

WORK SESSION OF THE TOWNSHIP COUNCIL
TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY
JUNE 27, 2002

The Work Session of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by the Mayor at 8:08 A.M.

The Mayor read a statement indicating all requirements of P.L. 1975 Chapter 231, (The Open Public Meeting Act) had been met.

1. CALL TO ORDER

Present: Mayor Eberle, Deputy Mayor Grippo, Mr. Chivukula, Mr. Levine, Mr. Mazzola, Mr. McKenzie, Mr. Sumter

Absent: Ms. Barrier, Mr. Mettler

Also Present: Louis N. Rainone, Esq., Township Attorney, Kenneth W. Daly, Township Manager, Jean C. Pellicane, RMC, Township Clerk

RESOLUTION - MEETING NOT OPEN TO PUBLIC - NEW JERSEY OPEN PUBLIC MEETINGS ACT, NJSA 10:4-12

Read by Township Clerk Pellicane

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey is subject to certain requirements of the **Open Public Meetings Act, NJSA 10:4-6, et seq.**; and

WHEREAS, **Open Public Meetings Act, NJSA 10:12**, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Township Council of the Township of Franklin to discuss in a session not open to the public certain matters relating to the item or items authorized by **NJSA 10:4-12b** and designated below:

Pulchalek
Kingston School
Kanarek
Negri/Nepote

Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

COAH
Combefill South Landfill
Same Sex Marriages

Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, assembled in public session on this 27th day of June, 2002, that an Executive Session closed to the public shall be held on June 27, 2002, at 8:09 am in the Community/Senior Center,

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505 DeMott Lane, Somerset New Jersey for the discussion of matters relating to the specific items designated above.

It is anticipated at this time that the above-stated subject matter will be made public:

With respect to litigation, negotiation, collective bargaining and Attorney-Client Privilege at the conclusion of said litigation or negotiations;

With respect to acquisition of property at such time as the property is acquired or the acquisition is abandoned;

This Resolution shall take effect immediately.

Motion was made by Deputy Mayor Grippo and seconded by Mr. Sumter. Township Clerk Pellicane polled the Board, the vote being as follows:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Mr. Chivukula Mayor Eberle Mr. Grippo Mr. Levine	Mr. Mazzola Mr. McKenzie Mr. Sumter	No One	No One
			<u>ABSENT</u> Ms. Barrier Mr. Mettler

Motion was carried.

Council adjourned to Executive Session at 8:09 a.m. Meeting resumed at 8:38 p.m. with the members present as noted above, however, Councilman Chivukula left the meeting at this time.

REVIEW PREPARED AGENDA FOR REGULAR MEETING

7. LIQUOR LICENSE - PLACE TO PLACE TRANSFER/EXTENSION OF PREMISES - ONE-ELEVEN WINE & LIQUORS, INC. - 1808-33-015-004 - OUTDOOR SEATING

Township Clerk Pellicane advised Council that the Application is submitted by One Eleven Wine Liquors for the premises known as Sophie's Bistro on Hamilton Street and is to permit outdoor dining in the area between the sidewalk and the Bistro. This plan was proposed in conjunction with the Hamilton Street Revitalization Program.

11. ORDINANCE HEARING - AMEND CODE - CHAPTER 73, ALARM SYSTEMS - SECTION 73-7, FALSE ALARMS - ADD PENALTY PROVISIONS

Township Manager Daly advised Council, in response to a question previously raised by Ms. Barrier, that the proposed ordinance has no impact on fire departments.

15. ORDINANCE HEARING - AUTHORIZE REFERENDUM AT NOVEMBER 5, 2002 GENERAL ELECTION - AMEND CHARTER TO PROVIDE FOR ELECTED MAYOR

In response to a question from Mr. Levine, Township Attorney Rainone advised that the Courier News failed to publish the ordinance on June 20th in order to meet the seven-day statutory deadline to be heard at this meeting. Therefore, Council will need to authorize its publication for public hearing on July 9th.

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19S DEDICATION OF REVENUE BETWEEN 7/04/02 AND 7/03/03 FROM MARRIAGE CEREMONIES BY MAYOR/DEPUTY MAYOR TO VETERANS MEMORIAL FUND

Deputy Mayor Grippo thanked Council for allowing the fees for marriages performed by the Mayor and Deputy Mayor for the one-year period to be dedicated to the Veterans Memorial.

20. NOMINATIONS - HISTORIC PRESERVATION COMMISSION - UNEXPIRED TERM OF WARREN KRAUS - EXPIRING 12/31/03

Mayor Eberle advised that she is waiting for a response from a potential nominee and requested that Council carry the nomination to the July 9th meeting.

3. COMMITTEE REPORTS

Financial Oversight Committee

Mr. Mazzola reported on behalf of the Committee. The Committee reviewed and recommended the draft letter to be sent with tax bills explaining the break down of the tax money being collected between the Township, Open Space, County, Fire Districts and Board of Education with the addition of a bar chart for the tables on Page 1 as suggested by Mr. Chivukula. Since the letter is already lengthy, Township Manager Daly will add the bar chart and work on the format.

Mr. Levine questioned the need for review of the letter by the Board of Education and Somerset County before sending. Mr. Mazzola noted that he does not recommend this since the information in the letter must be given to our taxpayers and the other agencies most likely would object and want us to withdraw the letter because it indicates the proportion of the monies going to their agencies. Deputy Mayor Grippo suggested that a copy be provided to them 48 hours before mailing to avoid hard feelings.

After further discussion, Council determined to provide copies of the letter to the Board of Education and the Somerset County Board of Freeholders for their review for correction of errors only, not intent.

Traffic Management Committee

This Committee report was deferred due to the absence of Councilmembers Barrier and Mettler.

Integrated Communications Committee

Mr. Mazzola reported that the figures for the proposals are coming in extraordinarily high, \$10 million instead of the original \$6 million estimate. The scope of the proposal has increased from three transmission sites to five and from 500/600 users to 1000 users. The Committee will make a decision before adoption of the FY2003 budget.

4. COMMEMORATION OF SEPTEMBER 11TH

Mayor Eberle established a committee consisting of the Mayor and Councilmembers Grippo and Levine.

Deputy Mayor Grippo advised Council of the plans of the School District for Hands across Somerset County, moments of silence, flag salutes, activities at the high school with a choir, police color guard, bagpipe and high school band, and speech by Senator Smith, and the planting at each school of twin redwood trees donated by Baumley Nursery at the request of the Shade Tree Commission.

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5. WADE AVENUE TRAFFIC

Township Manager Daly advised Council of a June 19, 2002 memo from Sgt. Robert Vornlocker, FTPD, responding to the request from a resident that:

The intersections do not meet the criteria for multi-way stop intersections as set forth in the Manual on Uniform Traffic Control Devices.

There are no criteria in New Jersey for speed humps. There are criteria in other States which indicate that speed humps should not be installed within 200 feet of an intersection, and measurements between intersections of other streets with Wade Avenue indicate that no stretch of Wade Avenue would meet those criteria. Each municipality, however, can establish their own criteria.

Deputy Mayor Grippo and Mr. Mazzola questioned what improvements can be offered to the residents. Township Manager Daly responded that the Township is in the process of installing a "Stop Sign Ahead" sign and can install other signs such as children at play, but the proliferation of signs is counterproductive since the more signs installed, the more they are ignored.

Mr. Mazzola noted that the traffic problems on Wade Avenue hopefully will be improved with the traffic improvements for the entire Middlebush area but noted the desirability of studying traffic calming measures throughout the village.

Deputy Mayor Grippo suggested that lines be painted at the intersections and along the side of the roadway. Township Manager Daly concurred and will have DPW paint the lines.

Upon a motion made, seconded and unanimously agreed, the Work Session was adjourned at 9:05 a.m.

Respectfully submitted,

Jean C. Pellicane, RMC
Township Clerk