding Corp.
90 Dayton Avenue, Bldg. 6C
Passaic, NJ 07055
Certificate No.: 06-132
Payment Received: July 20, 2006

Date of Sale: June 9, 2005
Block/Lot: 295/27
Name & Address: Garces, Bilervo
102 Berger Street
Somerset, NJ 08873
(For 426 Hillcrest Avenue)

Amount: \$340.17
Make Check Payable To: James Pilewski
3 Devon Lane
Warren, NJ 07059
Certificate No.: 05-072
Payment Received: July 25, 2006

Date of Sale: June 8, 2006
Block/Lot: 361/26
Name & Address: Mingledolph, R. & Lloyd, L.
5 Boulder Lane
Somerset, NJ 08873

Amount: \$5,081.4
Make Check Payable To: Plymouth Financial Co.
P.O. Box 2288
Morristown, NJ 07962-2288
Certificate No.: 06-166
Payment Received: July 11, 2006

Date of Sale: June 8, 2006
Block/Lot: 386.011/1.08
Name & Address: Morgan, Cheryl
1487 Hamilton Street
Somerset, NJ 08873

Amount: \$1,217.77
Make Check Payable To: Denise Glover
42 Meadow Court
Monmouth Junction, NJ 08852
Certificate No.: 06-172
Payment Received: July 25, 2006

Date of Sale: June 8, 2006
Block/Lot: 417.02/444 C0013

Name & Address: Hansen, Amy
12 Norwich Place
Somerset, NJ 08873

Amount: \$698.61

Make Check Payable To: JNH Funding Corp.
90 Dayton Avenue, Bldg. 6C
Passaic, NJ 07055

Certificate No.: 06-184

Payment Received: July 5, 2006

Date of Sale: June 8, 2006

Block/Lot: 424.02/11.150

Name & Address: Aldrich, Stephanie V.
30 Montrose Avenue
Brooklyn, NY
(For 145 Carson Court)

Amount: \$5,410.09

Make Check Payable To: Elliot Loeb Keogh Plan
1 Lakeview Road
Saratoga Springs, NY 12866

Certificate No.: 06-187

Payment Received: July 27, 2006

Resolution #06-334 Authorize Issuance of Raffle/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>
NRA Foundation P.O. Box 566, Barnegat, NJ 08005 On-Premise Raffle – RL#1569 Drawing: Ramada Inn, Somerset, NJ	October 14, 2006 6:00 pm – 11:00 pm
New Jersey Agricultural Society P.O. Box 331, Trenton, NJ 08625-0331 Off-Premise Raffle – RL#1572 Drawing: Somerset Marriott	November 13, 2006 6:00 pm
Franklin High School Band Parents Assoc. 500 Elizabeth Avenue, Somerset, NJ 08873 On-Premise 50/50 – RL#1573 Drawings: Ackerman Field, Franklin Middle School	September 15, 24, 30, 2006 October 7, 21, 28, 2006 November 23, 2006 2:00 pm
Eden Institute Foundation One Eden Way, Princeton, NJ Casino Night – RL#1574 Drawings: The Palace at Somerset Park	September 29, 2006 7:00 pm – 12:00 am

Sts. Peter & Paul Byzantine Catholic Church
 285 Hamilton Street, Somerset, NJ
 Bingo – BL#1519A; #1520A; #1521A
 Drawings: Sts. Peter & Paul Auditorium

Amending 2006 Bingo Licenses
 Ruling from LGCCC –
 Disposable Boards must be used

Resolution #06-335 Authorize Issuance of Special Event Permit – Concerned Guyanese of New Jersey – Caribbean Dance Party – Ukrainian Cultural Center – 135 Davidson Avenue – September 2 & 3, 2006 – 9:00 p.m. to 3:00 a.m.

WHEREAS, a request has been received from Concerned Guyanese of New Jersey for permission to have a Caribbean Dance Party on September 2 & 3, 2006 from 9:00 p.m. to 3:00 a.m. to be conducted at Ukrainian Cultural Center; 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 Concerned Guyanese of New Jersey for permission to have a Caribbean Dance Party on September 2 & 3, 2006 from 9:00 p.m. to 3:00 a.m. to be conducted at the Ukrainian Cultural Center, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police and Director of Fire Prevention.

Resolution #06-336 Authorize Issuance of Special Event Permit – Kingston Volunteer Fire Company – Kingston Village Picnic – Kingston Laurel Avenue School/Grounds – September 9, 2006 – 4:00 p.m. to 8:00 p.m.

WHEREAS, a request has been received from Kingston Volunteer Fire Company for permission to have the Kingston Village Picnic on September 9, 2006, to be conducted on the Kingston- Laurel Avenue School/Grounds between the hours of 4:00 pm - 8:00 pm; and

WHEREAS, Kingston Volunteer Fire Company 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 Kingston Volunteer Fire Company for permission to have the Kingston Village Picnic on September 9, 2006, to be conducted on the Kingston- Laurel Avenue School/Grounds between the hours of 4:00 pm - 8:00 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 said organization is a non-profit organization; 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 #06-337 Authorize Issuance of Special Event Permit – Elizabeth Avenue Fire Company – Wet Down – 2 Wiley Drive – August 12, 2006 – 12:00 Noon to 11:00 p.m.

WHEREAS, a request has been received from Elizabeth Avenue Fire Company for permission to have a “Wet Down” for a new ladder truck on August 12, 2006 from 12:00 p.m. to 6:00 p.m. to be conducted at the Elizabeth Avenue Fire House; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the Elizabeth Avenue Fire Company for permission to have a “Wet Down” on August 12, 2006 from 12:00 p.m. to 6:00 p.m. to be conducted at the Elizabeth Avenue Fire House, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police and Director of Fire Prevention.

Resolution #06-338 Authorize Release of Performance Guarantee – Shree Swamminarayan Satsang Mandal USA, Inc. – Block 386.04/Lot 34 – Amwell Road/DeMott Lane – Docket #P96064P – Remainder of Site Improvements - \$250,494.00.

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:	PO Box 5668, 1667 Amwell Road, Somerset, NJ 08873
DOCKET NO.	P96064P
NUMBER:	2744
INSURANCE CO./BANK:	Valley National Bank
IN THE AMOUNT OF:	\$197,215.20
FOR:	Remainder of Site Improvements – Block 386.04/Lot 34 – Amwell Road/Demott Lane

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee in the amount of \$197,215.20 be released to the above named applicant.

Resolution #06-339 Authorize Reduction of Performance Guarantee – Canal Walk Associates, LLC – Block 513.01/Lot 15.01 – Canal Walk Development/Schoolhouse Road – Docket # PLN2005-0021 – Site Improvements – Reduce from \$494,342.82 to \$208,678.68.

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

ITEM:	Letter of Credit
NAME OF APPLICANT:	Canal Walk Associates, LLC
ADDRESS OF APPLICANT:	820 Morris Tpke., Short Hills, NJ 07078
DOCKET NO.	PLN2005-0021
NUMBER:	790-SB
INSURANCE CO./BANK:	Union Center National Bank
IN THE AMOUNT OF:	\$494,342.82

FOR: Site Improvements – Block 513.01/Lot 15.02 – Canal Walk Development Phase VII

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

WHEREAS, the Township Engineer, after inspection, recommended reduction 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 \$494,342.82 be reduced to \$208,678.68 for the above named applicant.

Resolution #06-340 Authorize Release of Maintenance Bond – Mid State Equity Development – Block 276/Lot 9-14 & Block 279/Lots 1-5 – Docket # SP3278 – Lander Street – 2-Year Maintenance Bond - \$13,129.05.

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

ITEM:	Maintenance Bond
NAME OF APPLICANT:	Mid State Equity Development
ADDRESS OF APPLICANT:	11 Springfield Avenue, Somerset, NJ 08873
DOCKET NO.	SP3278
NUMBER:	CK#3064
INSURANCE CO./BANK:	n/a
IN THE AMOUNT OF:	\$13,129.05
FOR:	Site Improvements – Block 276/Lots 9-14 & Block 279/Lots 1-5 – Lander Street

WHEREAS, the aforesaid applicant has requested release of the aforesaid Maintenance Bond; and

WHEREAS, the Township Engineer, after inspection, recommended release of the aforesaid Maintenance 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 Maintenance Bond in the amount of \$13,129.05 be released to the above named applicant.

Resolution #06-341 Authorize Release of Performance Bond – Pizzo/Mindez Tract “A”/Eastern Hill LLC – Block 417.01/Lots 4.04 & 22 – Docket # P97056P – Charles Street – Future Extension of Charles Street to Martino Drive (if necessary) - \$101,196.34.

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

ITEM:	Performance Bond
NAME OF APPLICANT:	Pizzo/Mindel Tract “A”/Eastern Hill
ADDRESS OF APPLICANT:	1065 Route 22 West, Bridgewater, NJ 08807
DOCKET NO.	P9056P
NUMBER:	UB1004362
INSURANCE CO./BANK:	Universal Bonding Insurance Company
IN THE AMOUNT OF:	\$101,196.24
FOR:	Future Extension of Charles Street to Martino Drive, if necessary – Block 417.01/Lots 4.04 & 22 – Charles 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 \$101,196.24 be released to the above named applicant.

Resolution #06-342 Authorize Release of Winter Bond – Canal Walk Associates LLC – Block 513.21/Lot 31 – 10 Republic Row – Docket #P99050 - \$500.00.

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

ITEM:	Winter Bond
NAME OF APPLICANT:	Canal Walk Associates LLC
ADDRESS OF APPLICANT:	112 Schoolhouse Road, Somerset, NJ 08873
NUMBER:	Ck#11472
INSURANCE CO./BANK:	n/a
IN THE AMOUNT OF:	\$500.00
FOR:	Winter Bond – 10 Republic Row

WHEREAS, the aforesaid applicant has requested release of the aforesaid Winter Bond; and

WHEREAS, the Township Engineer, after inspection, recommended release of the aforesaid Winter 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 Winter Bond in the amount of \$500.00 be released to the above named applicant.

Resolution #06-343 Authorize Release of Street Opening Surety and Deposit – Capitol Contractors, LLC – 315 Davidson Avenue - \$600 Surety/\$600 Deposit.

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

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

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

Permit Number:	6373/6374
Opening Location:	315 Davidson Avenue
Applicant's Name & Address:	Capital Contractors, LCC PO Box 95 Glenside, PA 19038
Deposit/Surety:	\$600.00/\$600.00

Resolution #06-344 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 112-214 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:	Henderson 27 LLC
ADDRESS:	4427 Spruce Street Philadelphia, PA 19104
DOCKET NO.	PLN2003-0044
BLOCK/LOT:	34.05/43
LOCATION:	3151 Route 27
AMOUNT DEPOSITED:	\$2,752.52 (Schoor)
AMOUNT CHARGED:	<u>2,658.50</u>
AMOUNT TO BE REFUNDED:	\$ 94.02

Resolution #06-345 Authorize Discharge of Affordable Housing Mortgage – Muhhamed Jalloh & Fatamata Fofanan– 235 Columbus Drive – Block 20.10/Lot 11.02 C1916.

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing Agreement and Discharge of Second Repayment Mortgage for the premises known as 235 Columbus Drive, Franklin Park, Block 20.10 Lot 11.02 C1916 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

Resolution #06-346 Authorize Discharge of Affordable Housing Mortgage – Purnima Bhavsar – 143 Columbus Drive – Block 20.10/Lot 11.02 C1614.

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing Agreement and Discharge of Second Repayment Mortgage for the premises known as 143 Columbus Drive, Franklin Park, Block 20.10 Lot 11.02 C1614 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

Resolution #06-347 Authorize Discharge of Affordable Housing Mortgage – Estate of Mildred Hall to Alla Doubrovna – 227 Sapphire Court - Block 34.09/Lot 59.02 C 0124.

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing Agreement and Discharge of Second Repayment Mortgage for the premises known as 227 Sapphire Court, Franklin Park, Block 34.09 Lot 59.02 C0124 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

Resolution #06-348 Award State Contract – Motorola – Maintenance of Police Department Trunked Radio System – Not to Exceed \$156,271.92.

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: Motorola
 1307 East Algonquin Road
 Schaumburg, IL 60196
State Contract No. A53804

ITEMS: Maintenance of Police Department Trunked Radio System
COST: \$156,271,92

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 #06-349 Award Extraordinary Unspecifiable Service Agreement – Somerset County Coalition on Affordable Housing – Administration of Affordable Housing – September 1, 2006 through June 30, 2007 – Not to Exceed \$70,833.30.

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

WHEREAS, Somerset County Coalition on Affordable Housing has submitted a proposal indicating they will provide Administration of Affordable Housing services in a amount not to exceed \$7,083.33; and

WHEREAS, Somerset County Coalition on Affordable Housing has completed and submitted a Business Entity Disclosure Certification which certified that Somerset County Coalition on Affordable Housing has 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 Somerset County Coalition on Affordable Housing 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: Somerset County Coalition on Affordable Housing
ADDRESS: 600 First Avenue, Suite 3
 Raritan, New Jersey 08869
CONTRACT AMOUNT: Amount not to exceed \$70,833.33
SERVICE: Administration of Affordable Housing
 September 1, 2006 to June 30, 2007.

BE IT FURTHER RESOLVED that this authorization is subject to modifications of the Contract document as described in a letter dated May 19, 2006 from Somerset County Coalition on Affordable Housing, and said Contract document is on file with the Township Clerk and available for public inspection.

Resolution #06-350 Award Bid – Jesco, Inc. – Backhoe and Trailer – Not to Exceed \$43,995.00.

WHEREAS, a Notice to Bidders was published in the Courier News and posted on the Township website on June 20, 2006 for receipt of bids on July 6, 2006; and

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

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

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

Jesco, Inc.
118 St. Nicholas Avenue
South Plainfield, NJ 07089

Backhoe and Trailer in an amount not to exceed \$43,995.00; 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.

Resolution #06-351 Award Bid – Jesco, Inc. – Loader – Not to Exceed \$104,756.00.

WHEREAS, a Notice to Bidders was published in the Courier News and posted on the Township website on June 20, 2006 for receipt of bids on July 6, 2006; and

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

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

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

Jesco, Inc.
118 St. Nicholas Avenue
South Plainfield, NJ 07089

Loader in an amount not to exceed \$104,756.00; 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.

Resolution #06-352 Award Bid – Beyer Brothers – Dump Body Truck (Not to Exceed \$469,940.000) – ¾ Ton Truck (Not to Exceed \$39,802.00) – One Ton Truck (Not to Exceed \$40,436.00).

WHEREAS, a Notice to Bidders was published in the Courier News and posted on the Township website on June 20, 2006 for receipt of bids on July 6, 2006; and

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

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

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

Beyer Brothers Corp.
109 Broad Avenue
Fairview, NJ 07022

Dump Body Truck	Not to Exceed \$69,940.00
¾ –Ton Truck	Not to Exceed \$39,802.00
1-Ton Truck	Not to Exceed \$40,436.00;

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.

Resolution #06-353 Award Bid – Cornell Equipment Co., Inc. – Plow and Hitch – Not to Exceed \$10,445.00.

WHEREAS, Request for Quotations appeared on the Township website on June 20, 2006 for receipt of bids on June 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;

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

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

Cornell Equipment Co., Inc.
47 Dell Avenue
Kenvil, NJ 07847

Plow & Hitch Not to Exceed \$10,445.00;

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.

Resolution #06-354 Amend Contract – Good Morning Care, Inc. – Janitorial Services – July 1, 2006 to June 30, 2007 – Include Cleaning of Municipal Complex Addition and Carpets in Municipal Building – Additional Amount Not to Exceed \$14,350.00.

WHEREAS, the Township of Franklin awarded a contract for Janitorial Services for Municipal Buildings for July 1, 2006 to June 30, 2007 to Good Morning Care Inc. on June 13, 2006 for an amount not to exceed \$59,900.00; and

WHEREAS, an additional funds are needed for the addition to the Municipal Building and cleaning of carpets in the Council Chambers and Large Conference Room in an amount not to exceed \$14,350.00; and

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

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

GOOD MORNING CARE INC.
231B Franklin Avenue
Cliffside Park, NJ 07010

Original Contract Amount:	\$59,900.00
Additional Amount:	\$14,350.00
Total Contract Amount:	\$74,250.00

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

Resolution #06-355 Award State Contract – Lease for Photocopiers for Various Departments – Ikon and Minolta - Not to Exceed a Total Amount of \$40,000.00.

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: IKON
587 Route 46 West
Fairfield, CT 07004

State Contract No. A64039

VENDOR: MINOLTA
 100 Williams Drive
 Ramsey, NJ 07446
State Contract No. A64044

ITEMS: Leases for Photocopiers for Various Departments

COST: \$40,000.00

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 #06-356 Award State Contract – Purchase of Police Equipment and Supplies – General Sales Administration, t/a Major Police Supplies; Eagle Point Gun Shop; Lawman Supply; Rays Sport Shop; East Coast Emergency Lighting; Lanigan; Gen El Industries; Samzies Uniform; and Kaldor Emergency Lights – Not to Exceed a Total Amount of \$50,000.00.

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:

General Sales Administration
 t/a Major Police Supplies
 47 N. Dell Avenue
 Kenvil, NJ 07847
State Contract #60538
Somerset County CC-48-05

Rays Sport Shop
 559 Route 22 West
 North Plainfield, NJ 07060
State Contract #60531

Gen El Industries
 1248 Sussex Parkway
 Randolph, NJ 07869
State Contract #60546

Eagle Point Gun Shop
 TJ Morris & Son
 1707 3rd Street
 Thorofare, NJ 08086
State Contract #60530
Somerset County CC-48-05

East Coast Emergency Lighting
 160 Liberty Street
 Metuchen, NJ 08840
State Contract #60539

Samzies Uniforms
 28 Scotch Road
 West Trenton, NJ 08628
State Contract #60694

Lawman Supply
 5521 White Horse Pike
 Egg Harbor City, NJ 08215
State Contract #60529

Lanigan
 496 Shrewsbury Avenue
 Red Bank, NJ 07701
State Contract #60534

Kaldor Emergency Lighting
 19 Vanderburg Road
 PO Box 167
 Marlboro, NJ 07746
State Contract #60541

ITEMS: Purchases of Police Equipment and Supplies

COST: \$50,000.00

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 #06-357 Award State Contract – Maintenance and Parts for Radio Communications Equipment and Accessories FY2007 – Motorola, Inc. and Garden State Battery – Not to Exceed a Total Amount of \$46,000.00.

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: **MOTOROLA INC.**
PO Box 305
Bordentown, NJ 08505
State Contract No. A53804

VENDOR: **GARDEN STATE BATTERY**
PO Box 738
Bloomsbury, NJ 08804
State Contract No. A5378

ITEMS: Maintenance and Parts for Radio Communications Equipment and Accessories

COST: \$46,000.00

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 #06-358 Award State Contract – Purchase of Snow Plow/Grader Blades, Edges and Snow Plow Parts – Seely Equipment & Supply Company; A&K Equipment; Cliffside; H.A. DeHart – Not to Exceed a Total Amount of \$50,000.00.

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:

VENDORS:

Seely Equipment & Supply Company
1325 Highway 34
Farmingdale, NJ 07727
SC 63644

Cliffside
130 Broad Avenue
Fairview, NJ 07022
SC 63653

A&K Equipment
221 Westcott Drive
Rahway, NJ 07065
SC63651

H.A. DeHart
311 Crown Point Road
Thorofare, NJ 08086
SC 63648

ITEMS: Purchases of Snow Plow/Grader Blades and Edges and Snow Plow Parts

COST: \$50,000.00

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 #06-359 Award State Contract – Maintenance of Township Telephone Systems FY2007 – Avaya, Inc. – Amount Not to Exceed \$32,000.00.

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: AVAYA, INC.
124 Gaither Drive
Mt. Laurel, NJ 08054

State Contract No. 42285

ITEMS: Maintenance of Township Telephone System

COST: \$32,000.00

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 #06-360 Award State Contract – Purchases of Small Parts and Supplies for Computers – Dell Marketing; Edmunds; Emtec; Hewlett Packard; and Vertex – Total Amount Not to Exceed \$50,000.00.

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:

VENDORS:

Dell Marketing
One Dell Way
Round Rock, TX 78662
SC 81247

Hewlett Packard
108810 Forman Drive
Omaha, NE 68514
SC 81249

Edmunds
301 Tilton Road
Northfield, NJ 08225
SC 81201

Vertex
Suite 70 – One Keystone Avenue
Cherry Hill, NJ 08003
SC 81223

Emtec
572 Whitehead Road
Trenton, NJ 08619
SC 81212

ITEMS: Purchases of Small Parts and Supplies for Computers

COST: \$50,000.00

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 #06-361 Award State Contract – Purchases of Automotive Parts and Accessories – Beyer Brothers Corp.; Malouf Ford; National Parts Supply; Fingers Auto Radiator; and Malouf Buick – Total Amount Not to Exceed \$75,000.00.

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:

VENDORS:

Beyer Brothers Corp.
109 Broad Avenue
Fairview, NJ 07022
SC A57735 AND A55099

Fingers Auto Radiator
2006 Route 1 North
North Brunswick, NJ 08902
SC A55753

Malouf Ford
US Hwy. 1 and Route 130
North Brunswick, NJ 08902
SC A57728

Malouf Buick
US Hwy. 1 and Route 130
North Brunswick, NJ 08902
SC 57775

National Parts Supply
535 Milltown Road
North Brunswick, NJ 08902
SC A57789 AND A57014

ITEMS: Purchases of Automotive Parts and Accessories

COST: \$75,000.00

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 #06-362 Award State Contract – Purchases for Copy Paper for all Departments – Paper Mart; Central Lewmar and CMF Business Supply – Total Amount Not to Exceed \$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:

VENDORS:

Paper Mart	Central Lewmar	CMF Business Supply
t/a Major Police Supplies	60 McClellan Street	3622 Kennedy Road
47 N. Dell Avenue	Newark, NJ 07114	South Plainfield, NJ 07080
Kenvil, NJ 07847	Somerset County Coop Bid	Somerset County Coop Bid
State Contract #60538	CC-49-05	CC-49-05
Somerset County CC-48-05		

ITEMS: Purchases for Copier Paper for All Departments
COST: \$30,000.00

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 #06-363 Award State Contract – Purchases of Ice Control Sand and Rock Salt – Atlantic Salt and International Salt – Total Amount Not to Exceed \$125,000.00.

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: Atlantic Salt
 130 Plain Street
 Lowell, MA 01851
State Contract 60446

VENDOR: International Salt
 655 Northern Blvd.
 Clarks Summit, PA 18411
State Contract 60444

ITEMS: Purchase of Ice Control Sand and Rock Salt
COST: \$125,000.00

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 #06-364 Award State Contract – Purchases of Tires and Tubes FY2007 – Goodyear; Michelin North America and Bridgestone Firestone – Total Amount Not to Exceed \$40,000.00.

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:

VENDORS:

Goodyear 114 East Market Akron, OH 44316 SC A61419	Michelin North America Inc. PO Box 19001 Greenville, SC 29602-9002 SC A61420	Bridgestone Firestone 280 Broadway Elmwood Park, NJ 07407 SC A61418
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ITEMS: Purchases of Tires and Tubes
COST: \$40,000.00

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 #06-365 Award State Contract – Purchase of Office Supplies for all Departments – W.B. Mason and State of NJ Distribution and Support – Total Amount Not to Exceed \$50,000.00.

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: **State of NJ Distribution and Support**
PO Box 234
Trenton, NJ 08625

VENDOR: **W.B. Mason**
210 Meadowlands Parkway
Secaucus, NJ 07094-49010

State Contract 49767

ITEMS: Purchase of Office Supplies for All Departments
COST: \$50,000.00

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 #06-366 Award State Contract – Purchases of Parts for Agricultural; Lawn and Garden Equipment – Seely Equipment & Supply Company; Fingers

Radiator; Cherry Hill Tractor; Hoffman Equipment; Storr Tractor; Trenton Tractor; Wainwright Lawn and Wilfred MacDonald – Total Amount Not to Exceed \$40,000.00.

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:

VENDORS:**Seely Equipment & Supply**

1325 Highway 34, Farmingdale, NJ 07727-37619
SC A58291

Fingers Radiator

2006 Rt. 1 North, North Brunswick, NJ 08902
SC A58318

Cherry Hill Tractor

35 Rt. 70W, Marlton, NJ 08053
SC A58292

Hoffman Equipment

300 South Randolph Road, Piscataway, NJ 08855
SC A58304

Storr Tractor

3191 US Hwy. 22, Somerville, NJ 08876
SC A58309

Trenton Tractor

PO Box 5687, Trenton, NJ 08638
SC

Wainwright Lawn

2126 Old York Road, Bordentown, NJ 08505
SC A58310

Wilfred MacDonald

19 Central Blvd., So. Hackensack, NJ 07606
SC A58307

ITEMS: Purchase of Parts for Agricultural and Lawn and Garden Equipment
COST: \$40,000.00

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 #06-367 Award State Contract – Upgrade wiring at 40 Churchhill Venue and 935 Hamilton Street – Network Cabling, Inc. (\$14,551.79) & Vertex Technologies, Inc. (\$1,600.00).

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

WHEREAS, Valerie Sparendero, Bonnie Merritt and Susan Gaccione have submitted proposals indicating they will provide Nursing Services for FY2007 in a amount not to exceed \$28,150.00 for Valerie Sparendero; \$33,350.00 for Bonnie Merritt and \$10,000.00 for Susan Gaccione; and

WHEREAS, Valerie Sparendero, Bonnie Merritt and Susan Gaccione have completed and submitted a Business Entity Disclosure Certification which certified that Valerie Sparendero, Bonnie Merritt and Susan Gaccione 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 Valerie Sparendero, Bonnie Merritt and Susan Gaccione 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: VALERIE SPARENDERO
ADDRESS: 5 Arrowhead Drive
Neshanic Station, NJ 08853-1428
CONTRACT AMOUNT: Amount Not to Exceed \$28,150.00
SERVICE: Nursing Services

VENDOR NAME: BONNIE MERRITT
ADDRESS: 18 Newport Avenue
Somerset, NJ 08873

CONTRACT AMOUNT: Amount Not to Exceed \$33,350.00
SERVICE: Nursing Services

VENDOR NAME: SUSAN GACCIONE
ADDRESS: 29 Rittner Lane
 Old Bridge, NJ 08857

CONTRACT AMOUNT: Amount Not to Exceed \$10,000.00
SERVICE: Nursing Services

Resolution #06-370 Award Non-Fair and Open Professional Services Agreement – Auditing Services – July 1, 2006 through June 30, 2007 – Hodulik & Morrison, PA – Amount Not to Exceed \$81,950.00.

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

WHEREAS, Hodulik & Morrison, PA has submitted a proposal indicating they will provide Auditing Services for FY2007 in a amount not to exceed \$81,950.00; and

WHEREAS, Hodulik & Morrison, PA has completed and submitted a Business Entity Disclosure Certification which certified that Hodulik & Morrison, PA has 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 Hodulik & Morrison, PA 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: Hodulik & Morrison, PA
ADDRESS: 1102 Raritan Avenue – PO Box 1450
 Highland Park, NJ 08904
CONTRACT AMOUNT: Amount not to exceed \$81,950.00
SERVICE: Auditing Services – 07/01/06 to 06/30/07

Resolution #06-371 Amend FY2006 Professional Services Agreement – Township Attorney FY2006 – Louis N. Rainone, Esq. Of DeCotiis, Fitzpatrick, Cole & Wisler, LLP – Not to Exceed Additional Amount of \$8,110.00.

WHEREAS, by resolution adopted August 9, 2005, Professional Service Agreement was authorized for Louis N. Rainone, Esq., to provide Legal Services in an amount not to exceed \$320,000; and

WHEREAS, a need exists to amend said agreement to provide an additional \$8,110.00 which is needed to meet the actual amount which was allocated in the budget; and

WHEREAS, the Chief Financial Officer has certified in writing, a copy of which certification is attached hereto, that funds are available; and

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

WHEREAS, 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 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: LOUIS N. RAINONE, ESQ.
ADDRESS: 500 FRANK W. BURR BOULEVARD
 TEANECK, NJ 07666
CONTRACT AMOUNT: Not to exceed an additional \$8,110.00; Total Contract Amount \$328,110.00
SERVICE: Legal Services for the Township of Franklin, in the County of Somerset as Township Attorney for the period July 1, 2005 to June 30, 2006.

Resolution #06-372 Authorize Non-Appeal of Federal Emergency Management Agency Federal Insurance Administration Proposed Flood Elevation Determinations.

WHEREAS, the Federal Emergency Management Agency (FEMA) has proposed revised Flood Insurance Maps for the Township of Franklin; and

WHEREAS, said revisions were advertised for a 90-day appeal period in the July 7 and 10, 2006 editions of the Courier News; and

WHEREAS, the Township of Franklin is required to either appeal or not appeal said revisions in writing no later than 90-days following the July 10, 2006 publication in the Courier News; and

WHEREAS, there are two changes in the base flood elevations within the Township of Franklin located on the Raritan River as follows:

1. At the Somerset and Middlesex County boundary, the base flood elevation has been increased from 17 feet to 18 feet.
2. At the confluence with the North Branch and South Branch of the Raritan River, the base flood elevation has been reduced from 63 feet to 61 feet.

WHEREAS, it is the recommendation of the Township Engineer not to appeal the aforesaid revisions;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby does not appeal the aforesaid Federal Emergency Flood Insurance Rate Map Proposed Flood Elevation Determinations.

Resolution #06-373 Authorize Abandoned Vehicle Auction – August 23, 2006 – Guaranteed Motors at 9:30 a.m. and Dependable Motors at 10:30 p.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: Wednesday, August 23, 2006
Time: 9:30 AM
Place: Guaranteed Motors
 607 Somerset Street, Somerset, NJ

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>STYLE/COLOR</u>	<u>VIN. NUMBER</u>
1996	Cadillac	4 Door	1G6KD52Y3TU204062

1997	Ford/Escort	Red	1FALP13P3VW237650
1992	Honda/Civic	Black	1HGEG8643NL034886
1993	Dodge/Van	Blue	2B4GH2535PR239823
1986	Chevrolet/Pickup	Red	1GCBS14EXG2162067

Date: Wednesday, August 23, 2006
Time: 10:30 AM
Place: Dependable Motors
873 Somerset Street, Somerset, NJ

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>STYLE/COLOR</u>	<u>VIN. NUMBER</u>
1988	Nissan/Sentra	Gray	JN1PB21S6JU528465
1990	Chevrolet/Cavalier	Gray	1G1JC54G5L7122292
1998	Infinity	4 door/Blue	JNKCA21A2WT631089
1997	Nissan/Altima	Gold	1N4BU31D2VC218663
1989	Honda/Accord	Beige	JHMCA5638KC051867
1995	Hyundai	Blue	KMHVF14N1SU194237
1986	Ford/Bronco	Black	1FMCU14T8GUC41508
1996	Isuzu/Rodeo	Green	4S2CM58V1S4382151
1991	Chevrolet/Blazer	Gray	1GNCT18Z6M0203937
1985	Oldsmobile/Cutlas	White	1G3GR47A9FP354044

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 August 10, 2006.

Resolution #06-374 Authorize Interlocal Services Agreement with Sewerage Authority in connection with the Township acquiring Block 151, Lots 9-11 (Pine Street) in order to facilitate the construction of a pump station by the Franklin Township Sewerage Authority and said Authority will reimburse the Township of all costs associated with said acquisition.

WHEREAS, the Franklin Township Sewerage Authority has determined that certain sewer improvements are necessary along the Route 27 corridor to divert flows to its School Ave pumping station, to decrease flows to New Brunswick and to increase system capacity; and,

WHEREAS, the Township of Franklin has adopted a redevelopment plan known as Renaissance 2000 and designated the Franklin Township Redevelopment Agency to implement same; and,

WHEREAS, a critical element of the success of the redevelopment plan is the construction and rehabilitation of infrastructure such as water and sewer facilities; and,

WHEREAS, a number of projects in the redevelopment area are also included in the Township Fair Share Plan and contain affordable housing components such as the Leewood project which provides 113 affordable housing units (and 200 credits in the Township's COAH plan) and the Somerset Douglas project; and,

WHEREAS, the fair share of the costs for property acquisition and constructing the sewer pump station will be assessed against all future developments benefiting thereby; and,

WHEREAS, the Franklin Township Sewerage Authority has requested that the Township act as the Authority's agent for the purpose of acquiring Block 151, Lots 9-11 the property upon which the pump station will be located; and,

WHEREAS, The Franklin Township Sewerage Authority will reimburse the Township for all costs associated with the acquisition of the subject property; and,

WHEREAS, the Township and the Franklin Township Sewerage Authority are authorized by the provisions of the Interlocal Service Act, N.J.S.A. 40:8A-1 et seq. to enter into Interlocal Agreements for purposes such as those outlined herein.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Franklin that the Mayor and Township Clerk are hereby authorized to execute an Interlocal Services Agreement in accordance with the provisions of N.J.S.A. 40:8A-1 et seq., the Interlocal Services Act, with the Franklin Township Sewerage Authority which will provide that the Township will acquire Block 151, Lots 9-11 in order to facilitate the construction a pump station by the Franklin Township Sewerage Authority and the Authority will reimburse the Township of all costs associated with said acquisition

BE IT FURTHER RESOLVED that the above Interlocal Services Agreement shall be in the form approved by the Township Attorney.

Resolution #06-375 Accept Resignation of Geraldine R. Fudge from the Human Relations Commission, effective immediately.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, New Jersey, does hereby accept the resignation of Geraldne R. Fudge as a Regular Member of the Human Relations Commission, effective immediately.

BE IT FURTHER RESOLVED that the Township Council does hereby thank and commend Geraldine R. Fudge for services performed on behalf of said Township.

Resolution #06-376 Award Non-Fair and Open Professional Services Contract – Patricia Loehle, PP – Administration of Community Development Block Grant – July 1, 2006 to June 30, 2007 – Amount Not to Exceed \$20,000.00.

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

WHEREAS, Patrice Loehle, PP has submitted a proposal indicating they will provide Auditing Services for FY2007 in a amount not to exceed \$20,000.00; and

WHEREAS, Patrice Loehle, PP has completed and submitted a Business Entity Disclosure Certification which certified that Patrice Loehle, PP has 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 Patrice Loehle, PP 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: Patrice Loehle, PP
ADDRESS: 17 Hunters Ridge Drive
 Pennington, NJ 08534
CONTRACT AMOUNT: Amount not to exceed \$20,000.00
SERVICE: Administration of Community Development Block Grant –
 07/01/06 to 06/30/07

Resolution #06-377 Authorize Remittance of Municipal Court Violations Bureau Overpayments to Township Treasurer.

WHEREAS, there exists on the books of the general account of the Municipal Court Violations Bureau overpayments that were not able to be refunded for the year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Franklin, County of Somerset, State of New Jersey that the following list of ticket numbers in the following amounts are hereby turned over to the Township Treasurer:

<u>Date Issued</u>	<u>Ticket No./Check No.</u>	<u>Amount</u>
07/08/05	5520	1.00
07/08/05	5525	1.00
08/10/05	5545	1.00
08/10/05	5546	1.00
09/08/05	5563	2.00
10/05/05	5576	1.00
10/05/05	5577	1.00
10/05/05	5579	3.00
11/07/05	5610	6.00
11/07/05	5596	3.00
11/07/05	5611	1.00
11/07/05	5612	3.00
01/11/06	5626	23.00
01/11/06	5627	1.00
01/11/06	5634	2.00
02/08/06	5645	1.00

Check # 5737

51.00

Resolution #06-378 Authorize Refund of Water Overpayments.

WHEREAS, there appears in the books of the Collector of Revenue, refunds due, resulting from Tax/Water 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>
424.08/220	Deepa Verma 20605 SW 89 th Avenue Miami, FL 33189-1878	3/06 Bad Reading	182.10
528.05/19.25 8001 to 528.05/19.25	Township of Franklin	FY07 FY08 Fire Service to Water	1,499.01 2,640.85

Resolution #06-380 Authorize Purchase – Bio-Key International, Inc. – Support/Maintenance of Police Mobile Computers – Amount Not to Exceed \$9,108.69.

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

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

VENDOR: Bio-Key International Inc.
300 Nickerson Road
Marlborough, MA 07152
ITEMS: Support/Maintenance of Police Mobile Computers
COST: Not to exceed \$9,108.69

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

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

Resolution #06-381 Award Bid – MSP Construction – Franklin Park Water Connections, Phase II – Amount Not to Exceed \$489,200.00.

WHEREAS, a Notice to Bidders was published in the Courier News and posted on the Township website on July 14, 2006 for receipt of bids on July 27, 2006; and

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

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

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

MSP Construction

126 Walnut Street

Newark, NJ 07105

Franklin Park Water Connection

Phase II

Amount not to exceed \$489,200.00; 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.

Resolution #06-382 Supporting the “You Drink and Drive You Lose 2006 Statewide Crackdown” from August 18 to September 4, 2006.

WHEREAS, impaired drivers on our nation’s roads kill someone every thirty minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 31% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, a statewide enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout New Jersey to participate in the *You Drink and Drive, You Lose 2006 Statewide Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from August 18 to September 4, 2006; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby declares it’s support for the *You Drink and Drive, You Lose 2006 Statewide Crackdown* from August 18 to September 4, 2006 and pledges to increase awareness of the dangers of drinking and driving.

Resolution #06-383 Authorize Person-to-Person Transfer of Plenary Retail Consumption License #1808-33-033-004 issued to WEL/WH Convention Managers, t/a Garden State Exhibit Center to I&G Garden State Exhibit, LLC.

WHEREAS, an application has been filed for a Person-to-Person transfer of Plenary Retail Consumption License Number 1808-33-033-004, heretofore issued to WEL/WH Convention Managers for premises located at 50 Atrium Way, Somerset, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Council does hereby approve, effective August 8, 2006, transfer of the aforesaid Plenary Retail Consumption License to I&G GS Exhibit L.L.C. and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions is hereby transferred to I&G GS Exhibit LLC, effective August 8, 2006."

Resolution #06-384 Issue Special Event Permit – The Pagan Pride Project, Inc. – Celebration of the Fall Equinox and Harvest Season – Colonial Park – September 16, 2006 from Noon to Dusk.

WHEREAS, a request has been received from The Pagan Pride Project, Inc. for a special event permit for the Celebration of the Fall Equinox and Harvest Season to be conducted on September 16, 2006 at Colonial Park from Noon to Dusk; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to The Pagan Pride Project, Inc. for a special event permit to have a Celebration of the Fall Equinox and Harvest Season to be conducted on September 16, 2006 at Colonial Park from Noon to Dusk; subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police and Director of Fire Prevention and the Health Department.

Resolution #06-385 Issue Special Event Permit - Somerset Baptist Church – Friends and Family Day – Sunday, August 20, 2006

WHEREAS, a request has been received from Somerset Baptist Church for a special event permit for the Friends and Family Day to be conducted on August 20, 2006 at 9 Pershing Avenue, Somerset at 10:00 am; 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 Somerset Baptist Church for a special event permit for the Friends and Family Day to be conducted on August 20, 2006 at 9 Pershing Avenue, Somerset at 10:00 am; subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police and Director of Fire Prevention and the Health Department.

Resolution #06-386 Issue Special Event Permit – Somerset Community Action Program – New Dawn Music Fest – September 16, 2006 at Naaman Williams Park from 1 pm to 7 pm.

WHEREAS, a request has been received from Somerset Community Action Program for a special event permit for the Week of the People New Dawn Music Fest to be conducted on September 16, 2006 at Naaman Williams Park from 1 pm to 7p m; 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 from Somerset Community Action Program for a special event permit for the Week of the People New Dawn Music Fest to be conducted on September 16, 2006 at Naaman Williams Park from 1 pm to 7p m; subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police and Director of Fire Prevention and the Health Department.

Resolution #06-387 Issue Special Event Permit – Somerset Community Action Program – Celebrating Interfaith Through Music Gospel Concert – September 17, 2006 at Bascom Park from 2 to 8 p.m.

WHEREAS, a request has been received from Somerset Community Action Program for a special event permit for the Week of the People Celebrating Interfaith Through Music Gospel Concert to be conducted on September 17, 2006 at Bascom Park from 2 pm to 8 pm; 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 from Somerset Community Action Program for a special event permit for the Week of the People Celebrating Interfaith Through Music Gospel Concert to be conducted on September 17, 2006 at Bascom Park from 2 pm to 8 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 the Health Department.

RESOLUTION VOTED ON SEPARATELY

Resolution #06-379 Award Contract – Duplicating – All Departments – Two (2) Years from Notice to Proceed – Somerset Management Group (Category 13-Maps; Category 10-Water Report; Category 6-Stickers and Category 1-Single Copies) – Alphagraphics (Category 12-Master Plan; Category 11-Receipt Books (3-part and 4-part; Category 3-Stationery; Category 2-Carbonless Copies) – Copies Now (Category 9-Decals; Category 8-Evidence Tags; Category 7-Business Cards; Category 5-Book Envelopes and Category 4-Postcards) – Amount Not to Exceed \$70,000.00 for a 12-month period.

Mayor Levine presented the following resolution:

WHEREAS, a Notice to Bidders was published in the Courier News and posted on the Township website on July 17, 2006 for receipt of bids on July 27, 2006; and

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

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

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

Somerset Management Group
68 Veronica Avenue, Suite 4
Somerset, NJ 08873

Category 13 – Maps
Category 10 – Water Reports
Category 6 – Stickers
Category 1 – Single Copies

Alphagraphics
265 Route 18
East Brunswick, NJ 08816

Category 12 – Master Plans
Category 11 – Receipt Books (3-part & 4-part)
Category 3 – Stationery (1 color & 4 color)
Category 2 – Carbonless Copies

Copies Now
241 West Union Avenue
Bound Brook, NJ 08805

Category 9 – Decals
Category 8 – Evidence Tags
Category 7 – Business Cards (1 color on white and ivory and 4 colors)
Category 5 - Book Envelopes
Category 4 – Postcards

Amount not to exceed \$70,000.00 for a 12-month period; 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.

The aforesaid resolution was moved by Mr. McKenzie and seconded by Mr. Sumter. Said 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>
Eberle	McKenzie	Levine		Ashley-Williams
Ritchie	Sumter			Danile
				Regan
				Vassanella

EXECUTIVE SESSION

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

Litigation & Personnel/Contract Negotiations

- 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.

ADJOURNMENT

Mr. McKenzie moved to adjourn the meeting at 12 a.m. (August 9, 2006). 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