

BUDGET WORK SESSION OF THE TOWNSHIP COUNCIL
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TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY
AUGUST 6, 2002

The Budget Work Session of the Township Council of the Township of Franklin, County of Somerset, New Jersey, held at 475 DeMott Lane, Somerset, was called to order by the Mayor at 7:09 p.m.

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

The Township Clerk called the roll.

Present: Mayor Eberle, Deputy Mayor Grippo, Ms. Barrier, Mr. Levine, Mr. McKenzie, Mr. Mettler, Mr. Sumter. Mr. Mazzola was absent at roll call but arrived later in the meeting

Absent: Mr. Chivukula

Also Present: Kenneth W. Daly, Township Manager, Jean C. Pellicane, RMC, Township Clerk

DEPARTMENTAL BUDGET REVIEW

Community Resources

Diane Hensley, Senior Administrative Secretary, appeared at the meeting.

Township Manager Daly noted that the Department's Director, Ernestine Callier, will be retiring and Diane is in training to take over administration of the welfare payments that come from the County. Township Manager Daly commended Ms. Callier for the many programs she initiated for the Department of Community Resources and noted that Diane received her Bachelor's Degree from Rutgers this year while working diligently.

Ms. Henley described the various groups within the Department which provide service to the community: Medical Service Group, Working Single Parents, Green Thumb, Youth Service Program, Jet Connection, Municipal Welfare, Youth Drug & Alcohol Abuse Prevention, Summer Child Care and Black History Month Planning Committee. These programs will be continued for FY2003.

In response to questions from Council, Ms. Henley noted that:

1. The pavilion the department previously requested behind the offices for use by the summer child-care program has been installed.
2. Those departmental programs which charge fees on sliding scales utilize state guidelines for determining the scales.
3. Emergency assistance situations involving children are handled by the County. The Township only serves independent adults and has a protocol developed by Ernestine Callier for emergency housing followed by counseling.

Township Manager Daly noted that the success of the department is determined by their ability to break the cycle of poverty and reduce the number of people on welfare. Our numbers are low numbers compared with other towns. Mr. Mettler commended the department noting the current 16 cases versus the 60 cases in the late 1970's when our population was much smaller.

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Engineering

Joseph Russo, Township Engineer, appeared at the meeting, reviewed the supplemental budget information listing the activities and responsibilities of the Department and responded to questions from Council in conjunction with Township Manager Daly as follows:

1. The FY2003 budget requests are basically the same or lower than FY2002.
2. The use of outside consultants to do engineering site inspections for developments is working well, and the department would be unable to function efficiently without them. Township Manager Daly noted that the consultant fees paid with escrow monies are outside of the Township's budget Cap. The possibility of returning the inspections to the staff was discussed and dismissed since, in addition to staffing problems, the monies would be inside Cap.
3. The staff consists of the Township Engineer plus four additional people. Tax Maps require annual updating and State approval. The Township was behind in these activities but with the Senior Engineer on board, we are catching up.
4. In those cases where department salaries are split, the balance of the salaries is charged to the water utility for which they do work.
5. The aerial photographs requested and approved in FY2002 have been flown and work on the maps is ongoing and should be delivered by the end of the year. Mr. Mettler noted that any old aerial photographs may be of historic value and should be given to the library.
6. A report on the revenue/expenses for outside consultants will be forwarded to Council. Items such as overhead cannot be charged to the escrow accounts.
7. While the Department Head has more control over the activities of an employee versus a consultant, consultants are only used when the workload necessitates. Therefore, employees do not need to be carried or laid off during slow times.
8. The services of the Special Projects Engineer Jim Pettit are charged to the capital projects to which they relate.

Mr. Mazzola arrived at this time.

Planning & Zoning

Olga Burke, Planning Board and Board of Adjustment Secretary, appeared at the meeting, described the organization of the department and, in conjunction with Township Manager Daly, responded to questions from Council as follows:

1. The staff consists of:
 - Recording Secretary who attends Board meetings, prepares minutes and e-mails the minutes to Ms. Burke.
 - Administrative Aide who processes and follows through on development applications;
 - Zoning Officer and Zoning Inspector who processes development permits, prepares certified property owner lists, etc.

The Department requested another person to do data entry for planning, zoning and building. This position, however, was cut from the budget by the Township Manager.
2. There is great need for the renovation and expansion of the office facilities.
3. The Planning Board FY2003 budget is the same as FY2002. An amount of \$40,000 has been reallocated from Salary & Wages to Consultant Fees to cover

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the services of Ellen Ritchie. Township Manager Daly noted his intention to hire an in-house planner to provide the technical work which Ellen Ritchie performed when on staff such as handling the Kingston Village Pedestrian Plan, Millstone River Floodway Mitigation, etc. Since the new in-house planner would be hired at entry level and for only part of the year, the present budget funding should be adequate.

4. The Board of Adjustment FY2003 budget is the same as FY2002.
5. The Rent Leveling Board Attorney is included in this budget.

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The Work Session of the Township Council of the Township of Franklin, County of Somerset, New Jersey, held at 475 DeMott Lane, Somerset, was called to order by the Mayor at 8:02 p.m.

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

Present: Mayor Eberle, Deputy Mayor Grippo, Ms. Barrier, Mr. Levine, Mr. Mazzola, Mr. McKenzie, Mr. Mettler, Mr. Sumter

Absent: Mr. Chivukula

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

Council amended the agenda for the Work Session to continue Item 5, Budget Hearing, to accommodate Department Heads and employees present at this meeting.

Economic Development

Frank Hasner, Economic Development Coordinator, appeared at the meeting, presented his department's activity report for FY2002 and, in conjunction with Township Manager Daly, responded to questions from Council as follows:

1. The FY2002 economy was in a slump, exacerbated by the 9-11 terrorist attacks. It was hoped to receive a trickle down increase in uses by firms looking to relocate because of 9-11 but that did not occur.
2. The market for office space is not good. He is forming relationships with the owners and real estate committee and has had some success in back-filling offices. Manufacturing uses are faring better. The most retail activity is taking place in the Renaissance 2000 Redevelopment Area and Hamilton Street. Recent proposals/projects to change the zoning and the Hamilton Street facade grant from Somerset County are helping progress. The farmer's market met two goals – bringing people to Hamilton Street and helping our farm community – and the group is talking of going weekly instead of monthly.
3. Infrastructure improvements such as the Route 287 study, completion of Pierce Street, and the realignment of New Brunswick Road and Schoolhouse Road will encourage economic development in the future.
4. Improvement of the Development Flow process in the Planning/Zoning/Code area has been successful in some areas but efforts are still being made to reduce paperwork and time.
5. Accessory commercial uses in the CB and Manufacturing Zones are being considered and design standards are being developed.

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6. The Agricultural Advisory Board is pursuing our Planning Incentive Grant which should shortly result in our first development rights purchase.
7. The authorization for Phase 2 of our Economic Development Plan is proposed for FY2003. Grant funding will be sought. Phase I is being prepared by Rutgers at this time.
8. Township Manager Daly noted a decrease in the salary allocation by \$33,000 which provided the salary for the Hamilton Street Coordinator, David Brown. Mr. Brown will continue on staff for a short time with carry over and grant money. The Hamilton Street Advisory Committee has asked that Council fund this position for FY2003. An allocation of \$20,000 to supplement grants would permit this position to continue.
9. An amount of \$25,000 in this budget covers the operating expenses of the Redevelopment Agency, the majority of which covers the Agency's attorney fees.
10. The expansion of the New Brunswick medical community into the Township is being pursued, with several medical related businesses locating on Veronica Avenue.
11. The reopening of the movie theatre on Easton Avenue is questionable since theatres are now looking for bigger venues. Mr. Hasner has been working with the shopping center owner on this and other matters.

Public Works

C. Andrew Twiford, Director of Public Works appeared at the meeting, presented the budgets for the Road, Water, Landscape Maintenance, Building Maintenance Divisions, and, in conjunction with Township Manager Daly, responded to questions from Council as follows:

1. The Township has a shared service agreement with Somerset County and its municipalities which allows each municipality access to the specialized equipment and personnel of the other municipalities in emergency situations. Renewal of that agreement for FY2003 is on the agenda for August 13th.
2. The FY2003 budget is basically the same as FY2002. One mechanic position is being lost through attrition, but with our current stock of newer equipment, maintenance needs are less.
3. The conversion of streets from stone and chip to asphalt overlay results in a cost saving to the Township in long run since they only need maintenance every 10 years instead of every year.
4. Belmar Street was developed as a result of a major subdivision, however, the Planning Board only required the developer to repair one side of the road. The Township must now complete the road, currently scheduled for FY2004.
5. The budget allocation for the Somerset County Recycling Program anticipates a slight increase in the rate and an increase in the number of household based on new development. Withdrawal from the County recycling program would not be economically feasible based on the cost of equipment, personnel and a separation building.
6. The air-conditioning system in the Municipal Building is functioning as effectively as possible without major renovations. Unfortunately, not all offices are adequately serviced. After completion of renovation of the engineering/planning/zoning section of the Municipal Building is completed, funding to renovate the air-conditioning system will be sought.
7. The revenues from the sale of leaf bags do not cover the cost of the leaf recycling program. The price paid by senior citizens is less than the cost of the bags.

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8. The budget allocation called “Winter Days” provides the cost of labor and disposal of materials collected on the three winter days the Mini-dump is open. The revenue from mini-dump stickers covers only 7% of the cost of running the facility. Requests for fee increases have been refused by Council since a fee increase would result in illegal dumping increases which is even more costly.
9. An increase in the water rates has been proposed and is on the agenda for introduction on August 13th. The increase is necessitated by the 18% rate increase granted to Elizabethtown Water Company by the BPU in February (with another rate increase application pending) as well as lower water usage due to the water restriction. Failure to adopt the rate increase would result in a deficit in the utility which is not permitted. This account also covers the cost of infrastructure improvements, and Mr. Twiford noted that if a developer is required to install a water line larger than that required for his development, the Township must pay the additional cost incurred.
10. The proportion of salaries charged to the Water Utility for FY2003 are the same as FY2003.

Open Space

Brian Regan and John Loos, Chair and Consultant to the Open Space Advisory Committee, joined Mr. Twiford for the discussion of this budget and responded to questions from Council as follows:

1. This budget shows a 13.6% (\$529,000) increase due to the fact that many of the properties we have acquired over the past year with open space funds require work to remove unsafe buildings and dumped debris as discovered by site visits and report from the Natural Lands Trust.
2. The initial clean up work will be contracted out, with future maintenance to be provided by the Department of Public Works. The clean up of currently owned properties will appear in the FY2003 budget only, however, if additional purchases are made which require clean up, funding for those properties will appear in future budgets.
3. Clean up costs have not been part of purchase negotiations in the past but will be in the future. This may not result in any savings to the Township, however, since the purchase price is based on an appraisal of the property which was done when the derelict buildings and dumping existed and may have been a factor in the appraised value.
4. The budget provides salaries for three positions dedicated entirely to the maintenance of open space and which will ultimately become a sixth Division of the Department of Public Works. This Division will be purchasing its own specialized equipment as well as using the existing equipment in the other Divisions.
5. Signs advertising the existing open space parcels are being prepared at this time.
6. Clearing of the Toto farm in the amount of \$25,000 is included in this budget. Since this property was not purchased with Open Space funds, the Committee questions the appropriateness of this allocation. Township Manager Daly advised that this problem can be resolved by placing the Toto property on our Green Acres Inventory. Mr. Mettler and Mr. Mazzola noted that it was Council’s intention when purchasing the tract that it would be open space and that the use of the land is limited by the bond ordinance authorizing its purchase, at least for the life of the bonds.
7. The Open Space Committee has a \$140,000 renovation grant program to address the portion of the Open Space trust dedicated to Historical Structures.

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8. Mr. Mazzola noted the need in future years to utilize a portion of the Open Space funds for active recreational areas in many areas of the Township currently without recreational facilities.
9. Ten million of the \$22 million produced by the Open Space Tax and \$3 million from Green Acres and Somerset County has been spent. Fifteen million remains, but some of the properties already authorized for acquisition by the bond ordinance are close to acquisition.

Parks & Recreation

Alice Osipowitz, Director of Parks & Recreation, appeared at the meeting, reviewed this departmental budget and, in conjunction with Township Manager Daly, responded to questions from Council as follows:

1. All Recreation Programs have been moved from the Recreation Budget to the Recreation Trust so that they are outside the Township's Cap. FY2002 was the Recreation Trust Account's first year so it is still being fine-tuned.
2. The Naaman Williams Park operates in conjunction with the Park Recreation Program and Swimming Lessons. There is no funding to get the park open additional hours or on weekends. If Council wishes to keep the pool open additional hours, funding must be added to the budget or fees for pool use charged. Ms. Osipowitz will prepare a report on what fees would be required.
3. The Recreation Programs planned for FY2003 are the same as FY2002.
4. The replacement of park equipment has been designed to eliminate the use of pressure treated wood.
5. Efforts have been and will continue to be made to eliminate the duplication of programs which the Board of Education offers.

Information Technology

Michael Gallagher, Information Technology Administrator, appeared at the meeting, reviewed the departmental budget, and, in conjunction with Township Manager Daly, responded to questions from Council as follows:

1. The FY2002 budget is the same as FY2003. The increased amount for maintenance involves the equipment which was purchased last year through the Capital budget.
2. The Township currently has 5 citrix servers, 2 domain-controlled servers for Township and 2 domain-controlled servers for police use, 4 application servers for Township and 2 or 3 application servers for police use, 135 user work stations, and 30-40 printers.
3. It is anticipated that a presentation will be made to Council shortly on the results of our GIS application software. The parcel update phase is almost completed, the final aerial photography product with significant information on utilities, emergency services, etc. is due in December. Upon completion, there will be no need for any significant capital expenditures, but another employee for maintenance will be required.
4. Mr. Gallagher will work with department heads to prepare for Council a report on how technology increases work capacity without increasing staff needs.

Mr. Mazzola noted the significant amount of money spent for technology at a time when funding to keep the pool open additional hours is not available.

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Council deferred the balance of the budget hearing until after the remainder of the Work Session agenda.

FLOOD MITIGATION PLAN – SCHEDULE ONE OF TWO PUBLIC HEARINGS FOR SEPTEMBER 9TH AT 7:30 P.M.

The date/time suggested by Grants Coordinator Bonnie von Ohlen conflicts with the Township's Special Meeting on the Elected Mayor Referendum. If the proposed meeting requires Council attendance, it was suggested that it be deferred to the 4th Tuesday in September.

REVIEW PREPARED AGENDA FOR REGULAR MEETING

Special Meeting – 7:30 Presentation and Public Questions...

Deputy Mayor Grippo sought and received confirmation that the Township Attorney will preside over this portion of the meeting to insure that the presentation is consistent for all the sessions.

8. ORDINANCE HEARING – AMEND CODE – CHAPTER 12, DEVELOPMENT – SECTION 112-9B, CONDITIONAL USES – HOME OCCUPATIONS

Mr. Mazzola noted that efforts of the members of Council who questioned this ordinance to meet with the Planning Board have met with resistance and were unsuccessful. Therefore, the ordinance hearing carried to August 13th should resume on the ordinance as introduced. Mayor Eberle requested Councilman McKenzie to determine why Mr. Mazzola's efforts were unsuccessful and report back to Council next week.

12. ORDINANCE HEARING – BOND ORDINANCE – AMERND ORDINANCE NO. 3247, RENOVATIONS AND IMPROVEMENTS TO LIBRARY – AMEND AMOUNT FROM \$6,100,000.00 TO \$6,137,276.00 TO INCLUDE ADDITIONAL GRANT MONIES RECEIVED – INTRODUCED ON JULY 9, 2002

In response to a question from Mr. Mazzola, Deputy Mayor Grippo as Library Board Liaison and Township Manager Daly advised Council that the Board was seeking additional funding from the Council for library renovations. The Board has been advised that they must find funding elsewhere or scale back the project.

17. ORDINANCE INTRODUCTION – AMEND CODE – CHAPTER 236, WATER – ARTICLE IV, RATES & METERS

In response to a question from Mr. Levine, Township Manager Daly advised that this ordinance authorizes the budget to exceed the Index Rate up to a 5% increase over FY2002 but the increase can be less than 5%. The current budget total is \$100,000 less than 5%.

20. ORDINANCE INTRODUCTION – AMEND CODE – CHAPTER 47, POLICE – SECTION 47-10, ELIGIBILITY FOR PROMOTION

Mr. Mazzola objected to the removal of the college degree requirement for promotion eligibility and advocated the addition of a requirement that new hires have college degrees based on studies that indicate that better educated police officers are less likely to be involved in abusive situations.

Deputy Mayor Grippo noted his concern with promotional opportunities for existing police officers and suggested that the ordinance be amended to exclude the college degree requirement for the existing officers otherwise eligible for promotion examination at this time but retain same for future hires and examinations.

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Township Attorney Rainone noted that:

- a. Older police officers, particularly veterans of the Viet Nam War, are less likely to have degrees than younger officers. The requirement of a college degree for promotions but not hiring results in younger officers having higher ranks than older officers. There is need to require college degrees for hire as well as promotions.
- b. It takes two years of full-time study to get an Associates Degree, and police officers are working full time. Some municipalities pay for college credits, but this becomes very expensive and results in the expenditure of public money on classes not related to police work
- c. Recruitment of police officers who possess Associate Degrees would resolve the problem but would decrease the diversity of the employment pool.

Mr. Mettler noted that there are a number of objectives for the police force, one of which is diversity through all the levels. Currently our force is less diverse in the upper ranks, which will be perpetuated by keeping the college degree in the ordinance.

Mr. Mazzola suggested that, rather than eliminate the requirement, the effective date of the requirement be moved two or three years hence.

Deputy Mayor Grippo moved to proceed with ordinance introduction based on the recommendation from the Chief of Police and to deal with the need for the college degree requirement for the future. Mayor Eberle seconded the motion. Township Clerk Pellicane polled the Council on the motion, the vote being as follows:

Ayes: Mayor Eberle, Deputy Mayor Grippo, Mr. Levine, Mr. McKenzie, Mr. Mettler and Mr. Sumter

Nays: Ms. Barrier and Mr. Mazzola

Absent: Mr. Chivukula

Motion was carried.

25G. BID AWARD – LBD CONTRACTORS, INC. – HYDRANT MARKERS - \$47,775.00

Mr. Mazzola and Ms. Barrier noted that this expenditure was added to the FY2002 budget last year at \$17,000 and is now \$47,000. Township Manager Daly responded that we had to bid the items several times to get bids this low but that fire companies really want the hydrant markers.

25BB. PETITION STATE TO GRANT REGULATORY APPROVAL TO SOMERSET MEDICAL CENTER TO PROVIDE COMPREHENSIVE CARDIAC CARE

Mr. Mettler requested that this resolution be deferred for further discussion since we are in closer proximity to Robert Wood Johnson Hospital which specializes in cardiac care. Council concurred and this item was removed from the agenda.

25EE CREATE AFFORDABLE SENIOR HOUSING COMMITTEE/APPOINT MEMBERS

In response to a question from Mr. Mettler, Township Mayor Daly advised that the board was formed as an ad hoc committee from the various senior citizen clubs and is not seeking formal recognition by the Council. They are not requesting any funding at this time. Township Clerk Pellicane noted that the existing board has 8 members instead of the usual odd number and the draft resolution proposes 9 members with one vacancy.

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Council concurred with 9 members and requested that the Board nominate someone for the remaining position.

Mr. Mettler questioned the “Board” designation rather than the less official “Committee”. Council concurred and requested that the name be changed to Committee.

25JJ APPOINTMENT – MILLSTONE VALLEY BYWAY CORRIDOR MANAGEMENT

25KK APPOINTMENT – COMMITTEE AND FLOOD RESOLUTION – MITIGATION PLANNING COMMITTEE

Council concurred with the categories of memberships to these Committees suggested by Grants Coordinator Bonnie von Ohlen but deferred the appointments to September pending confirmation that the deferral will not interfere with grant deadlines. Council requested that the Township Clerk or Grants Coordinator Bonnie von Ohlen seek nominations from the suggested Boards.

Kingston Task Force

Council reviewed August 6th memo from the Kingston Village Advisory Committee requesting a resolution supporting and recommending changes to the Crossroads of the American Revolution Study by the National Park Service and added same to the Consent Agenda for August 13th.

3. COMMITTEE REPORTS – DEFERRED DUE TO TIME CONSTRAINTS

6. SOMERSET COUNTY CAPITAL IMPROVEMENT PROJECT FY2002 TO FY2003

Township Manager Daly advised that this is the Council’s opportunity to formally transmit to the County the resolution already passed on the Middlebush By-Pass, specifically recommending Sections 5 a, b and c in that resolution and recommending that the County Capital Improvement Plan be amended to include these improvements. Council concurred.

7. 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:

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.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, assembled in public session on this 6th day of August, 2002, that an Executive Session closed to the public shall be held on August 6, 2002, at 10:53 pm in the Franklin Township

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Municipal Complex, 475 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 acquisition of property at such time as the property is acquired or the acquisition is abandoned.

This Resolution shall take effect immediately.

Council adjourned to Executive Session at 10:53 p.m. Meeting resumed at 11:02 p.m., with all members as previously reported present.

5. CONTINUATION OF BUDGET HEARING

Township Clerk

Jean Pellicane, Township Clerk, noted that the FY2003 budget request for this department is the same as FY2002 except for a requested salary overlap between her retirement on April 1st 2003 and the appointment of a replacement.

Council discussed the statutory requirements for the appointment of a Registered Municipal Clerk to the position or an unregistered person as Acting Clerk pending receipt of their RMC. Because of the lateness of the hour, this discussion was deferred to another date.

Township Manager

Kenneth Daly, Township Manager, noted that the FY2003 budget request for this department is the same as FY2002.

Non-Departmental Budgets – Council reviewed the non-departmental budgets without comment.

Conclusion:

The Budget will be introduced next week as presented with corrections noted during Council review, and with the addition of a full time Health Educator to the Health Department. The Capital Budget will be introduced in keeping with the concept of introducing the budget at its maximum and then cutting. The budget statement will be drafted and application for \$1.5 Extraordinary State Aid will be filed to reduce the tax impact of three cents.

Upon a motion made, seconded and unanimously agreed, the Budget Work Session and Work Session were adjourned at 11:35 p.m.

Respectfully submitted,

Jean C. Pellicane, RMC
Township Clerk