

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 7:04 p.m.

Mayor Levine called the Work Session/Regular Meeting of the Township Council to order. Mayor Levine stated “In accordance with Section 5 of the Open Public Meeting Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, a list of dates, annually, indicating that this Work Session/Regular Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on November 22, 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 Mayor Levine led the Invocation.

The Township Clerk called the roll.

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

Absent: Ms. Danile, Ms. Eberle, Mr. Regan

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 NJ League of Municipalities Convention was well attended and had opportunity to hear Governor-Elect Corzine and Acting Governor Cody speak.
- Announced the Tree Lighting Ceremony is on November 29, 2005 at 6:30 p.m.
- Announced that a Special School Election will be held on Tuesday, December 13, 2005 – the same night as a Council meeting.
- Reported that the Township hosted a Bear Awareness Seminar attended by himself and Ms. Eberle.

#### **DEPUTY MAYOR REPORT**

Deputy Mayor McKenzie made the following report:

- Asked that anyone attending the Tree Lighting Ceremony to bring a non-perishable item to be donated to the Food Bank.
- Wished everyone a Happy Thanksgiving.

**COMMITTEE REPORTS**

Mayor Levine reported that the Redevelopment Agency met yesterday and accepted preliminary plans for Route 27 – more information to follow shortly.

**REVIEW OF THE PREPARED AGENDA**

Mayor Levine led the following review of the prepared agenda:

Mr. Daly requested that Discussion Item #10c – Request to vacate undeveloped portion of Winslow Street and deed restrict property to the adjoining property owners (PLN2005-0028 – Sherylee Rubin) so that Council could receive more information and a map regarding the matter.

Mayor Levine made minor additions to the September 27, 2005 and November 10, 2005 Work Session/Regular Meeting minutes.

Ms. Ashley-Williams noted that Consent Agenda #i – Resolution #05-499 has a vendor added to it: I&P Water Systems in the amount of \$3,800.00.

Ms. Ritchie, in connection with Consent Agenda #k – Resolution #05-5001 – Awarding a contract with Edmunds & Associates, asked if the Township considered other financial software packages. Mr. Daly replied if alternatives were found, they would be looked at.

Deputy Mayor McKenzie added the following resolution to the Consent Agenda: Resolution #05-513 – Authorize Excused Absence – Brian G. Regan – Family/Work Reasons.

**DISCUSSION ITEMS**

**Municipal Fair Share Plan**

Mr. Daly introduced Cheryl Bergailo, Planner from Schoor DePalma. He stated that the Housing Element and Fair Share Plan must be submitted by December 20<sup>th</sup> and be accompanied by a petition for certification, in order for the municipality to be eligible for protection from builder’s remedy lawsuits.

Ms. Bergailo reviewed the following Compliance Plan:

**Compliance Plan**

	<b><u># of Units Provided</u></b>
<b>Total Obligation</b>	<b>983</b>
Credits	
Bonus credits 2 <sup>nd</sup> round	83
Habitat family for sale	3
Alternative living arrangement rental	65
Senior rental (Pres. Homes)	85
Extension of Expiring Ctls.	79
Subtotal	315
Remaining Obligation	668
Projects to meet obligation	
RCAs	25
Summerfield at Franklin	
age-restricted-rental	100
Center for Great Expectations	18
Somerset-Douglas for sale units	
Family for sale	8

Lakeside Road	
Residential-senior for sale	70
West Point Avenue	
Residential-family for sale	8
Bathgate/Leona Avenue	
Age-Restricted-for sale	24
Bennett's-Veronica	
Family-for sale	
Rental	
Retail (SF)	158
Churchill-Millstone	
Family-for sale	96
Rental	
Retail	
Oak Pine Site	
Family-for sale	
Rental	113
Township Properties	
Family for sale (Habitat for Humanity)	11
Accessory Apartments Ordinance	5
Elizabeth Avenue for sale unit	
Family for sale	1
Growth Share Ordinance	
Family for sale subsidized units	20
Bonus Credits	178
Sub-total projects to meet remaining FSP	
Obligations	835
<b>Over/Under obligation</b>	<b>88</b>

### *Fair Share Compliance Plan*

The Township proposes to fulfill its obligation through (1) utilization of 83 credits from the first and second housing rounds, (2) crediting of existing and proposed 100 percent affordable alternative living arrangements and senior housing; (3) new construction and (4) the use of Regional Contribution Agreements.

### *Accessory Apartments Ordinance*

The Township proposes to adopt an ordinance that will permit the creation of accessory apartments for low-income families on residential properties that are located in the CP, A, RR-3 and RR-5 Zones. It is thought that perhaps farm properties in these large-lot zones may be interested in creating a rental unit on their properties, and that these lots will provide adequate land area. The Township is required to provide \$20,000 per unit for this project, and is committed to creating 5 accessory apartment units. The implementation of the accessory apartments program will be administered by the Township Affordable Housing Administrator. Re-rents may be administered by SCCOAH or the Township Affordable Housing Administrator in the alternative.

### Inclusionary Zoning Sites

Several sites are proposed for inclusionary zoning as follows:

#### Churchill Avenue – Millstone Road Site

An inclusionary zoning project is planned for the Renaissance 2000 Redevelopment Area on Route 27, between Churchill Avenue and Millstone Road. The area is approximately 44.5 acres in area and is currently designated for Commercial Infill and Manufacturing use, and is currently developed with a variety of commercial, industrial, and several residential uses, all which met one or more designation criteria per the Local Housing Redevelopment Law. Residential townhouses are proposed on the site.

A developer prepared a preliminary concept plan for the site that indicates the number of units that can be constructed on the site and the affordable set-aside. The intent for the site is to develop market-rate one- and two-bedroom family units, and the affordable units will be one-, two- and three-bedroom units per the requirements of the New Jersey Uniform Housing Affordability Code. The required affordable set-aside will be one for every eight market rate units constructed, **plus an additional 50 family rental units**. According to COAH regulations at N.J.A.C. 5:94-4.21, 10 percent of all affordable townhouse units will be accessible in accordance with the appropriate New Jersey Barrier Free Subcode accessibility requirements.

#### Oak Place – Pine Street Site

A second inclusionary project is planned for the Renaissance 2000 Redevelopment Area on Route 27, north of Franklin Boulevard between **Oak Place and Pine Street**, just east of Naaman Williams Park in an area that is currently designated for Senior Housing and Residential Infill. Residential Infill of townhouse units is currently permitted at a density of 19 units per acre. The site is between 11 and 12 acres in area, and is currently partially developed with a mix of residential and commercial uses, which met one or more designation criteria per the Local Housing and Redevelopment Law. 226 residential townhouses (**133 affordable family rentals**) are proposed on the site (18.9 units per acre).

The Franklin Township Redevelopment Agency has designated Leewood Real Estate Group Redeveloper of the property. Leewood has presented preliminary concept plans to the Township that indicate the number of units that can be constructed on the site and the affordable set-aside. The layout utilizes the existing street grid to the extent possible, and recommends a housing type wherein the dwelling owner will live on two floors and an affordable rental unit that is owned by the owner, will occupy the third floor. According to COAH regulations, 10 percent of all affordable townhouse units will be accessible in accordance with the appropriate New Jersey Barrier Free Subcode accessibility requirements.

#### West Point Avenue Site

An inclusionary zoning project is planned for **West Point Avenue**, which is a paper street between Hamilton Street (CR 514) and Kuhn Street. The area is approximately 5.5 acres in area and is currently zones R-15 (15,000 SF lots or 2.9 units per acre). The property is currently owned by the Township (unencumbered land), and one private owner, who propose to develop the site for 19 single-family dwellings on 10,000± SF lots, and 4 attractive duplex units (**8 dwellings total**) on 7,500± SF lots. The developer has indicated that although there are mapped wetlands on the site, field investigation has determined that the site is not constrained by wetlands. The developer has also indicated that the development as proposed is feasible, and that he is able to purchase all of the privately owned lots on the site.

The market rate units will be family for for-purchase units, and the duplex units will also be family for-purchase units.

#### Bennett's Lane – Veronica Avenue Site

An inclusionary zoning project is planned for the area **between Bennett's Lane, Route 27 and Veronica Avenue**. The area is 80.52 acres in area and is currently zoned Residential-40 along Bennett's Lane, Manufacturing on a majority of the largest lot, Lot 13, and Office-Professional

on the site's Route 27 frontage. The site is currently primarily undeveloped, however apportion of the site has qualified for farmland assessment.

The site is currently owned by several different property owners, however one developer has approached the Township regarding developing the site, and has indicated that it is a contract purchaser of the properties. M&M at Bennett's Lane, LLC, a subsidiary of Edgewood Properties has indicated that it has control over the site and that development of the site is feasible and has submitted a concept plan to the Township. The developer also received a Letter of Interpretation (LOI) from the New Jersey Department of Environmental regarding a wetlands delineation on the site. The LOI indicates that wetlands are confined to two separate bands across the property, and that the wetlands on-site are not as extensive as NJDEP mapping indicates.

The developer proposes market rate units that will be one- and two-bedroom units. The affordable units will be a mix of one-, two- and three-bedroom units, per UHAC requirements. The project would also involve a commercial component at the site's Route 27 frontage. The Township has indicated that access to the residential units should be only to Veronica Avenue or Route 27, and not to Bennett's Lane. The developer also proposes a separate commercial component at the site's Route 27 frontage which would entail the construction of 305,713 square feet of retail development on 38.45 acres on the eastern portion of Lot 13, which is predominantly located in the M-2 Zone, and also on Lots 19 and 20.

#### **Bathgate/Leona Avenues Site**

An inclusionary site is planned for an area on **Bathgate and Leona Avenues**, just west of Elizabeth Avenue and north of I-287 in the northern portion of the Township. The majority of the site is currently owned by the Township is not encumbered by Green Acres regulations. Two small lots are owned by a private owner. The total area of the tract is approximately 2.27 acres. Bathgate Avenue is currently improved, however Leona Avenue is a paper street, meaning that access to units constructed would have to be provided by either improving Leona or creating a private driveway to serve the units. Sewer and water service are available in Elizabeth Avenue, and could be extended to be site. A developer has indicated that it is feasible to construct a number of duplex dwellings on the site. The site is located within the R-10 Zone which permits a minimum lot size of 10,000 square feet.

#### **Lakeside Road Site**

A inclusionary site is planned for a vacant site located at the end of **Lakeside Road**, in the R-40 Zoning District. The site is located behind McAteer's Restaurant on Easton Avenue, and to the east of new Presbyterian Homes senior facility on Cedar Grove Lane. The site consists of one lot that is currently privately owned. The owner of the site, SKN Properties, has requested that the site be included in the Housing Plan, and proposes to construct a townhouse development with an affordable housing set-aside on the property. The site is currently 15.34 acres in area and has access to Lakeside Road, a local road, and could potentially have access to Easton Avenue through a stem piece of the lot. Such access would require County approval, because Easton Avenue is a County-owned roadway. Although the lot is currently zoned R-40 (940,000 SF minimum lots), it is located in an area that is zoned R-20 (20,000 SF minimum lots), and would be rezoned for a higher density and residential townhouse use. The market rate and affordable units on the site would all be for-sale units. They may be age-restricted, however that decision has not been finalized at this time. According to COAH regulations, 10 percent of all affordable townhouse units will be accessible in accordance with the appropriate New Jersey Barrier Free Subcode accessibility requirements.

#### **Inclusionary Zoning Sites**

<b>Site</b>	Churchill-Millstone
<b>Block/Lot(s)</b>	101/1-7; 108/1-36 38-65; 109/1-20; 111/1-40; 112/1-8, 9.01, 16.01, 25.01, and 42-49; 113/1-27; 116/1.01. 7-28, 29.02 and 29.03; 117/1-56; 118/1-28; 39, 40-57; 119/1-58; 120/1-14; 122/1-28;

	128/3-15; 129/1-28; 130/1-28; 131/1-34; 132/1-28
<b>Ac.</b>	± 44.5
<b>Total # of Units</b>	376
<b>Market Rate</b>	290
<b>Affordable Total</b>	96
<b>Affordable % Set Aside</b>	25.5
<b>Affordable For-Sale</b>	
<b>Family</b>	46 (2-bdrm)
<b>Sr.</b>	0
<b>Affordable Rental</b>	
<b>Family</b>	50
<b>Sr.</b>	0
<b>Proposed Density (Units/Ac)</b>	8.4
<b>Current Zoning</b>	
<b>Zone</b>	Renaissance 2000 Redevel. Area
	Commercial/M-2 Zone
<b>Density [du/ac]</b>	n/a
<b>Implementation</b>	
<b>Ordinance</b>	Amend Redevelopment Plan
<b>Developer's Agreement</b>	Yes
<b>Site</b>	Oak-Pine
<b>Block/Lot(s)</b>	141.01/1-9; 149/1-17, 28-33; 150/26.01, 28-43, 54-85, 94-127, 136-150; 151/1-13, 22-38
<b>Ac.</b>	11.91±
<b>Total # of Units</b>	226
<b>Market Rate</b>	113
<b>Affordable Total</b>	113
<b>Affordable % Set Aside</b>	50.0
<b>Affordable For-Sale</b>	
<b>Family</b>	0
<b>Sr.</b>	0
<b>Affordable Rental</b>	
<b>Family</b>	113
<b>Sr.</b>	0
<b>Proposed Density (Units/Ac)</b>	18.9
<b>Current Zoning</b>	
<b>Zone</b>	Renaissance 2000 Redevel. Area Senior
	Housing/NBR Zone
<b>Density [du/ac]</b>	19
<b>Implementation</b>	
<b>Ordinance</b>	No modifications necessary
<b>Developer's Agreement</b>	Yes
<b>Site</b>	West Point Avenue
<b>Block/Lot(s)</b>	348/1-27; 349.02/86-113
<b>Ac.</b>	±5.5
<b>Total # of Units</b>	27
<b>Market Rate</b>	19
<b>Affordable Total</b>	8
<b>Affordable % Set Aside</b>	29.6
<b>Affordable For-Sale</b>	
<b>Family</b>	8
<b>Sr.</b>	0
<b>Affordable Rental</b>	
<b>Family</b>	0
<b>Sr.</b>	0

<b>Proposed Density (Units/Ac)</b>	4.9
<b>Current Zoning</b>	
<b>Zone</b>	R-15
<b>Density [du/ac]</b>	2.9
<b>Implementation</b>	
<b>Ordinance</b>	Amend Zoning Ordinance
<b>Developer's Agreement</b>	No
<b>Site</b>	Bennett's/Veronica
<b>Block/Lot(s)</b>	88.02/13 (western portion to the eastern edge of wetlands boundary), 25, 26, 71, 72
<b>Ac.</b>	±80.52
<b>Total # of Units</b>	864
<b>Market Rate</b>	706
<b>Affordable Total</b>	158
<b>Affordable % Set Aside</b>	18.3
<b>Affordable For-Sale</b>	
<b>Family</b>	108
<b>Sr.</b>	
<b>Affordable Rental</b>	
<b>Family</b>	50
<b>Sr.</b>	
<b>Proposed Density (Units/Ac)</b>	10.73
<b>Current Zoning</b>	
<b>Zone</b>	R-40, M-2, O-P
<b>Density [du/ac]</b>	n/a
<b>Implementation</b>	
<b>Ordinance</b>	Amend Zoning Ordinance
<b>Developer's Agreement</b>	Yes
<b>Site</b>	Bathgate/Leona
<b>Block/Lot(s)</b>	552/47-57, 27-44
<b>Ac.</b>	±2.27
<b>Total # of Units</b>	46
<b>Market Rate</b>	22
<b>Affordable Total</b>	24
<b>Affordable % Set Aside</b>	52.2
<b>Affordable For-Sale</b>	
<b>Family</b>	0
<b>Sr.</b>	24
<b>Affordable Rental</b>	
<b>Family</b>	0
<b>Sr.</b>	0
<b>Proposed Density (Units/Ac)</b>	20
<b>Current Zoning</b>	
<b>Zone</b>	R-10
<b>Density [du/ac]</b>	4.4
<b>Implementation</b>	
<b>Ordinance</b>	Amend Zoning Ordinance
<b>Developer's Agreement</b>	No
<b>Site</b>	Lakeside Road
<b>Block/Lot(s)</b>	424.02/29
<b>Ac.</b>	15.34
<b>Total # of Units</b>	180
<b>Market Rate</b>	130
<b>Affordable Total</b>	50
<b>Affordable % Set Aside</b>	28

**Affordable For-Sale**

Family	0
Sr.	50

**Affordable Rental**

Family	0
Sr.	0

**Proposed Density (Units/Ac)** 11.73

**Current Zoning**

Zone	R-40
Density [du/ac]	0.92

**Implementation**

Ordinance	Amend Zoning Ordinance
Developer's Agreement	No

An extensive and lengthy question and discussion period ensued between Council and Ms. Bergailo. Council members presented their concerns regarding RCAs (Regional Contribution Agreements) and certain inclusionary zoning projects. Both Ms. Bergailo and Mr. Rainone reviewed the COAH certification process. After the discussion, it was the consensus of Council to remove the Bathgate/Leonia and Lakeside Road projects. The next step is to send the Plan back to the Planning Board for their approval. After approval by the Planning Board, Council will adopt the following resolutions at its December 13<sup>th</sup> meeting:

- Endorse the Housing Element and Fair Share Plan as adopted by the Planning Board and Petition for Certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification.
- Intent to Bond for Shortfall in the Township's Affordable Housing Program.
- Authorize Send Municipality Regional Contribution Agreement (RCA)

**Request to Remove Deed Restriction – Elizabeth Avenue/Cedar Grove Avenue – Block 493.01/Lots 20-23 & 41-51 – Bottone**

Mr. Daly gave a brief summary of the of the history of the property as follows:

1. On March 31, 1959 by resolution, the Franklin Township Council imposed as a condition on the conveyance of property known as 493.01, Lots 20-23, 41-51 that “no dwelling or similar structure shall be erected on the described premises unless said premises are combined with adjoining premises to form a parcel conforming in all respects to the Municipal Zoning Ordinance.
2. An application has been made by the Estate of Angelo Bottone, current owners for a release of said deed restriction based upon the following:
  - a) On December 8, 1992, the Township changed the zoning of the subject property from NB to R-10, which currently requires a lot size of 10,000 square foot to be a conforming lot;
  - b) The subject property in question has frontage on both Elizabeth Avenue and Cedar Avenue, making a through lot, which is not permitted in the Township.
  - c) The property owner intends to subdivide the property into two conforming lots, one fronting Elizabeth Avenue with 125' of frontage and the other fronting Cedar Avenue with approximately 140' of frontage, each in access of 24,000 square feet, which will exceed the Township requirements for lot area and lot frontage in the R-10 zone.
  - d) If the deed restriction is not released, the owners will be deprived of all beneficial use of the property.

- e) The addition of two residential structures would add one unit to the Township's affordable housing obligation and the second would be at market rate.

After a brief discussion by Council, it was the consensus of Council to have a public hearing on the release of the deed restriction and to adopt a resolution doing the same.

### APPROVAL OF MINUTES

Mayor Levine presented the following minutes for approval:

Work Session/Regular Meetings: September 27, 2005 as amended; October 25, 2005 and November 10, 2005 as amended  
 Executive Sessions: September 27, 2005 (2) and November 10, 2005

Deputy Mayor McKenzie moved the approval of the following minutes:

Work Session/Regular Meetings: September 27, 2005 as amended; October 25, 2005 and November 10, 2005 as amended  
 Executive Sessions: September 27, 2005 (2) and November 10, 2005

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	Levine			Danile
McKenzie	Ritchie			Eberle
Sumter				Regan
				Vassanella

### APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of for November 22, 2005 to the Township Council for payment:

1	Current	1,083,824.02
5	Water Operating	5,435.96
6	Water Capital	4,160.00
4	General Capital	24,995.72
15	Trust Others	5,597.97
21	Recreation Trust	40.00
12	Open Space Trust	12,713.75
2	Grant	44,280.68
26	Affordable Housing	2,664.00
3	Collector Trust	175,868.41
14	Dog Revenue	105.60
30	Payroll Agency	216,318.79
	Sub-Total	1,576,004.90
25	Escrow Account	81,059.76
	Grand Total	1,657,064.66

Deputy Mayor McKenzie moved that warrants in the amount of \$1,657,064.66 for November 22, 2005 to be paid. Said motion was seconded by Ms. Ritchie and carried as follows upon call of the roll:

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

**ORDINANCES – PUBLIC HEARING & ADOPTION**

**Ordinance No. 3575**

Mayor Levine offered the following ordinance:

**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 3247 HERETOFORE FINALLY ADOPTED BY THE GOVERNING BODY OF THE TOWNSHIP OF FRANKLIN ON OCTOBER 23, 2001, ENTITLED, "BOND ORDINANCE PROVIDING FOR RENOVATIONS AND IMPROVEMENTS TO THE FRANKLIN TOWNSHIP PUBLIC LIBRARY, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, IN THE STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$6,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,795,000 BONDS AND/OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", AS AMENDED BY BOND ORDINANCE NUMBER 3311 FINALLY ADOPTED AUGUST 13, 2002, AS AMENDED AND SUPPLEMENTED BY BOND ORDINANCE NUMBER 3385 FINALLY ADOPTED JUNE 26, 2003, TO INCREASE THE APPROPRIATION THEREIN BY \$95,000**

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.

Deputy Mayor McKenzie 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.

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

**Ordinance No. 3576**

Mayor Levine offered the following ordinance:

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF TWO RADIO TOWERS AND THE PURCHASE AND INSTALLATION OF EQUIPMENT RELATED THERETO FOR THE EXPANSION OF THE TRUNKED RADIO SYSTEM, BY AND IN THE**

**TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,611,800 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,535,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF**

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

Mr. Sumter moved to open the meeting for a public hearing on the ordinance. Said motion was seconded by Deputy Mayor McKenzie 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.

John McConville, 5 Stone Leigh Way, expressed his concerns for additional appropriations for this project.

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

**PUBLIC DISCUSSION**

Deputy Mayor McKenzie 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.

Eva Nagy, 231 Berger Street, School Board President, gave the Board of Education's concerns regarding the proposed Fair Share Plan and its proposed impact it could have on the schools student population.

Doris Bennett, 62 Bennett's Lane, expressed her concerns regarding the proposed Fair Share Plan, especially the proposed Bennett's Lane/Veronica Avenue inclusionary zoning site. She asked that this site be removed from the Fair Share Plan.

Cindy Thompson, 53 Ray Street, spoke of safety issues and the numerous accidents that have occurred on her property. She asked that speed humps be considered on Juliet and Ray Streets and/or sidewalks.

Mark Grieco, 21 Cooper Avenue, spoke of the Township's resurfacing program and noted that none of the streets proposed to be done this year are located in the northeast section

of the Township. He questioned the strategies used in examining the streets and the selection process. He asked that it be reviewed to see if streets in Ward 5 could be included.

Courtney Throckmorton, 591 Somerset Street, congratulated the winning candidates. He spoke of the election process and noted he worked as a challenger. He spoke of his concerns regarding eminent domain, the proposed Fair Share Plan and the Bennett's Lane/Veronica Avenue site.

Steven Rubin, 93 Sunnyvale Court, attorney for Kings Row Homes Builders and Developers. He expressed his disappointment that his client's development was not included in the proposed Fair Share Plan. He stated that his firm has appeared informally before the Planning Board Master Plan Sub-Committee on several occasions over the past 5 months to express their interest in having Block 468.07, Lots 46 & 47 and adjoining lots 48.01 and 49.02 which contains approximately 8 acres rezone to Cluster residential (CR) in order to develop the property in a multi-family/townhouse manner which would contain an affordable housing component be part of the Township's proposed Fair Share Plan. He gave his reasons why this project should be part of the Township's proposed Fair Share Plan. He asked Council to consider adding this project to the Township's proposed Fair Share Plan.

Philip Kramer, 429 Canal Road, commended discussion on the proposed Fair Share Plan. He noted that the library tax is based on the set tax rate. Since the assessment rate increases, he asked if the Library portion should be capped. Mr. Rainone replied that according to state law, the municipality is required to fund the library at the tax rate. The Township does not have any control over it.

Shirley Pietrucha, 49 9<sup>th</sup> Street, questioned COAH's regulations and asked how long has the Township been working on the Fair Share Plan. Ms. Ritchie replied since December 2004. Ms. Pietrucha stated that most municipalities fund additional monies to the library than required. She stated that the monies allotted to the Library are well spent.

John McConville, 5 Stone Leigh Way, expressed his concerns regarding the proposed salary ordinance and the proposed municipal budget.

Tom Gruenewald, 6 Castle Court, stated that he cannot afford the increases in his property taxes. He asked that spending be controlled. He asked Council to look into more shared services and interlocal service agreements.

Brian St. Rose, 46 Bayard Avenue, stated that the lights and stop signs adopted by ordinance have not been installed to date. Mr. Daly replied he would check with the Traffic Bureau and the Department of Public Works.

Robert Mettler, 2303 Amwell Road, congratulated the winning candidates and wish all well.

Mr. Daly addressed all questions that came up during the public discussion portion of the meeting.

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

#### COUNCIL COMMENTS

Ms. Ritchie wished everyone a Happy Thanksgiving. She announced that the Franklin Township Pop Warner Pee Wee Football team won the State Championship. She asked that they be recognized at a future meeting.

Mr. Vassanella reviewed the process of how roads were examined and rated for repair and resurfacing. He asked that the Finance Oversight Committee recommendation be changed

to increase the Street Resurfacing appropriation so that the Township can catch up with road improvements.

Ms. Ashley-Williams announced that the Township won Best Overall – Information at the NJ League Convention. She recognized and commended Joyce Miller for all her hard work. She thanked the opposing candidates for congratulating the winning candidates. She thanked Ms. Pietrucha for her comments regarding the Library. She stated that better communication is needed between Council and the Board of Education. She recommended a formation of a subcommittee that would meet quarterly with representatives from both boards. She wished everyone a Happy Thanksgiving.

Mr. Sumter thanked the public for their congratulations. He wished all a Happy Thanksgiving.

Deputy Mayor McKenzie urged support of the school referendum. He wished everyone a Happy Thanksgiving.

Mayor Levine congratulated Mr. Daly and Ms. Miller for a job well done. He spoke of the Library Board and a job well done on the expansion. He announced that there would be a special school election for additional funding for the high school and a sports stadium. He wished all a Happy Thanksgiving.

### ORDINANCE - INTRODUCTION

#### Ordinance No. 3584

Mayor Levine presented the following ordinance:

#### **AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF STREET KNOWN AS SINCLAIR BOULEVARD IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY**

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 December 13, 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 December 13, 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	Levine			Danile
McKenzie	Ritchie			Eberle
Sumter	Vassanella			Regan

### CONSENT AGENDA ITEMS

Upon motion by Ms. Ritchie, seconded by Deputy Mayor McKenzie, the following consent agenda items were adopted as follows upon call of the roll:

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

**Resolution #05-491** Amend Professional Services Agreement – CCMC – Public Safety Radio Communications Consulting – Amount Not to Exceed Additional \$12,860.00

**WHEREAS**, by resolution adopted March 23, 2004, Professional Service Agreement with CCMS in the amount of \$49,040.00 was authorized; and

**WHEREAS**, there is a need to provide an additional \$12,680.00 for:

- a. Preparation and submission of documents required to secure FCC license for public safety radio communications at Berry Street;
- b. Engineering/consulting services, including preparation of contour interference maps for Berry and Trap Rock locations.

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

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

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced amended agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This amended agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the Legal Township Newspaper as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

**VENDOR NAME:** CCMC  
**ADDRESS:** 9 Professional Circle, Suite 204  
Colts Neck, New Jersey 07722  
**CONTRACT AMOUNT:** Not to exceed an additional \$12,860.00  
**SERVICES:** Preparation and submission of documents required to secure FCC license for public safety radio communications at Berry

Street; Engineering/consulting services, including preparation of contour interference maps for Berry Street and Trap Rock locations.

**Resolution #05-492** Amend Professional Services Agreement – Van Cleef Engineering Associates – Engineering Design Services in connection with Easton Farm Drainage Project – Amount Not to Exceed Additional \$33,000.00 – New Total - \$187,107.00.

**WHEREAS**, a Professional Services Agreement was awarded on February 26, 2002 by resolution to Van Cleef Engineering Services for the engineering design services for the Easton Farms Drainage Improvements Project in the amount of \$140,067.00; and

**WHEREAS**, said Professional Services Agreement was amended on March 23, 2004 by resolution to provide an additional \$13,500 as a result of delays in the project; and

**WHEREAS**, there a need now exists to amend said Professional Services Agreement as a result of newly State adopted Stormwater Management Rules in the amount of \$33,000.00, new contract amount: \$187,107.00; and

**WHEREAS**, the Chief Financial Officer has certified in writing attached hereto, that funds are available; and

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

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced amended agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This amended agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by law and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the Legal Township Newspaper as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

**VENDOR NAME:** Van Cleef Engineering Associates  
**ADDRESS:** 339 Amwell Road, Bldg. B. POB 5877  
 Hillsborough, NJ 08844  
**CONTRACT AMOUNT:** Not to exceed an additional \$33,000.00  
 Total Contract Amount: \$187,107.00  
**SERVICE:** Engineering Design of Easton Farms Drainage  
 Improvements Project

**Resolution #05-493** Award Bids – Road Materials for December 1, 2005 through November 30, 2006 to Stavola/Weldon Materials, Inc./Trap Rock Industries – Total Not to Exceed \$125,000.00.

**WHEREAS,** the Township of Franklin is desirous of contracting for the purchase of road materials; and

**WHEREAS,** NJSA 40A:11-4 et. seq. provides that the provision of specialized goods and services requires sealed bids, and that price and other factors can be considered when awarding a contract; and

**WHEREAS,** quotations for the provision of road materials was publicized;

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

<u>ITEM NO.</u>	<u>DESCRIPTION</u>		<u>COMPANY</u>	<u>UNIT PRICE</u>
1	Core Stone	FOB	Trap Rock	\$9.25
2	Quarry Process Stone 1" or ¾"	FOB	Stavola	
3	Clean Stone #57 ¾'	FOB	Trap Rock	\$6.75
4	Quarry Process Stone 1 ½'	FOB	Stavola	\$10.00
5	Concrete Sand	FOB	Weldon	\$18.00
6	Dense Grade	FOB	Stavola	\$7.00
	Aggregate Base			
7	Double Washing ¾" Sz. 8	FOB	Trap Rock	\$15.00
8	Type RR, Stockpile, base mix	FOB	No Bidders	
9	MABC Mix 1-5	FOB	Trap Rock	\$35.25
10	Stabilized Base Mix 102	FOB	Trap Rock	\$33.75
11	Winter Mix	FOB	Trap Rock	\$38.00
12	UPM Hi-Perf. Cold Patch	FOB	Weldon	\$69.00
1a	Core Stone	Delivered	Trap Rock	\$15.30
2a	Quarry Process Stone 1" or ¾"	Delivered	Stavola	\$10.10
3a	Clean Stone #57 ¾"	Delivered	Stavola	\$13.35
4a	Quarry Process Stone 1 ½"	Delivered	Stavola	\$10.85
5a	Concrete sand	Delivered	Trap Rock	\$19.60
6a	Dense Grade	Delivered	Stavola	\$10.35
	Aggregate Base			
7a	Double Washing ¾" Sz. 8	Delivered	Trap Rock	\$19.60
8a	Type RR, Stockpile, base mix	Delivered	No Bidders	
9a	MABC Mix 1-5	Delivered	Weldon	\$36 plus

					\$85/hour delivery
10a	Stabilized Base Mix 1-2	Delivered		Weldon	\$34 plus \$85/hour delivery
11a	Winter Mix	Delivered		Trap Rock	\$42.60
12a	UPM Hi-Perf. Cold Patch	Delivered		Weldon	\$74.65

**BE IT FURTHER RESOLVED** that the Mayor and the Township Clerk be and the same are hereby authorized to enter into a contract with the above listed providers; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer has certified hereon that funds are available; and

**BE IT FURTHER RESOLVED** that notice of this action shall be printed in the official Township newspaper as required by law.

**Resolution #05-494** Authorize Release of Street Opening Escrow Deposits.

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

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

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

<u>NAME/ADDRESS</u>	<u>PERMIT#</u>	<u>DEPOSIT/SURETY</u>
Jo-Ed Excavating and Paving Co. 7 Industrial Drive New Brunswick, NJ 08901	6154	\$300.00 Deposit \$300.00 Surety
Joseph Scalzone 145 Farrell Street Somerset, NJ 08873	6281	\$300.00 Deposit \$300.00 Surety
Gilberto Mercado 146 Tunison Road New Brunswick, NJ 08901	6103	\$480.00 Deposit \$480.00 Surety

**Resolution #05-495** Authorize Change Order #1 – CDBG Rehabilitation of 21 Cortland Drive – Ronald Patrick’s Plumbing – Additional Amount Not to Exceed \$875.00 – New Total - \$24,430.00.

**WHEREAS**, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on October 11, 2005, authorized the awarding of a contract to

**RONALD PATRICK’S PLUMBING**

**31 Heidi Drive  
Fords, NJ 08863**

**An amount not to exceed \$23,555.00; and**

**WHEREAS**, during the course of the contract, it was discovered after work began that there was excessive paneling glue on was and there was a need to jump original sheetrock in the living room, resulting in the need to increase the contract as follows:

**CHANGE ORDER NO. 1:**

CDBG Work for 21 Cortland Drive – Jump Original Sheetrock in Living Room in an amount not to exceed \$875.00

**New Contract Total not to exceed \$24,430.00; and**

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, does hereby authorize the issuance of Change Order No. 1 to the contract with Ronald Patrick’s Plumbing; and

**BE IT FURTHER RESOLVED** that the Township Manager be and he is authorized to sign said Change Order on behalf of the Township.

**Resolution #05-496** Award CDBG Rehabilitation of 23 Arden Street – Ronald Patrick’s Plumbing in the amount of \$25,860.00 and JDL Electrical Contracting in the amount of \$2,475.00.

**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  
31 Heidi Drive  
Fords, NJ 08863  
**AMOUNT:** \$25,860.00

**CONTRACTOR:** JDL Electrical Contracting  
4 Timothy Avenue  
Kendall Park, NJ 08824  
**AMOUNT:** \$2,475.00  
**PROJECT:** CDBG 23 Arden Street

**Resolution #05-497** Award CDBG Rehabilitation of 120 Rodney Avenue – JDA Contracting, LLC - \$18,655.00.

**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:** JDA Contracting LLC  
46 Brookside Avenue  
Old Bridge, NJ 08857  
**AMOUNT:** \$18,655.00  
**PROJECT:** CDBG 120 Rodney Avenue

**Resolution #05-498** Award CDBG Rehabilitation of 431 Girard Avenue – Stormbinger Construction – Not to Exceed \$8,900.00.

**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:** Stormbringer Construction  
35 Como Drive  
Somerset, NJ 08873

**AMOUNT:** \$8,900.00

**PROJECT:** CDBG 431 Girard Avenue

**Resolution #05-499** Award CDBG Rehabilitation of 608 Easton Avenue to: Rossi & Sons in the amount of \$3,200.00 – JDL Electrical Contracting in the amount of \$2,075.00 – JDA Contracting LLC in the amount of \$23,690.00 – I&P Water Systems in the amount of \$3,800.00.

**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:** Rossi & Sons, Inc.  
31 Rose Street  
Somerset, NJ 08873

**AMOUNT:** \$3,200.00

**CONTRACTOR:** JDL Electrical Contracting  
4 Timothy Avenue  
Kendall Park, NJ 08824

**AMOUNT:** \$2,075.00

**CONTRACTOR:** JDA Contracting LLC  
46 Brookside Avenue  
Old Bridge, NJ 08857

**AMOUNT:** \$23,690.00

**CONTRACTOR:** I&P Water Systems  
420 Talmadge Avenue  
Bound Brook, NJ 08805

**AMOUNT:** \$3,800.00

**PROJECT:** CDBG 608 Easton Avenue

**Resolution #05-500** Rescind Forfeiture of License #1808-33-007-007 – Franklin Town Pub & Liquor, t/a Half Time Pub and Allow Person-to-Person/Place-to-Place Transfer of License.

**BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby:

1. Rescinds the forfeiture of Plenary Retail Consumption License No. 1808-33-007-007 held by Franklin Town Pub & Liquor, Inc., t/a Half Time Pub; and
2. Consents to begin the processing of a person-to-person and place-to-place transfer application of said Plenary Retail Consumption License.

**Resolution #05-501** Award State Contract – Edmunds & Associates Inc. – Financial Package Software Maintenance from 01/01/06 to 12/30/06 in the amount of \$18,250.00 and the Printing of Tax Bills in March and August 2006 in the amount of \$11,065.00.



&lt;Pierce St. Ext.&gt; &lt;Site Imps.&gt;

APPLICANT:	First Baptist Church of Lincoln Gardens	
ADDRESS:	630 Franklin Blvd. Somerset, NJ 08873	
DOCKET NO.	ZBA2001-0047	
BLOCK/LOT:	141.01/20.01	
LOCATION:	Somerset Street	
AMOUNT DEPOSITED:	\$3,000.00 <In-Hse>	\$14,972.80 <In-Hse>
AMOUNT CHARGED:	<u>3,000.00</u>	<u>9,350.00</u>
AMOUNT TO BE REFUNDED:	0.00	5,622.80
	<Z94019UP>	<ZBA2001-0047>

**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 #05-503** Authorize Performance Guarantee Release – Briad Wenco, LLC (Wendy's) – Partial Site Improvements – P99013P – Block 259/Lot 74 – Easton Avenue - \$152,468.40.

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

ITEM:	Performance Bond
NAME OF APPLICANT:	Briad Wenco, LLC
ADDRESS OF APPLICANT:	30A Vreeland Road, 1 <sup>st</sup> Floor Florham Park, NJ 07932
NUMBER:	5013755
INSURANCE CO./BANK:	Safeguard Insurance Company
IN THE AMOUNT OF:	\$152,468.40
FOR:	Partial Site Improvements – Block 259/Lot741 – Easton Avenue

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

**WHEREAS**, the Township Engineer, after inspection, recommends release 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 in the amount of \$152,468.40 be released to the above named applicant.

**Resolution #05-504** 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>
Rutgers Preparatory School 1345 Easton Avenue, Somerset, NJ On-Premise 50/50 – RL#1529 Drawing: DoubleTree Hotel, Somerset	February 11, 2006 7:00 pm – 12:00 pm
Trinitas Health Foundation 941 East Jersey Street Elizabeth, NJ 07201-0259 Off-Premise 50/50 – RL#1530 Drawing: The Palace at Somerset	May 11, 2006 9:00 pm
Spartan Club of Immaculata High School 240 Mountain Avenue, Somerville, NJ Off- Premise 50/50 – RL#1531 Drawing: DoubleTree Hotel, Somerset	April 28, 2006 10:00 am – 4:00 pm

**Resolution #05-505** Authorize Discharge of Two (2) Property Rehabilitation Mortgages – Carol Butts – 41 Holly Street – One (1) dated June 22, 1998 and the second dated January 10, 1999.

**BE IT AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Property Rehabilitation Mortgages for the premises known as 41 Holly Street (Block 288/Lot 35) on the tax map of the Township of Franklin for mortgages dated June 22, 1998 and January 10, 1999.

**Resolution #05-506** Authorize Discharge of Second Payment Mortgage – Melissa Pleconis – 75 Caitlin Court – Dated February 27, 1997.

**BE IT AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Second Repayment Mortgage for the premises known as 75 Caitlin Court (Block 34.07/Lot 16.07 C0074) on the tax map of the Township of Franklin for mortgage dated February 27, 1997.

**Resolution #05-507** Award Bid – Fire Hydrants – The Lee Company (Categories B, C & D) and Brent Material Company (Categories A & F) – January 1, 2006 through December 30, 2007 – Not to Exceed \$35,000.00 each year.

**WHEREAS**, a notice to bidders for the receipt of bids for Fire Hydrants and Repair Parts was published in the Courier News on October 27, 2005 for receipt on November 10, 2005;

**BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bids be awarded for the two year period beginning on the date of Notice to Proceed:

**BRENT MATERIAL COMPANY**  
741 North field Avenue  
West Orange NJ 07052

**THE LEE SUPPLY COMPANY**  
PO Box 40  
Denville NJ 07834

**CATEGORY A:           HYDRANTS**  
**BRENT MATERIAL COMPANY**

<u>Item #</u>	<u>Qty.</u>	<u>Size</u>	<u>Bid</u>	<u>Total</u>
A-1	10	4 Feet	\$ 978.00	\$ 9,780.00
A-2	10	4 ½ Feet	\$ 996.00	\$ 9,960.00
A-3	20	5 Feet	\$ 1,014.00	\$ 20,280.00
A-4	10	5 ½ Feet	\$ 1,032.00	\$ 10,320.00
A-5	10	6 Feet	\$ 1,050.00	\$ 10,500.00
			<b><u>TOTAL</u></b>	<b>\$ 60,840.00</b>

**CATEGORY B:           REPLACEMENT PARTS--OLD CENTURION**  
**LEE COMPANY**

<u>Item #</u>	<u>Qty.</u>	<u>Size</u>	<u>Bid</u>	<u>Total</u>
B-1	10	H-51 Operating Nuts	\$ 87.00	\$ 8,700.00
B-2	10	H-59 Stuffing Box Gasket	\$ 7.30	\$ 73.00
B-3	10	H-66 Pumper Nozzle	\$ 99.00	\$ 990.00
B-4	10	H-70 Hose Nozzle	\$ 31.00	\$ 310.00
			<b><u>TOTAL</u></b>	<b>\$ 10,073.00</b>

**CATEGORY C:           REPLACEMENT PARTS—CENTURION**  
**THE LEE COMPANY**

<u>Item #</u>	<u>Qty.</u>	<u>Size</u>	<u>Bid</u>	<u>Total</u>
C-1	15	A300-01 4½" Safety Flange	\$ 87.00	\$ 1,305.00
	15	Repair Kit w/Brass Coupling	\$ 87.00	\$ 1,305.00
C-2	15	A300-01 5¼" Safety Flange	\$ 93.00	\$ 1,395.00
	15	Repair Kit w/brass Coupling	\$ 93.00	\$ 1,395.00
C-3	15	Flange Repair Kits w/Cleves & Cotter Pin Safety	\$ 87.00	\$ 1,305.00
C-4	20	A-1 Operating Nut	\$ 87.00	\$ 1,740.00
C-5	5	A-2 Weather Cap	\$ 13.00	\$ 65.00
C-6	50	A-3 Hold Down Nut O-Ring	\$ 3.40	\$ 170.00
C-7	25	A-4 Hold Down Nut	\$ 27.00	\$ 675.00
C-8	50	A-5 Bonnet O-Ring	\$ 3.40	\$ 170.00
C-9	20	A-6 Anti Friction Washer	\$ 1.01	\$ 20.20
C-10	5	A-8 Bonnet	\$ 137.00	\$ 685.00
C-11	50	A-9 Bonnet Nut & Bolt	\$ 3.85	\$ 192.50
C-11A	50	A-10 Bonnet Gasket	\$ 7.32	\$ 366.00
C-12	10	A-11 Stem	\$ 77.00	\$ 770.00
C-12A	50	A-12 Stem O-Rings	\$ 3.40	\$ 170.00
C-13	10	A-14 Pumper Nozzle	\$ 99.00	\$ 990.00
C-14	50	A-15 Pumper Nozzle Gasket	\$ .65	\$ 282.50
C-15	50	A-16 Pumper Mozzle O-Rings	\$ 40	\$ 170.00
C-16	10	A-17 Pumper Nozzle Caps	\$ 76.10	\$ 761.00
C-17	10	A-18 Hose Nozzle	\$ 31.30	\$ 313.00
C-18	50	A-19 Hose Nozzle Gaskets	\$ 18.70	\$ 935.00
C-19	50	A-20 Hose Nozzle O-Rings	\$ 1.70	\$ 85.00
C-20	5	A-21 Hose Nozzle Lock	\$ 0.32	\$ 1.60

05-24

November 22, 2005 – Work Session/Regular Meeting

C-21	50	A-25 Safety Stem Coupling	\$	32.50	\$	1,625.00
C-22	50	A-39 Top Seat Ring 0-Ring	\$	3.40	\$	170.00
C-23	50	A-44 Bottom Seat 0-Ring	\$	3.40	\$	170.00
C-24	5	A-45 Main Valve	\$	56.00	\$	280.00
C-25	5	A-46 Lower Valve Plate	\$	9.80	\$	49.00
C-26	25	A-47 Cap Nut Seal	\$	0.69	\$	17.25
C-27	25	A-48 Lock Washer	\$	1.75	\$	3.75
C-28	15	A-49 Cap Nut	\$	7.70	\$	115.50
				<b>TOTAL</b>	<b>\$</b>	<b>17,737.30</b>

**CATEGORY D:           REPLACEMENT PARTS--CENTURION  
                                  THE LEE COMPANY**

<u>Item #</u>	<u>Qty.</u>	<u>Size</u>	<u>Bid</u>		<u>Total</u>
D-1	5	A-319-6" Barrel Extension	\$	180.00	\$ 900.00
D-1A	5	Extension Sub Kits	\$	64.00	\$ 320.00
D-2	10	A-319-12" Barrel Extension	\$	210.00	\$ 2,100.00
D-2A	10	Extension Sub Kits	\$	70.00	\$ 700.00
D-3	10	A-319-24" Barrel Extension	\$	255.00	\$ 2,550.00
D-3A	10	Extension Sub Kits	\$	78.00	\$ 780.00
D-4	10	A-319-24" Barrel Extension	\$	255.00	\$ 2,550.00
D-4A	10	Extension Sub Kits	\$	78.00	\$ 780.00
D-5	5	A-51 Hydrant Lubricating Oil	\$	8.80	\$ 44.00
				<b>TOTAL</b>	<b>\$ 10,724.00</b>

**CATEGORY F:           REPLACEMENT PARTS (CLOW MADALLION HYDRANT)  
                                  BRENT MATERIAL COMPANY**

<u>Item #</u>	<u>Qty.</u>	<u>Size</u>	<u>Bid</u>		<u>Total</u>
F-1	5	Operating Nut 0-Rings	\$	3.20	\$ 16.00
F-2	10	Operating Nut Seat	\$	0.90	\$ 9.00
		Righthrust Bearings			
F-3	5	Operating Nuts	\$	61.55	\$ 307.75
F- 4	5	Upper Stem, Jam Nuts	\$	7.85	\$ 39.25
F-5	5	Upper Stem Sleeves		PART OF F-7	
F-6	5	Upper Stem Sleeves 0- Rings		PART OF F-7	
F-7	5	Upper Stems	\$	70.75	\$ 353.75
F-8	5	Upper Stem Pins	\$	3.85	\$ 19.25
F- 9	10	Safety Coupling Cotter Pins	\$	0.55	\$ 5.50
F-10	5	Safety Stem Coupling	\$	21.95	\$ 109.75
F-11	10	Safety Coupling Pins	\$	1.95	\$ 19.50
F-12	5	Lower Stems	\$	66.90	\$ 334.50
F-13	5	Lower Stem Pins	\$	3.85	\$ 19.25
F- 14	20	Drain Valve Facing Screws	\$	0.35	\$ 7.00
F-15	10	Drain Valve Facings	\$	3.15	\$ 31.50
F-16	5	Upper Valve Plates	\$	86.10	\$ 430.50
F-17	5	Seat Right Upper 0-Rings	\$	2.75	\$ 13.75
F-18	5	Seat Rings	\$	71.20	\$ 356.00
F- 19	5	Seat Ring Lower 0-Rings	\$	1.70	\$ 8.50
F-20	5	Main Valve Seats	\$	20.65	\$ 103.25
F-21	5	Lower Valve Plate Lockwashers	\$	1.15	\$ 5.75
F-22	0	Intentionally Blank			
F-23	5	Weather Cap Hold Down Screw	\$	0.35	\$ 1.75

F- 24	5	Weather Caps	\$	18.00	\$	90.00
F-25	5	Thrust Nuts	\$	49.50	\$	247.50
F-26	5	Thrust Nut 0-Rings	\$	0.45	\$	2.25
F-27	20	Bonnet, Bolts & Nuts	\$	0.80	\$	16.00
F-28	2	Bonnets	\$	134.50	\$	269.00
F- 29	10	Stem 0-Rings	\$	0.35	\$	3.50
F-30	2	Bonnet 0-Rings	\$	1.45	\$	2.90
F-31	2	Nozzle Sections	\$	376.95	\$	753.90
F-32	2	Pumper Nozzle Locks	\$	0.35	\$	0.70
F-33	2	Pumper Nozzle 0-Rings	\$	1.70	\$	3.40
F- 34	2	Pumper Nozzles	\$	87.60	\$	175.20
F-35	2	Pumper Nozzle Gaskets	\$	1.40	\$	2.80
F-36	2	Pumper Nozzle Caps	\$	67.25	\$	134.50
F-37	4	Hose Nozzle Locks	\$	0.35	\$	1.40
F-38	4	Hose Nozzle 0-Rings	\$	0.45	\$	1.80
F- 39	4	Hose Nozzles	\$	40.65	\$	162.60
F-40	4	Hose Nozzle Caps	\$	28.20	\$	112.80
F-41	2	Chains	\$	2.40	\$	4.80
F-42	32	Safety Flange Bolts & Nuts	\$	0.80	\$	25.60
F-43	4	Safety Flange 0-Rings	\$	1.50	\$	6.00
F- 44	2	Barrel Upper Flange	\$	45.05	\$	90.10
F-45	4	Safety Flanges	\$	21.95	\$	87.80
F-46	2	Barrels	\$	215.20	\$	430.40
F-47	16	Shoe Bolt & Nuts	\$	1.95	\$	31.20
F-48	2	Barrell Lower Flange	\$	45.05	\$	0.10
F- 49	2	Drain Ring 0-Rings	\$	1.45	\$	2.90
F-50	2	Drain Rings	\$	84.85	\$	169.70
F-51	2	Shoes	\$	277.50	\$	555.00
F-52	2	Thrust Nut Setscrews	\$	1.00	\$	2.00
F-53	10	Safety Flange Traffic	\$	78.65	\$	786.50
		Repair Kits Complete				
				<b>TOTAL</b>	<b>\$</b>	<b>6,453.85</b>

**BE IT FURTHER RESOLVED** that the Mayor and the Township Clerk be and the same are hereby authorized to enter into a contract with the above listed company; and

**BE IT FUTHER RESOLVED** that the Chief Financial Officer has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form; and

**BE IT FURTHER RESOLVED** that continuation of the terms of this contract is contingent upon availability of funds in the FY2006 and FY2007 Budgets, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract

**Resolution #05-508** Authorize Tax Title Lien Redemption – Outside Buyer.

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the amounts covering the certificates of sale, together 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:** April 11, 1996  
**Block/Lot:** 157/24  
**Name & Address:** Dennis, Willie & Janet  
15 Ray Street  
Somerset, NJ 08873  
**Amount:** \$9,050.11  
**Make Check Payable To:** Ronald Nielson  
P.O. Box 165  
Princeton, NJ 08542  
**Certificate No.:** 96-67  
**Payment Received:** November 10, 2005

**Date of Sale:** April 10, 1997  
**Block/Lot:** 157/24  
**Name & Address:** Dennis, Willie & Janet  
15 Ray Street  
Somerset, NJ 08873  
**Amount:** \$310.09  
**Make Check Payable To:** Ronald Nielson  
P.O. Box 165  
Princeton, NJ 08542  
**Certificate No.:** 97-144  
**Payment Received:** November 10, 2005

**Date of Sale:** June 9, 2005  
**Block/Lot:** 386.17/204  
**Name & Address:** DeLeon, Ruby  
204 Onizuka Court  
Somerset, NJ 08873  
**Amount:** \$2,769.46  
**Make Check Payable To:** Sequoia Investments  
PO Box 5600  
Woodbridge, NJ 07095  
**Certificate No.:** 05-089  
**Payment Received:** November 14, 2005

**Date of Sale:** June 13, 2002  
**Block/Lot:** 88.02/85  
**Name & Address:** AT&T Corporation  
PO Box 7207  
Bedminster, NJ  
(For 73 Veronica Avenue)  
**Amount:** \$56.64  
**Make Check Payable To:** Fernwood Funding  
52 Main Avenue  
Wallington, NJ 07057  
**Certificate No.:** 020057  
**Payment Received:** November 9, 2005

**Date of Sale:** June 7, 2001  
**Block/Lot:** 85/55C0224  
**Name & Address:** Kaminsky, J./Shulman, L.  
1553 Rt. 27, Ste. 2400  
Somerset, NJ 08873  
**Amount:** \$86,037.61

**Make Check Payable To:** Plymouth Financial Co.  
 PO Box 2288  
 Morristown, NJ 07962  
**Certificate No.:** 01-191  
**Payment Received:** November 9, 2005

**Resolution #05-509** Authorize Refund of Deposit for Construction Water Meters.

**WHEREAS**, the Township of Franklin, Somerset County has received escrow monies for purposes of utilizing fire hydrants for construction water as required by **Section 236-11 of the Code**; and

**WHEREAS**, the project has been completed and the Director of the Water Division of the Department of Public Works, has certified to the Township Clerk the amount of money actually due for said construction water and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: A+ Powerwashing  
 ADDRESS: 503 Moore Road  
 Neptune, NJ 07753

AMOUNT DEPOSITED:	\$ 850.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT <i>FOR SERVICE CHARGE &amp; WATER USAGE</i>	\$ 135.00
AMOUNT TO BE REFUNDED:	\$ 715.00

APPLICANT: Bergen Engineering  
 ADDRESS: 375 Murray Hill Parkway  
 East Rutherford, NJ 07073

AMOUNT DEPOSITED:	\$2,145.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT <i>FOR SERVICE CHARGE &amp; WATER USAGE</i>	\$ 505.00
AMOUNT TO BE REFUNDED:	\$1,640.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, Somerset County 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 #05-510** Authorize Grant Agreement – 2005 Open Space Partnership Grant (Somerset County) – Scott Properties - \$200,000.00.

**BE IT AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf an Agreement with the Somerset County Board of Chosen Freeholders for the 2005 Open Space Partnership Grant for the Scott Properties in the amount of \$200,000.00.

**Resolution #05-511** Authorize Competitive Contract – ProComm – Telephone Inventory/Consulting Services – Not to Exceed \$18,125.00

**WHEREAS**, the Township of Franklin is desirous of contracting for telephone inventory/consulting services; and

**WHEREAS**, N.J.S.A. 40A:11-4 et. seq. provides that the provision of specialized goods and services requires sealed bids, and that price and other factors can be considered when awarding a contract; and

**WHEREAS**, quotations for the provision of telephone inventory/consulting services was publicized;

**BE IT RESOLVED** by the Township Council of the Township Council of the Township of Franklin, Somerset County, NJ that the following contract be awarded to:

**PROCOMM  
170 Changebridge Road, Suite C5-3  
Montville, NJ 07045**

**Amount not to exceed \$18,125.00; and**

**BE IT FURTHER RESOLVED** that the Mayor and Township Council be and the same are hereby authorized to enter into a contract with the above listed provider; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer has certified hereon that funds are available; and

**BE IT FURTHER RESOLVED** that notice of this action shall be printed in the official Township newspaper as required by law.

**Resolution #05-513** Authorize Excused Absence – Brian G. Regan – Family/Work Reasons

**WHEREAS**, Councilman Brian G. Regan has informed the Township Council that he has various family and work matters that would cause him unable to attend Council and other committee meetings; and

**WHEREAS**, family and work matters are excusable absences;

**WHEREAS**, Councilman Brian G. Regan has requested to be excused from Council and other committee meetings until February 19, 2006;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that Councilman Brian G. Regan shall be excused from council meetings until February 19, 2006.

**INTRODUCTION OF FY2006 MUNICIPAL BUDGET**

**Resolution #05-512 – Introduction of FY2006 Municipal Budget**

Mayor Levine presented the following resolution:

Municipal Budget of the Township of Franklin, County of Somerset for the State Fiscal Year 2006.

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the State Fiscal Year 2006;

**BE IT FURTHER RESOLVED** that said Budget be published in The Courier News, Bridgewater, N.J. in the issue of December 5, 2005.

The governing body of the Township of Franklin does hereby approve the following as the Budget for the State Fiscal Year 2006:

General Appropriations:	
Appropriations Within "CAPS"	
Municipal Purposes	\$27,961,348.00
Appropriations Excluded from "CAPS"	
Municipal Purposes	17,163,274.71
Reserve for Uncollected Taxes – Based on Estimated 97+ Percent of Tax Collections	<u>4,652,193.00</u>
 Total General Appropriations	 49,776,815.71
 Less: Anticipated Revenues Other Than Current Property Tax	  <u>24,079,316.71</u>
 Difference: Amount to be Raised by Taxes For Support of Municipal Budget:	
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	  <u>\$25,697,499.00</u>

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Council of the Township of Franklin, County of Somerset, on November 22, 2005.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on December 20, 2005 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the State Fiscal Year 2006 may be presented by taxpayers or other interested persons.

Deputy Mayor McKenzie moved to introduce the FY2006 Municipal Budget and to schedule the public hearing for December 20, 2005 at 7:00 p.m. Said motion was seconded by Ms. Ashley-Williams.

Mayor Levine stated that the Finance Oversight Committee has not met since November 10<sup>th</sup> and the recommendations remain the same as first presented.

**Motions to Amend the Budget**

Mr. Vassanella moved to amend the budget to increase the road resurfacing appropriation by \$400,000. Said motion was seconded by Mr. Sumter.

A lengthy discussion ensued regarding the aforesaid motion. At the completion of the discussion, the motion failed 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>
Sumter		Levine	Ashley-Williams	Danile
Vassanella		McKenzie		Eberle
		Ritchie		Regan

A motion was made by Ms. Ashley-Williams to change the Redevelopment position back as an employee instead of a consultant. The motion was seconded by Ms. Ritchie. After a brief discussion by Council, the motion 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	McKenzie	Levine	Vassanella	Danile
Ritchie	Sumter			Eberle
				Regan

Mr. Vassanella moved to amend the budget to increase the road resurfacing appropriation by \$250,000. Said motion was seconded by Mr. Sumter. The motion failed as follows upon call of the roll:

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

A motion was made by Mayor Levine to pay all attorneys, except the Township Attorney, as outside consultants. Said motion was seconded by Deputy Mayor McKenzie. Said motion failed as follows upon call of the roll:

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

Resolution #05-512 was 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 McKenzie Sumter	Levine Ritchie	Vassanella		Danile Eberle Regan

### ADJOURNMENT

Deputy Mayor McKenzie moved to adjourn the meeting at 10:55 p.m. Said motion was seconded by Ms. Ashley-Williams and carried unanimously upon call of the roll.

Approved:

Brian D. Levine, Mayor

Date:

Ann Marie McCarthy, Township Clerk