

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 7:05p.m.

Mayor Levine called the Work Session/Regular Meeting of the Township Council to order. Mayor Levine stated "In accordance with Section 5 of the Open Public Meeting Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, a list of dates, annually, indicating that this Work Session/Regular Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on September 13, 2005. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk."

Everyone present participated in the Pledge of Allegiance and Councilman Vassanella led the Invocation.

The Township Clerk called the roll.

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

Absent: Ms. Eberle

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

#### **MAYOR'S REPORT**

Mayor Levine made the following report:

- Welcome to those attending and TV viewers.
- Thanked the FTTV-25 volunteers.
- Explained how the meeting is conducted for the benefit of audience and viewers.
- Announced the passing of Hugh McDonald, former Board of Education member and extended condolences to his family.
- Announced that the County is working to provide no left turns onto Easton Avenue from World's Fair Drive.
- Announced that he attended a Mayor's Summit on Saturday where both candidates for Governor spoke and there was a discussion on gang violence.
- Asked that if one is looking to make donations for relief to Hurricane Katrina victims, the best way is to make cash donations to the Red Cross.

#### **DEPUTY MAYOR REPORT**

Deputy Mayor McKenzie made the following report:

- Extended his thoughts and condolences to those in New Orleans.
- Announced that summer is over and the schools would be opening on Thursday. He noted that the Code Department is working with the schools to ensure that the High School opens on Thursday as well. He commended the inspectors for their hard work on this project.

- Thanked the Human Relations Commission for their hard work on Sunday's Day of Remembrance/Cultural Diversity Event.
- Welcomed everyone back from summer vacations and noted it was time to get back to work.

### COMMITTEE REPORTS

Ms. Danile welcomed Access Physical Rehabilitation Center at 6 Cedar Grove Lane to the Township. She stated that she has received several telephone calls regarding school busing issues and indicated that these calls should be directed to the Board of Education. She announced that there is curbside pickup for large metal appliances that include refrigerators, freezers and air conditioners at \$24.00 each and dryers, washers, dishwashers, stoves and hot water heaters at \$6.00 each. Information can be found on the Township's website.

### REVIEW OF THE PREPARED AGENDA

Mayor Levine led the following review of the prepared agenda:

#### Approval of August 9, 2005 Minutes

Ms. Ritchie asked that the following amendment be made to the August 9, 2005 minutes: Page 12, to read as follows: "Ms. Ritchie stated that she would be going house to house in her ward and is not in favor of televising debates due to the costs of filming and conducting the debates on the access channel."

#### Approval of Warrants

Ms. Ritchie asked why there were differences in the amounts charged for towing services. Mr. Daly replied that the charges depend on the size of the vehicle being towed and the distance being towed.

Ms. Ritchie asked if the printing of the tax bills could be done in-house. Mr. Daly replied in the negative because the information is stored in the Edmunds program.

Ordinance #3565 – Ordinance Amending Traffic Ordinance, Chapter 226, Section 226-17 – Vehicles Over Designated Weight Excluded (Beekman Road/Stewart Avenue/Society Hill Blvd.)

Ms. Ritchie referred to a memorandum dated September 12<sup>th</sup> from Sergeant Vornlocker and said memorandum was briefly discussed by Council. Said memorandum responded to concerns that establishing 4-ton weight limits on Beekman Road, Stewart Avenue and Society Hill Boulevard would increase truck traffic on Claremont Road. The Traffic Safety Bureau installed automated traffic counters on both Beekman and Stewart Avenue for the period of 08/31/05 through 09/08/05. The traffic count was conducted solely for the purpose of vehicle volume and classification. It was determined that 16,836 vehicles traveled on Stewart Avenue, with six (6) of those vehicles meeting the classification of tractor-trailer or tri-axle dump truck. Beekman Road results were similar, with 10,775 vehicles total and three (3) vehicles meeting the classification of tractor-trailer or tri-axle dump truck. As one can see, there are very few large trucks using these roads, which should ease the concerns of Claremont Road residents.

The memorandum also addressed a related matter regarding a request for a 36-ton weight limit on South Middlebush Road and Claremont Road. Said request has been approved by the County Board of Freeholders and is presently awaiting NJDOT investigation. This prohibition would effectively remove the large tri-axle dump trucks and tractor-trailers from these roads.

Ordinance #3568 Authorize Acquisition of Block 5.02, Lots 119.01 & 119.02 (4451 Route 27 – Higgins Property) consisting of 4 acres for parks and/or conservation purposes.

Ms. Ritchie noted that she was glad that the Township was acquiring this land and noted the house located on it is historic. She asked what plans did the Township have for it. Mr. Daly replied that a strategy is being executed by Mr. Loos, Open Space Consultant, starting with an appraisal of the property. The Township is looking to purchase the historical development rights of the property with an easement to a private owner for the house to take on the restoration of the house.

Ordinance #3570 Amend Code Chapter 175, Parks & Recreation, Add New Section, Rules & Procedures for the Operation of Skate parks.

Mr. Regan recommended that the age provided in the ordinance for children to be accompanied by a parent be changed from ten (10) to twelve (12). Council concurred.

Upon motion by Mr. Regan, seconded by Ms. Ashley-Williams and carried unanimously upon voice vote, Ordinance #3570 was amended to change the age regarding parental accompaniment from ten (10) to twelve (12).

Resolution #05-387 Authorize Release of Maintenance Bond upon Replacement of 3 Shade Trees by 10/1/05 – 128-129-132 Charles Street – Eastern Hills LLC (Glen Eyre Tract A) - \$89,730.76.

Ms. Ritchie asked if a two-year maintenance bond was being required for the planting of the trees. Mr. Daly replied it would.

Resolution #05-388 Authorize Refund of Tax Overpayments.

Ms. Ritchie inquired why many of the tax overpayments were a result of over billing. Mr. Daly replied he would get the information regarding this request.

Resolution #05-390 Authorize FY2006 Emergency Temporary Budget.

Ms. Ritchie asked if the temporary budget included the increase in gasoline prices. Mr. Daly replied the budget would have to be adjusted to include the increased costs in gasoline.

Resolution #05-391 Authorize Interlocal Services Agreement with Borough of Milltown – Animal Shelter Services – October 1, 2005 to September 30, 2006.

Resolution #05-392 Authorize Interlocal Services Agreement with Township of North Brunswick – Animal Shelter Services – January 1, 2005 to December 31, 2005.

A brief discussion ensued regarding both Interlocal Services Agreements. Mr. Daly clarified that agreement with Milltown would result in the housing of an additional 25 animals in the animal shelter and the agreement with North Brunswick is a mutual aid agreement. Mr. Regan expressed his concerns with the agreements since the animal shelter is already over capacity. He stated that he opposed the agreement with Milltown. Ms. Danile asked if the agreement period is correct for the agreement with North Brunswick. Ms. McCarthy replied that the agreement was backdated because the contract was not authorized by the Township and the services are currently being provided.

Resolution #05-395 Accept Resignation of Gary A. Randolph from Environmental Commission, effective immediately.

Ms. Ritchie extended her regrets that Mr. Randolph was resigning from the Environmental Commission. She stated that he has become involved in other projects, such as the renovation of the Van Lieu House. She extended her appreciation for his service to the Township.

Resolution #05-396 Authorize Purchase – Gramco Business Communication – Community/Senior Center Sound System – Not to Exceed \$14,777.00.

Ms. Ritchie asked if there was a guarantee that system would work. Mr. Daly replied that it is a better system and it is being tested and worked on.

Resolution #05-399 Amend FY05 Contract Amount – Gasoline & Diesel Fuel – Allied Oil Company – Not to Exceed \$243,156.17 (Actual Total).

Ms. Ritchie noted that gas for FY05 increased approximately \$50,000.

Resolution #05-404 Authorize Purchase – Country View, Inc. – Installation of Access Driveway and Parking Lot for Open Space Area on Canal Road – Amount not to exceed \$24,989.00.

Ms. Ritchie asked where the driveway was located. Mr. Daly replied south of Bunker Hill Road and the Griggstown Causeway between the white house and the house next to it.

### **DISCUSSION ITEMS**

#### **Tax Assessment**

Burnham Hobbs, Tax Assessor, made a brief presentation to Council regarding tax assessment. He provided Council with a spreadsheet that showed a comparison between 2004 average taxes and 2005 average taxes. A copy of this spreadsheet is attached to the end of these meeting minutes. A lengthy question and answer period ensued between Council and Mr. Hobbs regarding the Township's tax assessment program, how it is conducted, why it is conducted and if there are any other options to consider in place of annual assessment.

#### **Presentation by Councilwoman Danile**

Ms. Danile made a presentation regarding tax bills and how tax assessment affects one's tax rate. She provided an explanation as to where the different components of a tax bill are, the make up of the different components and what the impact of changing some of the components would be. She explained that annual assessments are conducted in Franklin Township and the residential share of the Township's assessment has become larger than the commercial's share of the Township's assessment. Ms. Danile stated that in her opinion annual assessments have a negative impact on taxpayers and if they are needed, it may be better to do them gradually. She also stated she felt that the Township needs to appeal to those who draw from it, such as sales tax revenue and income tax revenue and get a fairer share of its money back. Ms. Danile stated that taxpayers should be aware that it is not just spending that increases taxes, it is having a larger share of the assessment on residential and less on commercial.

#### **FTTV-25 Candidate Debates**

Mayor Levine announced that this discussion item would be carried over to the next meeting.

**APPROVAL OF MINUTES****August 9, 2005 Work Session/Regular Meeting**

Mayor Levine asked for a motion to approve the August 9, 2005 Work Session/Regular Meeting minutes, as amended. Ms. Ritchie moved for the approval of the August 9, 2005 Work Session/Regular Meeting minutes, as amended. Said motion was seconded by Deputy Mayor McKenzie and carried as follows upon call of the roll:

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

**August 16, 2005 Special Meeting**

Mayor Levine asked for a motion to approve the August 16, 2005 Special Meeting minutes, as amended. Ms. Ritchie moved for the approval of the August 16, 2005 Special Meeting minutes, as amended. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

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

**APPROVAL OF WARRANTS**

Mayor Levine presented the following warrants in the amount of \$7,194,357.00 for September 13, 2005 to the Township Council for payment:

1	Current	4,688,404.78
5	Water Operating	1,284,703.76
6	Water Capital	57,019.72
4	General Capital	247,090.33
15	Trust Others	9,725.71
18	Self Insurance Trust	6,098.04
21	Recreation Trust	6,101.81
12	Open Space Trust	42,967.18
2	Grant	94,482.65
17	Workers' Compensation	649.12
26	Affordable Housing	6,104.69
3	Collector Trust	149,978.15
14	Dog Revenue	475.20
30	Payroll Agency	465,101.17
	Sub-Total	7,059,131.06
25	Escrow Account	135,225.94
	Grand Total	7,194,357.00

Deputy Mayor McKenzie moved that warrants, as amended, in the amount of \$7,194,357.00 for September 13, 2005 to be paid. Said motion was seconded by Ms. Danile and carried as follows upon call of the roll:

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

**ORDINANCES – PUBLIC HEARING**

**Ordinance No. 3564**

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

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

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

Joseph Melick, 4303 Avery Court, asked how Council could vote on an increase in the FY06 budget when they do not know the expenditures in the FY05 budget.

Mike Goldman, 378 Windfall Lane, stated that an increase in the Cap is always followed by an increase in spending. He stated there are many things that can be reduced such as health costs and pensions.

John McConville, 5 Stone Leigh Way, expressed his concerns with cap and budget increases and how it will affect the senior citizens in the Township.

Philip Kramer, 429 Canal Road, TUF, stated that the increase in fuel costs should result in reductions in other areas of the budget. He stated that it is not appropriate to increase spending.

Mr. Daly clarified that Council knows the FY05 expenditures and noted that Ms. Ritchie requested a more detail listing. He stated that every bill is reviewed by Council.

Mr. Daly stated that the Township is subject to union contracts and has saved money in health costs by changing vendors. He noted that the PBA contract reflects 4% increases and the contract is subject to binding arbitration.

Mr. Daly reviewed the uncontrollable elements of the budget that include Police Salaries and Wages; Health Insurance; Library Operating Contribution; Reserve for Uncollected Taxes and Police Retirement System.

Mayor Levine stated that proposed budget has not been changed and is scheduled to be introduced on September 27<sup>th</sup>.

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

Deputy Mayor McKenzie moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Ashley-Williams and carried as follows upon call of the roll:

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

**Ordinance No. 3565**

Mayor Levine offered the following ordinance:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 226, VEHICLES & TRAFFIC – SECTION 226-17, VEHICLES OVER DESIGNATED WEIGHT EXCLUDED (BEEKMAN ROAD – SOCIETY HILL BOULEVARD – STEWART AVENUE)**

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

Ms. Ritchie moved to open the meeting for a public hearing on the ordinance. Said motion was seconded by Ms. Ashley-Williams 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.

Earl Carson, 26 Pleasant Plains Road, opposed ordinance and asked why this ordinance is being reconsidered.

Gerry Platz, 28 Claremont Road, opposed the ordinance and also asked why the ordinance is being reconsidered.

John Walker, 63 Claremont Road, stated that this is the third time in twelve years this ordinance has been considered. He opposed the ordinance and stated there is no need for no truck traffic on these roads since there is not much truck traffic on these roads. He asked for the status of the weight limitation for South Middlebush Road. Ms. Ritchie replied the request has been approved by the County Board of Freeholders and is presently awaiting NJDOT investigation.

Mr. Walker requested the ordinance be tabled or suspended until further studies are conducted.

Mr. Daly validated the concerns of the residents on Claremont Road. He referred to the Traffic Bureau traffic counts and noted this recommendation is the right thing to do. Somerset County has approved adjusting the weight limitations on Claremont and South Middlebush Roads. He stated that adopting this ordinance will not harm the Claremont Road residents.

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

A brief discussion ensued regarding the ordinance and Council supported the recommendations listed in the memorandum from the Traffic Bureau.

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

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

#### PUBLIC DISCUSSION

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

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

Anne Zeman, Joint Kingston Advisory Committee, supported Ordinance No. 3568 authorizing the acquisition of the Higgins Property. She thanked Council and gave a brief historic summary of the property.

Steven Levine, 171 Stone Manor Drive, spoke of his concerns regarding the tax assessment program.

Ronald Murph, 4 Deborah Drive, thanked Council for the tax assessment presentation. He asked for help from Council regarding a dispute with US Homes the developer of his development. He noted that he has a crack in his wall that allows water to seep in. He stated that he contacted US Homes and requested the problem be resolved. He asked the Township Engineer for assistance and was told that it was the home was built within Code and he would have to contact US Homes. Mr. Rainone stated this is a matter involving his homeowner's warranty not Code Enforcement.

Harry Housekeeper, 250 Treptow Road, expressed his concerns regarding dust in his neighborhood from the new development and noted he cannot open his windows. Mr. Daly recommended that he contact the Township Engineer regarding this matter.

John Panchery, 14 Monet Court, stated the Tax Assessor has too much responsibility and that the burden is on the residential taxpayers. He recommended that the burden shift to industrial and commercial properties. He expressed his concerns regarding the tax assessment process and the school taxes.

Clem Bottone, owner of Block 493.01/Lots 20-23; 41-51, asked what the status of his request for release of deed restriction on his property and why it was not on the agenda. Mr. Daly replied that his request has been sent to various departments for their review and recommendations. After, it will be reviewed by the Land Use Committee for their recommendation to Council.

Mike Goldman, 378 Windfall Lane, expressed his tax concerns and noted that New Jersey has more school districts than Virginia, Maryland and Delaware combined.

John McConville, 5 Stone Leigh Way, asked why police cars are idling at traffic jobs. It was noted that these jobs are reimbursed by the contractor.

Phil Kramer, 429 Canal Road, TUF, replied to Ms. Danile's previous request of an explanation of who is Taxpayers United in Franklin and noted that he does not have enough time in his five (5) minutes to speak. He stated that when he states that he represents TUF, he

does so to identify who he is and whom he represents. He expressed his opinions regarding the right for debates on FTTV-25. He stated that tax increases are result of increased values set by the Tax Assessor and increased spending by Council.

Bill Major, 720 New Brunswick Road, spoke of those who are having hardships with the tax increases. He spoke of a proposed fundraiser – a carnival – to promote the youth in the Township and asked for support from Council.

Robert Mettler, 2303 Amwell Road, spoke of his confusion as to identify himself as a candidate of Ward 3 or not. He congratulated Council for authorizing the acquisition of the Higgins property. He spoke of the presentation made by Ms. Danile regarding tax assessment. He recommended that Council look into who would be assessed for road improvements on Weston Road, citing that most properties would be exempt from assessment.

Joseph Melick, 4304 Avery Court, expressed his confusion of the small decrease made by Council of the defeated school budget. He stated that Ms. Danile's presentation should result in reciprocal time from other Council candidates.

John Walker, 63 Claremont Road, provided an update of the Franklin Park water contamination situation. He also recommended that the Township be ready to address well issues if a drought situation continues.

Joyce Zaborowski, 4 Pucillo Lane, asked questions regarding the Township's current sign ordinance and asked that it be amended to be fair to all organizations. She stated she supported candidate debates.

Mr. Daly stated that police cars idle at construction sites because in order for the lights to be on, the car has to be on. He stated the exception to the sign ordinance is charitable organizations. He stated that St. Matthias asked private owners to place their signs through the Township. Banners are allowed on county roads if the County approves it.

Deputy Mayor McKenzie moved to close the public discussion portion of the meeting. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

### COUNCIL COMMENTS

Mr. Ritchie stated that Ms. Eberle was absent from tonight's meeting due to illness. She announced various restaurants that opened this week in the Township. She commended the success of the Day of Remembrance/Cultural Diversity event.

Mr. Vassanella stated that the signs for the cultural event were paid for with private donations and they took extreme measures to ensure they adhered to the sign ordinance. He recommended that any violations of the sign ordinance be brought to the attention of the Township Manager and/or Zoning Officer. He thanked Mr. Major for all his work in the Township. He suggested a wetdown at the site where dust and dirt is airborne. He suggested that the tax assessment process be re-evaluated.

Ms. Danile clarified some points of her presentation to Mr. Panchery. She responded to concerns of Mr. Goldman regarding the school taxes and noted that is her next mission. She made comments regarding the TUF website, calling it a blog. She addressed many of the budget misconceptions made by residents during the public discussion portion of the meeting. She spoke of the many people in support of the school budget that were in attendance of the special meeting that addressed the school budget. She stated that he presentation was made to help educate taxpayers in the Township. She stated that she has accepted many invitations to debate.

Ms. Ashley-Williams spoke of the success of the Day of Remembrance/Cultural Diversity event. She spoke of the Prayer Service on September 11<sup>th</sup>. She spoke of assistance

needed to those victims of Hurricane Katrina. She also noted that Ms. Eberle is not well and that she would be here if possible. She stated that property taxes will not change in this state until school education is funded differently and while she appreciates everyone's comments, they should be directed at that State legislators. She spoke of the re-aligning of World's Fair Drive on September 20<sup>th</sup>.

Mr. Regan commended Ms. Danile's presentation. He stated that the fair share of tax assessment is inaccurate. He stated that the Township does not receive any tax break from the County for conducting annual assessment. He supported the Township's school system and the quality of education.

Mr. Sumter spoke of a restaurant opening he attended and commended Sunday's event on Hamilton Street. He expressed his concerns regarding annual assessment and asked that those on fixed incomes be considered.

Deputy Mayor McKenzie spoke of his community involvement. He stated that he does not think it is appropriate to have candidate debates on the Township's government access channel. He stated that in regards to taxes, they have to look at how education is funded.

Mayor Levine commended Mr. Hobbs as a valued employee and having integrity. He acknowledged that many people are having problems with increased taxes and it is their responsibility to do what they can for them.

### ORDINANCE INTRODUCTIONS

#### Ordinance No. 3566

Mayor Levine presented the following ordinance as amended:

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3524 FINALLY ADOPTED ON MARCH 9, 2005 ENTITLED "BOND ORDINANCE PROVIDING FOR THE EXTENSION OF WATER MAINS ALONG PORTIONS OF VARIOUS ROADWAYS FOR THE WATER UTILITY OF THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$157,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$157,500 BONDS OR NOTES OF THE WATER UTILITY OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF" TO AMEND THE DESCRIPTION THEREOF AND TO INCREASE THE APPROPRIATION AND THE AUTHORIZATION OF BONDS AND NOTES THEREIN BY \$1,560,000**

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 October 11, 2005.

Deputy Mayor McKenzie moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on October 11, 2005 at 7:00 p.m. in the Council Chambers, Municipal Building. Said motion was seconded by Ms. Danile and carried as follows upon call of the roll:

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

**Ordinance No. 3567**

Mayor Levine presented the following ordinance as amended:

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

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 October 11, 2005.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on October 11, 2005 at 7:00 p.m. in the Council Chambers, Municipal Building. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

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

**Ordinance No. 3568**

Mayor Levine presented the following ordinance as amended:

**AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, STATE OF NEW JERSEY FOR PARKS AND/OR CONSERVATION PURPOSES**

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 October 11, 2005.

Mr. Regan moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on October 11, 2005 at 7:00 p.m. in the Council Chambers, Municipal Building. Said motion was seconded by Ms. Ritchie and carried as follows upon call of the roll:

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

**Ordinance No. 3569**

Mayor Levine presented the following ordinance as amended:

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3256 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP ON DECEMBER 11, 2001 ENTITLED, "BOND ORDINANCE PROVIDING FOR THE PAYMENT OF THE PURCHASE PRICE FOR THE ACQUISITION OF LANDS FOR OPEN SPACE AND FARMLAND PRESERVATION, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$14,400,000 THEREFOR AND AUTHORIZING THE**

**ISSUANCE OF \$13,680,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," AS AMENDED BY BOND ORDINANCE NUMBER 3293 FINALLY ADOPTED ON JUNE 13, 2002, AS AMENDED BY BOND ORDINANCE NUMBER 3369 FINALLY ADOPTED ON APRIL 8, 2003, AS AMENDED BY BOND ORDINANCE NUMBER 3401 FINALLY ADOPTED ON SEPTEMBER 23, 2003, AS AMENDED BY BOND ORDINANCE NUMBER 3522 FINALLY ADOPTED ON FEBRUARY 8, 2005. AS AMENDED BY BOND ORDINANCE NUMBER 3557 FINALLY ADOPTED ON AUGUST 9, 2005 TO AMEND THE DESCRIPTION THEREOF**

Mayor Levine stated that the foregoing ordinance is presented to the Township Council for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on October 11, 2005.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on October 11, 2005 at 7:00 p.m. in the Council Chambers, Municipal Building. Said motion was seconded by Ms. Ritchie and carried as follows upon call of the roll:

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

**Ordinance No. 3570 (As Amended)**

Mayor Levine presented the following ordinance as amended:

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY – CHAPTER 175, PARKS AND RECREATION, ADDING NEW ARTICLE IV – SKATE PARK RULES & 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 October 11, 2005.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on October 11, 2005 at 7:00 p.m. in the Council Chambers, Municipal Building. Said motion was seconded by Ms. Ritchie and carried as follows upon call of the roll:

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

**CONSENT AGENDA ITEMS**

Upon motion by Ms. Danile, seconded by Mr. Sumter, the following consent agenda items (except "k") were adopted as follows upon call of the roll:

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

**Resolution #05-381** 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>
Children First Foundation 37 Elm Street, Westfield, NJ 07090 Off-Premise Raffle – RL#1505 Drawing: DoubleTree Hotel, Somerset	December 16, 2005 8:00 pm
Central Jersey Spinal Cord Association P.O. Box 74, New Brunswick, NJ 08903 Off-Premise 50/50 – RL#1506 Drawing: DoubleTree Hotel, Somerset	November 4, 2005 7:00 pm
Penn-Jersey Chapter 74 of the Women’s Army Corps Veterans Association 149 Aster Court, Whitehouse Station, NJ On-Premise Raffle – RL#1507 Drawing: McAteer’s Restaurant, Somerset	October 22, 2005 10:00 am – 4:00 pm
Temple Beth El of Somerset 1489 Hamilton Street, Somerset, NJ On-Premise Raffle – RL#1508 On-Premise Raffle – RL#1509 Drawings: Temple Beth El of Somerset	November 5, 2005 March 3, 2006 9:00 pm
Church of St. Matthias 168 JFK Boulevard, Somerset, NJ On-Premise 50/50 – RL#1510 Drawing: St. Matthias Church Grounds	October 2, 2005 2:00 pm – 6:00 pm
The Institute for Children with Cancer And Blood Disorders 121 Somerset Street, New Brunswick, NJ On-Premise 50/50 – RL#1511 Drawing: Good Time Charley’s, Kingston NJ	October 22, 2005 7:00 pm – 9:00 pm
Franklin High School Band Parents Assoc. 415 Francis Street, Somerset, NJ Off-Premise Raffle – RL#1512 Drawing: Franklin High School Field	November 5, 2005 1:00 pm
Gospel Cathedral Baptist Church (Sponsor) 300 South 12 <sup>th</sup> Street, Newark, NJ 07103 Non-Draw Raffles – RL#1513 Drawings: Eternal Life Christian Church Grounds 322 Franklin Blvd., Somerset, NJ	September 29 & 30, 2005 6:00 pm – 10:00 pm October 1 & 2, 2005 2:00 pm – 11:00 pm

Easter Seal Society of New Jersey, Inc. 1 Kimberly Road, East Brunswick, NJ On-Premise 50/50 – RL#1514 On-Premise Raffle - RL#1515 Drawing: DoubleTree Hotel, Somerset	October 20, 2005 9:30 pm
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Temple Beth El of Somerset 1489 Hamilton Street, Somerset, NJ Casino Night – RL#1516 Drawings: Temple Beth El of Somerset	November 5, 2005 8:00 pm
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Women’s Fund of New Jersey 355 Chestnut Street, Union, NJ 07083 On-Premise 50/50 – RL#1517 Drawing: The Palace of Somerset	November 10, 2005 4:00 pm – 11:00 pm
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**Resolution #05-382** Award CDBG Grant Rehabilitation – JDL Contracting Co., Inc. – 277 Park Street – Block 240/Lot 17 - Not to Exceed \$23,090.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf the following CDBG Grant for Rehabilitation, copies of which are on file with the Township Clerk and available for public inspection:

**CONTRACTOR:** JDL Contracting Co., Inc.  
4 Timothy Avenue  
Kendall Park, NJ 08824

**AMOUNT:** \$23,090.00

**Resolution #05-383** Award CDBG Grant Rehabilitation – Ronald Patrick’s Plumbing – 38 West Matilda Street – Not to Exceed \$12,940.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf the following CDBG Grant for Rehabilitation, copies of which are on file with the Township Clerk and available for public inspection:

**CONTRACTOR:** RONALD PATRICK’S PLUMBING  
**ADDRESS:** 31 HEIDI DRIVE  
FORDS, NJ 08863

**AMOUNT:** \$12,940.00

**Resolution #05-384** Authorize Tax Title Lien Redemption – Outside Buyers.

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the amounts covering the certificates of sale, together will all the charges due the said individuals at the time of redemption be and the same are hereby ordered refunded to the said individuals, and the proper officials of the

Township of Franklin, Somerset County, New Jersey are hereby authorized and empowered to execute a voucher to the said individuals in the following amounts:

**Date of Sale:** June 8, 2000  
**Block/Lot:** 297/9.01  
**Name & Address:** Goodwin, R. & S.  
 348 Hillcrest Avenue  
 Somerset NJ 08873  
**Amount:** \$9,304.81  
**Make Check Payable To:** James Pilewski  
 3 Devon Lane  
 Warren, NJ 07059  
**Certificate No.:** 00-24  
**Payment Received:** August 4, 2005

**Date of Sale:** June 13, 2002  
**Block/Lot:** 34.08/54.01C4511  
**Name & Address:** Downey, Francesca  
 99 Rachel Court  
 Franklin Park, NJ 08823  
**Amount:** \$261.75  
**Make Check Payable To:** James Pilewski  
 3 Devon Lane  
 Warren, NJ 07059  
**Certificate No.:** 02-028  
**Payment Received:** August 8, 2005

**Date of Sale:** June 10, 2003  
**Block/Lot:** 468.05/11  
**Name & Address:** Bathan, Oscar A.  
 22 Emerald Place  
 Somerset NJ 08873  
**Amount:** \$33,571.98  
**Make Check Payable To:** Wachovia As Custodian for Phoenix Tax Lien Services Group  
 PA1328P 123 South Broad Street  
 Philadelphia, PA 19109  
**Certificate No.:** 03-228  
**Payment Received:** August 8, 2005

**Date of Sale:** June 10, 2003  
**Block/Lot:** 315/6  
**Name & Address:** Person, Charles  
 81 Girard Avenue  
 Somerset NJ 08873  
**Amount:** \$1,721.07  
**Make Check Payable To:** Yi Ma  
 251 Woodside Lane  
 Bridgewater NJ 08807  
**Certificate No.:** 03-174  
**Payment Received:** August 5, 2005

**Date of Sale:** June 8, 2004  
**Block/Lot:** 446/11  
**Name & Address:** Casale, John, Jr. & Linda  
 40 Willow Avenue  
 Somerset NJ 08873  
**Amount:** \$267.46  
**Make Check Payable To:** Trebies Properties, LLC

30 Vista Drive  
Little Silver, NJ 07739-1612

**Certificate No.:** 04-108  
**Payment Received:** August 5, 2005

**Date of Sale:** June 9, 2005  
**Block/Lot:** 34.02/16.03C0027  
**Name & Address:** Morris, Linda  
14 Daniel Drive  
Franklin Park, NJ 08823

**Amount:** \$23,182.33  
**Make Check Payable To:** Plymouth Financial Co.  
P.O. Box 2288  
Morristown NJ 07962-2288

**Certificate No.:** 05-015  
**Payment Received:** July 27, 2005

**Date of Sale:** June 9, 2005  
**Block/Lot:** 98/12  
**Name & Address:** Patti, Charles D.  
1192 Hamilton Street  
Somerset, NJ 08873

**Amount:** \$423.92  
**Make Check Payable To:** James Pilewski  
3 Devon Lane  
Warren, NJ 07059

**Certificate No.:** 05-028  
**Payment Received:** August 8, 2005

**Date of Sale:** June 10, 1999  
**Block/Lot:** 176/34  
**Name & Address:** Bellamy, Jennifer  
77 Main Street  
Somerset, NJ 08873

**Amount:** \$1,226.26  
**Make Check Payable To:** Frank Festa, Jr.  
P.O. Box 97  
Scotch Plains, NJ 07076-0097

**Certificate No.:** 99-31  
**Payment Received:** August 18, 2005

**Date of Sale:** June 10, 2005  
**Block/Lot:** 386.07/69  
**Name & Address:** Ahmad, Zubair & Ursula  
28 Magnolia Road  
Somerset, NJ 08873

**Amount:** \$55,180.24  
**Make Check Payable To:** Wachovia AS Custodian for Phoenix Tax Lien Services Group  
PA333228P, 123 South Broad Street  
Philadelphia, PA 19109

**Certificate No.:** 03-196  
**Payment Received:** August 19, 2005

**Date of Sale:** June 8, 2004  
**Block/Lot:** 386.11/2  
**Name & Address:** Homeside Lending Inc.  
2 Driftwood Drive  
Somerset, NJ 08873

**Amount:** \$1,650.25  
**Make Check Payable To:** American Tax Funding, LLC  
P.O. Box 862658  
Somerset, NJ 08873  
**Certificate No.:** 04-095  
**Payment Received:** August 23, 2005

**Date of Sale:** June 10, 2003  
**Block/Lot:** 34.05/52.05C0604  
**Name & Address:** Rosenthal, Ken  
20-604 Delar Parkway  
Franklin Park, NJ 08823

**Amount:** \$193.71  
**Make Check Payable To:** Martha E. Addison  
118 Southridge Woods Blvd.  
Monmouth Junction, NJ 08852  
**Certificate No.:** 03-026  
**Payment Received:** August 25, 2005

**Date of Sale:** June 10, 2003  
**Block/Lot:** 34.06/16.05C0158  
**Name & Address:** 63 Amber Court, LLC  
932 Potter Avenue  
Union, NJ  
(For 63 Amber Court)

**Amount:** \$22,554.63  
**Make Check Payable To:** Staple Sewing Aids Pension  
90 Dayton Ave., Bldg. 6C  
Passaic, NJ 07055  
**Certificate No.:** 03-028  
**Payment Received:** August 30, 2005

**Date of Sale:** June 9, 2005  
**Block/Lot:** 34.06/16.05C0158  
**Name & Address:** 63 Amber Court, LLC  
932 Potter Avenue  
Union, NJ  
(For 63 Amber Court)

**Amount:** \$388.57  
**Make Check Payable To:** Staple Sewing Aids Pension  
90 Dayton Ave., Bldg. 6C  
Passaic, NJ 07055  
**Certificate No.:** 05-015  
**Payment Received:** August 30, 2005

**Resolution #05-385** Authorize Release of Planning/Building Escrow.

**WHEREAS**, the Township of Franklin, Somerset County has received escrow monies for purposes of professional fees incurred for review of and/or testimony concerning an application for development in accordance with Section 112-29 of the Code of the Township of Franklin; and

**WHEREAS**, the project has been completed and the Township Engineer has certified to the Township Clerk the amount of money charged against the escrow and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT:	Ashraf Ibrahim		
ADDRESS:	123 Washington Avenue South Amboy, New Jersey 08879		
DOCKET NO.	PLN2004-0049		
BLOCK/LOT:	300/22-27		
LOCATION:	237 Lenox Place		
AMOUNT DEPOSITED:	\$1,300.00 (Schoor)	\$625.00 (Heyer)	\$200.00 (In-Hse)
AMOUNT CHARGED:	<u>370.00</u>	<u>625.00</u>	<u>125.00</u>
AMOUNT TO BE REFUNDED:	\$ 930.00	\$ 0.00	\$ 75.00

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

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

**Resolution #05-386** Authorize Release of Maintenance Bond – The Church in Franklin – P96052P - \$5,256.00 – Improvements to Evelyn Avenue – Block 50/Lot 1.

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

ITEM:	Maintenance Bond
NAME OF APPLICANT:	The Church in Franklin
ADDRESS OF APPLICANT:	24 Evelyn Avenue, Somerset, NJ 08873
SITE PLAN DOCKET:	P96052P
NUMBER:	JS1358187
INSURANCE CO./BANK:	Fleet National Bank
IN THE AMOUNT OF:	\$5,256.00
FOR:	2-Year Maintenance - Improvements to Evelyn Avenue

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

**WHEREAS**, the Township Engineer, after inspection, recommends the 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 be released to the above named applicant.

**Resolution #05-387** Authorize Release of Maintenance Bond upon Replacement of 3 Shade Trees by 10/1/05 – 128-129-132 Charles Street – Eastern Hills LLC (Glen Eyre Tract A) - \$89,730.76.

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

ITEM:	Maintenance Bond
NAME OF APPLICANT:	Eastern Hill, LLC (Glen Eyre Tract A)
ADDRESS OF APPLICANT:	1065 Route 22 West, Bridgewater, NJ 08807
SITE PLAN DOCKET:	P97056P
NUMBER:	UB-0271025
INSURANCE CO./BANK:	Universal Bonding Insurance Company
IN THE AMOUNT OF:	\$89,730.76
FOR:	2-Year Maintenance Bond

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

**WHEREAS**, the Township Engineer, after inspection, recommends the release of the aforesaid Maintenance Bond upon the replacement of three (3) shade trees on 128-129-132 Charles Street to be planted by October 1, 2005;

**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 be released to the above named applicant upon the replacement of three (3) shade trees on 128-129-132 Charles Street to be planted by October 1, 2005.

**Resolution #05-388** 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>
28/14	First American Real Estate	4/05	1,266.23
498/3	95 Methodist Hill Dr., Suite 100 Rochester, NY 14623	4/05 DUPLICATE PAYMENT	982.62
386.10/208	Brian Ang 46 Bayberry Drive Somerset NJ 08873	4/05 HOMEOWN ER AND MORTGAGE CO. PAID	1,340.05
386.09/120	Kohut, Mary 11 Ellison Road Somerset, NJ 08873	4/04 SENIOR DEDUCTION REFUND	250.00
424/-4345	Parikh, Neil 345 Smithwold Road Somerset NJ 08873	4/05 HOMEOWN ER AND MORTGAGE CO. PAID	1,399.65
424.08/14.01C0038	Rodgers, Donna 38 Bolton Court Somerset, NJ 08873	4/05 HOMEOWN ER AND MORTGAGE CO. PAID	964.95

266/16	Miller, Kiley 158 Runyon Avenue Somerset, NJ 08873	4/05 HOMEOWN ER AND MORTGAGE CO. PAID	1,029.00
417.02/360	Guardian Settlement 801 S. Church Street, Suite 9 Mt. Laurel, NJ 08054	4/05	1,458.49
32/1.01QFARM	Laurence M. Field, Fund Et-Al 42 Mt. Vernon Street Cambridge, MA 02140	4/03 ROLLBACK TAX APPEAL	11,235.48
VARIOUS	Township of Franklin	2/05 to 3/05 OVERBILLED PROPERTIES TO OTHER PARCELS THEY OWN PER OWNER REQUESTS	17,954.12
5.02/26.01	Higgins, Lisbeth 121 Laurel Avenue Kingston, NJ 08528	2/05 OVERBILLED PROPERTY	1,848.15
	ATT Tech CORP. Bedrock Tower, Inc. C/o Marraccin	2/05 3/05	3,624.77 4.95
10/10.03	716 King Street Chappaqua, NY 10514	OVERBILLED PROPERTY	
19/37.0A	Township of North Brunswick 710 Hermann Road North Brunswick, NJ 08902	2/05 OVERBILLED PROPERTY	2,232.10
34.02/16.03C0103	Easter Seals of New Jersey 1 Kimberly Road East Brunswick, NJ 08816	2/05 OVERBILLED PROPERTY	2,300.67
375/9	Allies, Inc. 2275 Route 22, Suite 303 Hamilton, NJ 08690	2/05 3/05 OVERBILLED PROPERTY	2,996.57 2.99
483/1 ETC	Grayrock Partners, LLC 929 Washington Avenue Green Brook, NJ 08812	2/05 OVERBILLED PROPERTY	5,662.55
507.17/39 QFARM	Pulte Communities 150 Morristown Road, Suite 200 Bernardsville, NJ 07924	2/05 OVERBILLED PROPERTY	70.10

512/12.01	Schofield, Kevin 216 Weston Road Somerset, NJ 08873	2/05 OVERBILLED PROPERTY	498.79
517.05/35.12	Kharbanda, Basant & Veena 8 West Pleasant Lake Road North Oaks, MN 55127	2/05 OVERBILLED PROPERTY	3,476.65
528.04/130.02	Air Reduction Corp. C/O AIRCO, Inc. 575 Mountain Avenue Murray Hill, NJ 07974	2/05 OVERBILLED PROPERTY	3,917.37

**Resolution #05-389** Designate Assistant Township Manager as Administrator of the Volunteer Tuition Credit Program.

**WHEREAS**, the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Township of Franklin; and

**WHEREAS**, the State of New Jersey enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Volunteer Tuition Credit Program as set forth in P.L. 1998, C. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

**BE IT FURTHER RESOLVED** that the Assistant Township Manager is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made a part of this resolution.

**Resolution #05-390** Authorize FY2006 Emergency Temporary Budget.

**WHEREAS**, an emergent condition has arisen with respect to final adoption of the Fiscal Year 2005 Township of Franklin Budget which has not been adopted and adequate provision has not been made in Fiscal Year 2005 Temporary Appropriations for the aforesaid purpose, and **NJSA 40A:2** provides for the creation of Emergency Temporary Appropriations for the purpose above mentioned; and

**WHEREAS**, the total Emergency Temporary Resolutions adopted in the Fiscal Year 2005 pursuant to the provisions of **Chapter 96, P.L. 1951 (NJSA 40A:20)** including this resolution totals \$63,347,723.21;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and the State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring that in accordance with the provisions of **NJSA 40A:20**:

1. An Emergency Temporary Appropriation be and the same is hereby made

2. That said Emergency Temporary Appropriations will be provided for in the Fiscal Year 2006 Budget under the title of:

**TEMPORARY EMERGENCY BUDGET**

**GENERAL GOVERNMENT**

Manager (Township Manager's Office)	Salaries & Wages	101,614.15
	Other Expenses	74,800.00
Manager (Grant Coordinator's Office)	Salaries & Wages	34,842.54
	Other Expenses	712.25
Manager (Purchasing&General Services)	Salaries & Wages	31,190.50
	Other Expenses	88,453.75
Human Resources (Personnel)	Salaries & Wages	47,030.94
	Other Expenses	21,205.25
Township Council	Salaries & Wages	40,055.40
	Other Expenses	7,778.65
Municipal Clerk	Salaries & Wages	121,808.50
	Other Expenses	14,309.00
Elections	Salaries & Wages	6,000.00
	Other Expenses	8,550.00
Treasury	Salaries & Wages	147,627.29
	Other Expenses	53,253.75
Audit Services	Salaries & Wages	
	Other Expenses	18,700.00
Data Processing	Salaries & Wages	81,735.94
	Other Expenses	67,746.25
Tax Collection	Salaries & Wages	65,673.77
	Other Expenses	14,083.30
Tax Assessor	Salaries & Wages	163,149.25
	Other Expenses	30,231.85
Legal Services	Salaries & Wages	11,550.00
	Other Expenses	203,500.00
Engineering Services	Salaries & Wages	123,018.64
	Other Expenses	5,038.00
Economic Development	Salaries & Wages	71,684.80
	Other Expenses	24,186.25
<b><u>LAND USE ADMINISTRATION</u></b>		
Planning Board	Salaries & Wages	93,889.84
	Other Expenses	55,564.69

Zoning Board Of Adjustment	Salaries & Wages	11,550.00
	Other Expenses	28,655.00
Affordable Housing Agency	Salaries & Wages	
	Other Expenses	38,500.00
<b><u>CODE ENFORCEMENT:</u></b>		
Code Enforcement	Salaries & Wages	709,017.05
	Other Expenses	21,010.00
Zoning Enforcement	Salaries & Wages	39,119.85
	Other Expenses	550.00
<b>PUBLIC SAFETY FUNCTIONS</b>		
Police Department – Uniform	Salaries & Wages	5,051,002.55
	Other Expenses	217,682.50
Police Department – Clerical	Salaries & Wages	209,169.95
	Other Expenses	
Police Department – 911/Dispatch	Salaries & Wages	307,081.50
	Other Expenses	96,785.00
Police Department – Crossing Guards	Salaries & Wages	102,103.10
	Other Expenses	
Office of Emergency Management	Salaries & Wages	7,141.75
	Other Expenses	1,540.00
Aid to Volunteer Fire Companies	Salaries & Wages	
	Other Expenses	31,218.00
Aid to Volunteer Ambulance Companies	Salaries & Wages	
	Other Expenses	59,537.50
Fire Prevention	Salaries & Wages	266,797.30
	Other Expenses	9,289.50
Prosecutor's Office	Salaries & Wages	22,440.00
	Other Expenses	440.00
<b>PUBLIC WORKS FUNCTIONS</b>		
Public Works – General	Salaries & Wages	1,243,918.00
	Other Expenses	
Street & Road Maintenance	Salaries & Wages	
	Other Expenses	104,225.00
Snow Removal	Salaries & Wages	110,000.00
	Other Expenses	103,400.00
Public Works Administration	Salaries & Wages	
	Other Expenses	577.50

Recycling (Mini Dump)	Salaries & Wages	
	Other Expenses	538,931.25
Building and Grounds	Salaries & Wages	
	Other Expenses	102,025.55
Vehicle Maintenance	Salaries & Wages	
	Other Expenses	85,593.75
Maintenance School Equipment	Salaries & Wages	
	Other Expenses	26,586.64
Community Services Act	Salaries & Wages	
	Other Expenses	27,500.00
Shade Tree Commission	Salaries & Wages	
	Other Expenses	550.00
<b>HEALTH &amp; HUMAN RESOURCES</b>		
Health Services (Administration)	Salaries & Wages	102,951.75
	Other Expenses	6,979.50
Health Services (Clinic)	Salaries & Wages	4,030.00
	Other Expenses	22,506.00
Environmental Health Services (Inspection)	Salaries & Wages	113,447.40
	Other Expenses	7,686.25
Animal Control Services	Salaries & Wages	102,588.20
	Other Expenses	12,243.00
Community Resources (Welfare)	Salaries & Wages	65,785.50
	Other Expenses	21,622.70
Municipal Court	Salaries & Wages	185,778.45
	Other Expenses	34,880.29
Public Defender	Salaries & Wages	8,250.00
	Other Expenses	
<b>PARKS &amp; RECREATION</b>		
Recreation Services & Programs	Salaries & Wages	193,910.75
	Other Expenses	62,502.00
Maintenance of Parks	Salaries & Wages	252,369.70
	Other Expenses	41,992.50
<b>OTHER COMMON OPERATING FUNCTIONS</b>		
Accumulated Leave Compensation	Salaries & Wages	
	Other Expenses	220,000.00
Celebration of Public Events	Salaries & Wages	
	Other Expenses	22,220.00

Tax Appeals Refunds	Salaries & Wages	
	Other Expenses	27,500.00
Salary Adjustment	Salaries & Wages	
	Other Expenses	13,750.00
Tax Title Lien & Foreclosure	Salaries & Wages	
	Other Expenses	11,275.00
Purchase of Vehicles	Salaries & Wages	
	Other Expenses	
Environmental Commission	Salaries & Wages	
	Other Expenses	660.00
Historic Commission	Salaries & Wages	
	Other Expenses	880.00

**UTILITY EXPENSES & BULK PURCHASES**

Electricity	Salaries & Wages	
	Other Expenses	189,750.00
Street Lighting	Salaries & Wages	
	Other Expenses	462,199.10
Telephone	Salaries & Wages	
	Other Expenses	134,255.00
Water	Salaries & Wages	
	Other Expenses	10,175.00
Gas & Fuel	Salaries & Wages	
	Other Expenses	180,180.00
Fire Hydrant	Salaries & Wages	
	Other Expenses	12,650.00

**CONTINGENT**

Contingent	Salaries & Wages	
	Other Expenses	5,500.00

**STATUTORY EXPENDITURES**

Social Security	Salaries & Wages	
	Other Expenses	704,544.19

**TOTAL GENERAL OPERATIONS WITHIN CAPS 14,637,985.07**

Salaries & Wages (Sub-Total Not Including Contingent)	10,249,324.36
Other Expenses (Sub-Total Not Including Contingent)	4,383,160.71

**EDUCATION FUNCTIONS**

## Municipal Library

Salaries & Wages	
Other Expenses	1,169,541.60

**FEDERAL, STATE & COUNTY GRANTS**

## Grants &amp; Matching Funds for Grants

## Matching Funds for Grants

**INTERLOCAL SERVICE AGREEMENTS**

## Board of Education Transportation

Salaries & Wages	53,160.58
Other Expenses	30,472.00

## Somerset County Shared Services

Salaries & Wages	
Other Expenses	9,017.25

## Senior Transportation

Salaries & Wages	
Other Expenses	23,650.00

## Middlesex County Sexually Transmitted Disease

Salaries & Wages	
Other Expenses	3,575.00

**INSURANCE**

## Liability

Salaries & Wages	
Other Expenses	369,727.42

## Workers Compensation Insurance

Salaries & Wages	
Other Expenses	

## Employee Group Insurance

Salaries & Wages	
Other Expenses	3,405,971.80

## Unemployment Insurance

Salaries & Wages	
Other Expenses	

## Public Employees Retirement System

Salaries & Wages	
Other Expenses	33,337.15

## Police &amp; Firemen's Retirement System

Salaries & Wages	
Other Expenses	210,126.18

**CAPITAL IMPROVEMENTS**

## Capital Improvements – Down Payments

Salaries & Wages	
Other Expenses	

## Capital Improvements – Specific Projects

Salaries & Wages	
Other Expenses	

**MUNICIPAL DEBT SERVICE**

## Debt Service

Salaries & Wages	
Other Expenses	1,905,000.00

Payment of Notes – Principal	Salaries & Wages	
	Other Expenses	
Bond Interest	Salaries & Wages	
	Other Expenses	923,000.00
Note Interest	Salaries & Wages	
	Other Expenses	
Green Acres Loan Payments	Salaries & Wages	
	Other Expenses	59,653.00
SCIA Lease Payments	Salaries & Wages	
	Other Expenses	1,007,166.00
<b><u>DEFERRED CHARGES</u></b>		
Deferred Charges	Salaries & Wages	
	Other Expenses	
Emergency Appropriations	Salaries & Wages	
	Other Expenses	
Deferred Charges to Future Taxation Unfunded	Salaries & Wages	
	Other Expenses	
Community Resource Summer Child Care	Salaries & Wages	
	Other Expenses	
Public Assistance – State Aid	Salaries & Wages	
	Other Expenses	2,000.00
LOSAP (Other Expenses)	Salaries & Wages	
	Other Expenses	
<b>TOTAL GENERAL OPERATIONS EXCLUDED FROM CAPS</b>		<b>9,205,397.98</b>
<b>SUBTOTAL – GENERAL OPERATIONS</b>		<b>23,843,383.05</b>
Reserve for Uncollected Taxes		
Other Expenses		
<b>TOTAL</b>		<b>23,843,383.05</b>

**WATER UTILITY**

<b>Operating</b>	Salaries & Wages	999,241.75
	Other Expenses	3,307,313.48
	Health Benefits	159,671.20
	Insurance Other	29,250.00
<b>Capital Improvements</b>		
	Down Payments on Improvements	
	Capital Improvement Fund	

	Capital Outlay	
<b>Debt Service</b>		
	Payment of Bond Principal	945,000.00
	Interest on Bonds	165,007.73
	Loan Repayment Principal and Interest	535,367.22
<b>Statutory Expenses</b>		
	Social Security	78,122.70
	Disability Insurance	
<b>TOTAL WATER UTILITY</b>		<b>6,218,974.08</b>

**OPEN SPACE**

	Salaries and Wages	72,600.00
	Other Expenses	340,863.05
	Down Payments on Improvements	
Capital Improvements		
	Down Payments on Improvements	
	Capital Improvement Fund	
	Capital Outlay	
Debt Service		
	Payment of Bond Principal	1,500,000.00
	Interest on Bonds	750,000.00
	<b>Total – Open Space</b>	<b>2,663,463.05</b>

**Resolution #05-392** Authorize Interlocal Services Agreement with Township of North Brunswick – Animal Shelter Services – January 1, 2005 to December 31, 2005.

**BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Council interlocal service agreements with the Township of North Brunswick as permitted by NJSA 40:8A-1 et. seq. for Animal Control Services for the period January 1, 2005 through December 31, 2005.

**Resolution #05-393** Authorize Interlocal Services Agreement with Franklin Township Board of Education – Employment of Police Officers in Franklin High School and Sampson G. Smith Middle School.

**BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Council an interlocal service agreement with the Franklin Township Board of Education as permitted by NJSA 40:8A-1 et. seq. for the deployment of Police Officers in the Franklin Township High School and the Sampson G. Middle School.

**Resolution #05-394** Authorize Grant Application – Somerset County United Way - \$1,000.00 Youth Mini Grant – Support the P.L.A.Y. Program.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby authorize the filing of a Grant application with the Somerset County United Way in the amount of \$1,000.00 for the Youth Mini Grant to support the P.L.A.Y. Program.

**BE IT FURTHER RESOLVED** that the appropriate Township officials are authorized to execute this Grant Application on behalf of the Township.

**Resolution #05-395** Accept Resignation of Gary A. Randolph from Environmental 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 Gary Randolph as a, Alternate Member of the Environmental Commission, effective immediately.

**BE IT FURTHER RESOLVED** that the Township Council does hereby thank and commend Gary Randolph for services performed on behalf of said Township.

**Resolution #05-396** Authorize Purchase – Gramco Business Communication – Community/Senior Center Sound System – Not to Exceed \$14,777.00.

**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:**     **Gramco Business Communication**  
                   **1149 Bloomfield Avenue**  
                   **Clinton, New Jersey 07012**

**ITEMS:**       **Sound System for Community/Senior Center**

**COST:**         **Not to Exceed \$14,777.00**

**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 #05-397** Authorize Reduction of Performance Guarantee – The Palace at Somerset Park Holding Co., LLC – Block 502.01/Lots 5 & 53.01 – Davidson Avenue – Site Improvements – PLN2002-0075 – Reduce from \$3,053,433.18 to \$916,029.95.

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

<b>ITEM:</b>	Performance Bond
<b>NAME OF APPLICANT:</b>	The Palace at Somerset Park Holding Co., LLC
<b>ADDRESS OF APPLICANT:</b>	167 Main Street, Flemington, NJ 08822
<b>SITE PLAN DOCKET:</b>	PLN2002-0075
<b>NUMBER:</b>	#09666
<b>INSURANCE CO./BANK:</b>	Yardville National Bank
<b>IN THE AMOUNT OF:</b>	\$3,053,433.18
<b>FOR:</b>	Site Improvements – Block 502.01/Lots 5 & 53.01 – Davidson Avenue

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Bond be reduced to \$916,029.95 to the above named applicant.

**Resolution #05-398** Authorize Interlocal Service Agreement – Somerset County – NJDCA Share Grant – Stormwater Outfall Assessment Program (SOAP).

**WHEREAS**, the Governing Body of the County of Somerset and the Township of Franklin, have agreed to apply for *SHARE* (Sharing Available Resources Efficiently) assistance through the State of New Jersey Local REDI Program in the amount of \$59,760; and,

**WHEREAS**, the grant includes a local matching requirement in an amount equal to 25% of the amount of the grant, and,

**WHEREAS**, the County of Somerset has agreed to be the lead agency in this endeavor; and

**WHEREAS**, the State of New Jersey has made *SHARE* assistance available to assist local units study, develop and implement new shared and regional services; and

**WHEREAS**, the purpose of this grant is to promote shared services between our local units through the sharing of computer hardware and software, that would be beneficial to all local units; and

**WHEREAS**, the Township of Franklin agrees to execute an Interlocal Services Agreement with the County of Somerset in order to implement the sharing of computer hardware and software.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, that the Township of Franklin does hereby join with County of Somerset in applying for a grant for the purpose of implementing the Stormwater Outfall Assessment Program (SOAP), and agrees to provide its required share of the local match in the amount of \$0.

**Resolution #05-399** Amend FY05 Contract Amount – Gasoline & Diesel Fuel – Allied Oil Company – Not to Exceed \$243,156.17 (Actual Total).

**WHEREAS**, Resolution #04-356 awarding a contract to Allied Oil for gasoline for Township vehicles was adopted by the Township Council on August 10, 2004 in an amount not to exceed \$180,000.00 and amended by Resolution #04-413 on September 14, 2004 in an amount not to exceed \$43,000.00; and

**WHEREAS**, this contract took advantage of the cooperative bid issued by Somerset County and are based on the cost of the commodity plus the delivery price of \$0.302 per gallon for gasoline and \$0.419 for diesel fuel; and

**WHEREAS**, the maximum amount to be paid for both gasoline and diesel fuel was estimated at \$223,000 for FY05; and

**WHEREAS**, with the unexpected increase in the cost of gasoline in recent months, the actual amount spent in FY05 was \$280,916.10; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the FY05 contact with Allied Oil Company for gasoline and diesel fuel for Township vehicles is hereby amended to not to exceed \$243,156.17

**Resolution #05-400** Authorize Refund of Water Overpayments.

**WHEREAS**, there appears on the books of the Collector of Revenue water monies to be refunded as follows:

<b><u>BLOCK/LOT</u></b>	<b><u>NAME/ADDRESS</u></b>	<b><u>REASON</u></b>	<b><u>AMOUNT</u></b>
424.04/19	Rakesh Kak 9 Le Parc Court West Windsor, NJ 08550	Auto Bill Pay on property sold	\$ 84.16
37.02/7.04-34	Township of Franklin	Water to Meter Fee	\$513.00

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

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer of the Township of Franklin, County of Somerset and State of New Jersey be instructed to draw checks in the amounts covering the overpayments and to deliver such checks to the proper person.

**Resolution #05-401** Approval of Final Design, Equipment Layout and Construction of Skate park Facility in Middlebush Park.

**WHEREAS**, the Township of Franklin has included the construction of a skate park facility in the FY04 capital budget; and

**WHEREAS**, the governing body of the Township of Franklin has contracted with Schoor DePalma Engineering for the design and construction of the skate park facility; and Schoor DePalma has provided a skate park design prepared by the Spohn Ranch and Game Time companies which will be installed by a certified installer.

**WHEREAS**, the skate park facility has been designed in accordance with the Municipal excess Liability Joint Insurance Fund's skateboard facility insurance and safety guidelines; and

**WHEREAS**, the final design and equipment layout for the construction of the skate park facility are attached to this resolution as attachment "A", which is hereby incorporated as part of this resolution

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

1. The governing body of the Township of Franklin hereby approves the design, equipment layout, and construction of the skate park facility.
2. The Franklin Township skate park facility has been designed in accordance with the Municipal Excess Liability Joint Insurance Fund's Skateboard Facility Insurance and safety guidelines, with input from the JIF's Safety Director
3. The governing body of the Township of Franklin has amended Chapter 175, Parks & Recreation that governs the operations of the Township Parks to include the requirement to post signs at the skate park requiring the wearing of safety equipment, including helmets, elbow and kneepads. The Ordinance also indicates that the skate park will be an unsupervised facility.

**INTRODUCED** at a regular meeting of the Township Council of the Township of Franklin held ON September 13, 2005;

**PUBLIC HEARING AND FURTHER CONSIDERATION** at a regular meeting of the Township Council of the Township of Franklin to be held on October 11, 2005.

**Resolution #05-402** Award State Contract – Spohn Ranch – Installation of Skate Park Equipment at Middlebush Park – An Amount Not to Exceed \$24,148.44.

**WHEREAS**, the Township of Franklin desires to purchase items as follows through State Contract, which items exceed the prevailing bid threshold:

**VENDOR:** SPOHN RANCH  
15131 CLARK AVENUE  
CITY OF INDUSTRY, CA 91745

**ITEMS:** Installation of Skate Park Equipment – Middlebush Park

**COST:** \$24,148.44

**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 #05-403** Award State Contract to Hertrich Fleet Service for two (2) Pickup Trucks in an amount not to exceed \$33,620.24 and to Warnock Automotive Inc. for three (3) F-350 Trucks in an amount not to exceed \$92,150.22.

**WHEREAS**, the Township of Franklin desires to purchase items as follows through State Contract, which items exceed the prevailing bid threshold:

**VENDOR:** Hertrich Fleet Service  
695 DuPont Blvd.  
Milford, DE 19963 State Contract No. A53135

**ITEMS:** Two (2) 2006 Chevrolet Silverado 1500 Pickup Trucks

**COST:** \$33,620.24

**VENDOR:** Warnock Automotive, Inc.  
175 Route 10  
East Hanover, NJ 07936 State Contract No. A61119

**ITEMS:** Three (3) 2005 Ford F-350 Trucks

**COST:** \$92,150.22

**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 #05-404** Authorize Purchase – Country View, Inc. – Installation of Access Driveway and Parking Lot for Open Space Area on Canal Road – Amount not to exceed \$24,989.00.

**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:** COUNTRY VIEW, INC.  
780 NEW BRUNSWICK ROAD  
SOMERSET NJ 08873

**ITEMS:** INSTALLATION OF ACCESS DRIVEWAY AND PARKING LOT FOR OPEN SPACE AREA ON CANAL ROAD

**COST:** \$24,989.00

**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, CONSIDERED SEPARATELY**

**Resolution #05-391** Authorize Interlocal Services Agreement with Borough of Milltown – Animal Shelter Services – October 1, 2005 to September 30, 2006.

Mayor Levine presented the following resolution:

**BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Council an interlocal service agreement with the Borough of Milltown as permitted by NJSA 40:8A-1 et. seq. for Animal Shelter Services for the period of October 1, 2005 through September 30, 2006.

Upon motion by Ms. Ritchie, seconded by Ms. Danile, the aforesaid resolution was adopted as follows upon call of the roll:

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

#### **APPOINTMENTS**

Deputy Mayor McKenzie moved the following appointments:

**James Vassanella** as a Member of the Public Safety Standing Committee for an unexpired one-year term ending December 31, 2005.

**James Vassanella** as a Member of the Public Relations & Cable TV Standing Committee for an unexpired one-year term ending December 31, 2005.

James Vassanella as a Member of the Community Foundation Inc. for a two-year unexpired term ending December 31, 2005.

Brian Regan as a Class II Member (Township Council Representative) of the Emergency Life Support Committee for an unexpired one-year term ending December 31, 2005.

James Vassanella as a Member of the Route 287 Task Force for an unexpired one-year term ending December 31, 2005.

James Vassanella as a Member of the Senior Affordable Housing Advisory Committee for an unexpired one-year term ending December 31, 2005.

James Vassanella as a Member of the Veterans Memorial Committee.

Said motion was seconded by Ms. Danile and carried as follows upon call of the roll:

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

Mayor Levine nominated Brian D, Levine as a Member of the Public Safety Standing Committee for an unexpired one-year term ending December 31, 2005.

Deputy Mayor McKenzie nominated James Vassanella as a Member of the Public Safety Standing Committee for an unexpired one-year term ending December 31, 2005.

James Vassanella was appointed as a Member of the Public Safety Standing Committee for an unexpired one-year term ending December 31, 2005 upon the following roll call:

<u>Brian D. Levine</u>	<u>James Vassanella</u>
Levine	Ashley-Williams
	Danile
	McKenzie
	Regan
	Ritchie
	Sumter
	Vassanella

#### ADJOURNMENT

Deputy Mayor McKenzie moved to adjourn the meeting at 11:58 p.m. Said motion was seconded by Ms. Danile and carried unanimously upon call of the roll.

Approved:

Brian D. Levine, Mayor

Date:

Ann Marie McCarthy, Township Clerk