

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 December 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 Deputy Mayor McKenzie led the Invocation.

The Township Clerk called the roll.

Present: Ms. Ashley-Williams, Ms. Danile, Ms. Eberle, Mr. Levine, Mr. McKenzie, Mr. Regan (arrived late), Ms. Ritchie, Mr. Sumter, Mr. Vassanella

Absent: None

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

COMMENDATIONS

Scott Neal

Mayor Levine and Ms. Danile presented the following commendation to Scott Neal:

WHEREAS, Scott Neal, as a teacher and coach at Rutgers Preparatory School, consistently challenges his students to exceed their highest expectations in academics, sports, and other aspects of their lives; and

WHEREAS, Scott Neal, as eighth grade level coordinator, offers various opportunities for students to better their academic environment by encouraging students’ active participation in committees concerning community service, fundraising, and other special events; and

WHEREAS, Scott Neal organized the construction of a garden as part of the Plant-A-Row for the Hungry Campaign, designed with the purpose of donating the foods grown to the Franklin Township Food Bank, and donated over 170 pounds of fresh produce this past year; and

WHEREAS, Scott Neal has, with his Community Service Committee, served lunch at Elijah’s Promise multiple times and has collected over the past five years, over 7000 pounds of food for the benefit of the Franklin Township Food Bank,

NOW, THEREFORE, I, COUNCILWOMAN TERESA DANILE, on behalf of **BRIAN D. LEVINE, MAYOR** of the Township of Franklin in the County of Somerset, State of New Jersey, and the Township Council and all of the residents do hereby thank **SCOTT NEAL** for his dedication and service to our community and for the benefits reaped by the Township of Franklin through his efforts and do hereby extend to Scott Neal and his family, best wishes for success and happiness in their future endeavors.

Jane Snukis

Mayor Levine and Ms. Danile presented the following commendation to Jane Snukis:

WHEREAS, Jane Snukis, employee of Rutgers Preparatory School, has given of her time and talents to non-profit causes within Franklin Township to such organizations as Womens' Club and the Meadows Foundation; and

WHEREAS, Jane Snukis has been instrumental in assisting the students of Rutgers Preparatory School in the Plant-A-Row for the Hungry Campaign; and

WHEREAS, Jane Snukis has provided advice and shared her knowledge of gardening, resulting in significant fresh produce yields and subsequent donations to the Franklin Township Food Bank; and

WHEREAS, Jane Snukis is to be commended for her unselfish aid in feeding the hungry of the Township of Franklin through her efforts in the Plant-A-Row Campaign,

NOW, THEREFORE, I, COUNCILWOMAN TERESA DANILE, on behalf of **BRIAN D. LEVINE, MAYOR** of the Township of Franklin in the County of Somerset, State of New Jersey, and the Township Council and all of the residents do hereby thank **JANE SNUKIS** for her dedication and service to our community and for the benefits reaped by the Township of Franklin through her efforts and do hereby extend to Jane Snukis and her family, best wishes for success and happiness in their future endeavors.

Phil Seidman (Somerset Park Pharmacy)

Mayor Levine presented the following commendation to Phil Seidman, as well as other commendations from local Congressmen:

WHEREAS, PHIL SEIDMAN has dedicated over forty years to a career as a Pharmacist and Owner of Somerset Park Pharmacy; and

WHEREAS, PHIL SEIDMAN has announced his plans to retire and is being honored by those in the community who are deeply appreciative of his many contributions to the community through the years; and

WHEREAS, PHIL SEIDMAN proved to be an exemplary and invaluable member of the community by always taking that extra step in helping those who had medical or insurance questions; consulting patients in surrounding nursing homes on their health management and being available day or night to those in need; and

NOW, THEREFORE, I, BRIAN D. LEVINE, MAYOR of the Township of Franklin in the County of Somerset, State of New Jersey, on behalf of the Township Council and all of the residents hereby extend our appreciation for his many years of dedicated service and extend to **PHIL SEIDMAN** and his family our best wishes for many years of happiness in the future.

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 Township and Kingston Tree Lightings were well attended and successful.
- Announced that the Special School Referendum Election is also tonight and will announced results when they are received.
- Reviewed rules of decorum to be followed during the Municipal Fair Share Plan discussion.
- Announced that the agenda has been modified to conduct some items of business before the Municipal Fair Share Plan discussion.

DEPUTY MAYOR REPORT

Deputy Mayor McKenzie announced that the polls for the Special School Election are opened until 9:00 p.m. and urged all to go out and vote.

REVIEW OF THE PREPARED AGENDA

Mayor Levine led a brief review of the prepared agenda. There were no changes or comments made at this time.

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$4,190,243.46 for December 13, 2005 to the Township Council for payment:

1	Current	1,814,499.78
5	Water Operating	566,748.60
6	Water Capital	5,700.62
4	General Capital	597,866.53
15	Trust Others	416,958.48
18	Self Insurance Trust	35,482.79
21	Recreation Trust	885.00
12	Open Space Trust	94,107.19
2	Grant	157,213.82
26	Affordable Housing	8,930.00
3	Collector Trust	3,071.36
30	Payroll Agency	368,152.16
	Sub-Total	4,070,571.54
25	Escrow Account	119,671.92
	Grand Total	4,190,243.46

Deputy Mayor McKenzie moved that warrants in the amount of \$4,190,243.46 for December 13, 2005 to be paid. 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			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

ORDINANCES – PUBLIC HEARING & ADOPTION

Ordinance No. 3574

Mayor Levine offered the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT SECTION 112-8, GENERAL REGULATIONS AND SECTION 112-38 – FEES – SCHEDULE VI – MISCELLANEOUS FEES

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

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

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

There being no comments by the public, Deputy Mayor McKenzie 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. 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			

Ordinance No. 3577

Mayor Levine offered the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 52 - SALARIES & COMPENSATION – SECTION 52-3 – ANNUAL BASE COMPENSATIONS FOR ELECTED AND APPOINTED EMPLOYEES/OFFICIALS; SECTION 52-4 – ANNUAL COMPENSATION AND LONGEVITY FOR MANAGERIAL AND EXEMPT EMPLOYEES AND 52-5 – ANNUAL COMPENSATION FOR FULL TIME WHITE COLLAR MUNICIPAL EMPLOYEES.

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.

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

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Eberle 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			

Ordinance No. 3578

Mayor Levine offered the following ordinance:

AN ORDINANCE CHANGING THE NAME OF A PORTION OF STREET KNOWN AS NEW BRUNSWICK ROAD TO OLD NEW BRUNSWICK ROAD, IN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY.

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.

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

Ms. Danile 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	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

Ordinance No. 3580

Mayor Levine offered the following ordinance:

AN ORDINANCE AUTHORIZING A LEASE AMENDMENT FOR CERTAIN PREMISES OWNED BY TRAP ROCK INDUSTRIES, INCORPORATED TO THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET AND STATE OF NEW JERSEY FOR THE INSTALLATION OF COMMUNICATIONS ANTENNA AND TRANSMISSION LINE/RECEIVING EQUIPMENT

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 Ms. Eberle 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.

Theodore Chase, 159 Old Georgetown Road, asked if this was an existing tower. Mr. Daly replied in the affirmative.

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.

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Eberle 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			

Ordinance No. 3581

Mayor Levine offered the following ordinance:

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY AND THE BOARD OF EDUCATION OF THE TOWNSHIP OF FRANKLIN FOR LANDS KNOWN AS BLOCK 11.01, LOT 2.01 LOCATED AT 287 BUNKER HILL ROAD KNOWN AS THE CARETAKER HOUSE AND 255 BUNKER HILL ROAD KNOWN AS THE ENVIRONMENTAL CENTER.

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.

There being no 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.

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Eberle 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			

Ordinance No. 3582

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 226-9 - TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL – ADDING SOMERSET STREET

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.

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

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Eberle 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			

Ordinance No. 3583

Mayor Levine offered the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT – SECTION 112-32.02, DEVELOPMENT FEES FOR AFFORDABLE HOUSING (SECTION B – CHANGES TO THE DEFINITION OF INCLUSIONARY DEVELOPMENT & SECTION D – AMENDMENTS TO RESIDENTIAL DEVELOPMENT FEES)

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

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.

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

Ms. Ashley-Williams moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Eberle 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			

Ordinance No. 3584

Mayor Levine offered 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 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 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, 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.

Ms. Danile 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	Danile			Regan
Eberle	Levine			
McKenzie	Ritchie			
Sumter	Vassanella			

RESOLUTION – PUBLIC HEARING – REQUEST FOR RELEASE OF DEED RESTRICTION

Resolution #05-517 Approve Request for Release of Deed Restriction on Block 493.01, Lots 20-23, 41-51 (Elizabeth & Cedar Avenues) – Bottone Estate.

Mayor Levine presented the following resolution:

WHEREAS, 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; and

WHEREAS, 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 excess 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 to the Township's affordable housing obligation.

WHEREAS, pursuant to N.J.S.A. 40:60-51.2, "Any municipality is authorized and empowered, by resolution of the governing body thereof, to waive, release, modify or subordinate any terms, covenants, conditions, limitations or reverters imposed in sales and conveyances of lands as to the erection, alteration or demolition of buildings or any other use to be made of land heretofore imposed by said municipality to accomplish the purposes for which such lands were sold and conveyed either at public or private sale made prior to January 1, 1990, but only after public hearing held before such governing body, of the holding of which notice describing the lands in question, and the terms, covenants, conditions, limitations or reverters to be waived, released, modified or subordinated, and, if to be modified or subordinated, describing the manner in which the same shall be modified or subordinated, shall first have been given by advertisement published once each week for two weeks in a newspaper published in said municipality or, if no newspaper be published therein, then in a newspaper circulating in such municipality, provided, however, that the power herein granted shall not be exercised to impair any vested or contractual rights of third parties."

WHEREAS, notice in accordance with N.J.S.A. 40:60-51.1 has been duly given; and

WHEREAS, the Township Council held a public hearing on December 13, 2005 and no person appeared in opposition thereto;

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of December, 2005 by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Mayor and Clerk be and the same are hereby authorized and directed to execute a deed releasing the aforesaid premises from the provisions of said covenant subject to the condition that the two (2) residential structures built on the subject property after the subdivision will be affordable units per COAH standards.

Public Hearing

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 resolution. 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 resolution. 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, Ms. Danile moved to close the public hearing on the resolution. Said motion was seconded by Mr. Sumter and carried unanimously upon call of the roll.

Adoption of Resolution #05-517

Ms. Danile moved the adoption of Resolution #05-517 in accordance with law. Said motion was seconded by Ms. Eberle 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			

MUNICIPAL FAIR SHARE PLAN

Public Discussion

Ms. Danile moved to open the meeting for public discussion on the Municipal Fair Share Plan. Said motion was seconded by Deputy Mayor McKenzie and carried unanimously upon voice vote.

Teddi DeVries, 44 Berger Street, expressed her concerns about the Municipal Fair Share Plan and asked that it be tabled from a vote because of the many negative implications that may result upon its adoption.

Ken Koepping, 43 Bennett's Lane, stated that he was at last week's Planning Board meeting and asked what was being voted on tonight by Council. Mr. Rainone replied that the Fair Share Plan requires the approval of both the Planning Board and the Township Council. Before a petition can be submitted to COAH, it requires the endorsement of the municipal governing body. Since it requires an endorsement by the governing body, they have the right to make their own decision as to the elements of the Plan.

Mr. Koepping asked for clarification of Resolution #05-514 where it states "endorse the housing element of the Fair Share Plan as adopted by the Planning Board." Mr. Rainone replied that is a proposed resolution and Council can make its own determination as to how the Plan is and how it will proceed in that point in time. He commended the Planning Board from removing the Bennett's Lane/Veronica Avenue site from the Plan. He asked that Council not take action to put it back in the Plan. He stated that this site would have a grave impact on the residents in the area and it is not appropriate.

Michael Goldman, Somerset Run, asked for clarification of the nature of the Fair Share Housing Plan; if there is a certain time limit required by the state to prepare the Plan and how many units are contained in the Plan. Mr. Rainone replied the Township is required to file their petition with COAH by December 20, 2005. Mr. Rainone further stated that any municipality that is not in the COAH process and does not have Substantive Certification would be liable to Builder's Remedy Lawsuits. In response to Mr. Goldman's question regarding the number of units, Mr. Daly replied the aggregate number is 810. He stated the Township has credits of 276 units, leaving the remaining obligation of 534.

Mr. Goldman stated that he found that New Brunswick has smaller units spread out rather than 600 units in one area. Mayor Levine replied the Township does not have the option to choose where the units are to be located. Mr. Daly agreed and noted that the Plan does not put them in one area, they are spread out.

Philip Kramer, 429 Canal Road, asked if they had to vote on the plan this evening and if there was time to publicize for another public hearing on the Plan. Mr. Rainone replied that Council has to act on it tonight. Mr. Rainone continued that if the Council does not endorse the Planning Board's Plan, they would adopt a resolution establishing their reasons why and petition COAH to approve the plan as amended. He stated that COAH would likely instruct Council and the Planning Board to reach an agreement with regards to the Plan because COAH

regulations contemplate that the Planning Board and the Council be of one mind. He stated, based on conversations with the Deputy Attorney General that represents COAH, should Council file a petition that includes amendments to the Planning Board's Plan, COAH will give Council and the Planning Board a period of time to rectify it, which would allow for additional notice and additional public hearings.

Mr. Kramer asked if a developer were to file a lawsuit and Council pass and file the Plan in January would COAH state the Township is too late and to forget it. Mr. Rainone stated that if someone files a lawsuit and the Township does not have Substantive Certification and miss the filing deadline, the Township would not be in COAH, it would be in Court.

Eva Nagy, 231 Berger Street, School Board President, addressed Council with the School Board's concerns of the impact the additional housing and the increase in student population. She stated that the Board is not against additional children in the school district. She asked that support for the school budgets that address the increase in students and additions to schools or building new schools to accommodate the increased number of students. She stated that most schools in the school district do not have room for an increased student population. She asked to be on record so that people understand the school district is growing and additional homes mean additional children. She stated that the school district will need support financially from builders, Council and the community.

Lucretia Cortelyou, 1892 Amwell Road, stated that the character of Franklin is being lost to traffic, strip malls and developers. She implied that Council continues to favor developers over its residents. She expressed her opposition to the Bennett's Lane/Veronica Avenue development proposal.

David Zoller, New Brunswick, opposed the Bennett's Lane/Veronica Avenue development proposal. He distributed a map showing all the Home Depots within a ten mile radius. He asked Council to reconsider the Planning Board's recommendation and advice to remove it from the Plan.

Doris Bennett, 62 Bennett's Lane, commended the Planning Board for removing the Bennett's Lane/Veronica Avenue development proposal from the Plan. She stated that the proposal had many technical flaws and could have jeopardized COAH certification and it did not fully recognize the wetlands in the area. She stated the proposal did not recognize the existence of the red-shouldered hawk in the area. She stated the proposal would require spot zoning; would increase the student population and put a strain on municipal services. She encouraged Council to endorse the Plan as approved by the Planning Board.

Chip Hoever, 9 Stallion Court/68 Veronica Avenue, expressed his opposition of the Bennett's Lane/Veronica Avenue development proposal. He expressed his concerns of increased traffic in an already congested area. He asked Council to think of the quality of life of those in the area.

Peter Maimone, 129 Salem Road, North Brunswick, stated that then the planning process of the Master Plan was going on, he asked the Planning Board if they would consider input from North Brunswick. He stated that the reason for his questions is because they share a border on Route 27 with Franklin. He noted that to date there has not been any communication between the two towns. He asked that Franklin Township consider the quality of life of its neighbors, North Brunswick when acting on this Plan.

Joe Chichowski, 100 Bennett's Lane, thanked Council for preserving land and asked Council to do the right thing and not pollute the water on his land by developing the land across from his property.

Courtney Throckmorton, 591 Somerset Street, stated that the Plan submitted doesn't have to be the final Plan, it could be a Plan in progress. He stated that there are two more

application chances during the certification process. He opposed the Bennett's Lane/Veronica Avenue development proposal for traffic and safety reasons.

Robert Mettler, 2303 Amwell Road, East Millstone, asked if Council decided to change the Plan, would they need six votes to do it. Mr. Rainone replied no. Mr. Mettler asked if he had been in contact with the developer of the Bennett's/Veronica concerning a potential builder's agreement. Mr. Rainone replied he hadn't, but noted that many property owners have contacted him to be put in or left out of the Plan. Mr. Mettler stated he would hate to see Council side-step the Planning Board in this matter like they did with Summerfields at Franklin. He stated that Council has appointed competent people to the Planning Board and they have put sincere time and efforts in making their decision. He stated that he considered the bonding for this matter as bonding for an investment for the town.

Kathy Bloomig, 176 Bennett's Lane, spoke about water quality and thanked the Planning Board for removing Bennett's Lane/Veronica Avenue development proposal from the Plan and expressed her opposition of putting it back in the Plan. She stated that this is not the best place for a high density development because of the wetlands in the area. She distributed to Council information concerning watersheds and the affects of the impervious surfaces and the value of riparian areas to maintain water quality.

Rozalyn Sherman, 529 Rosecliff Court, Planning Board member, asked if a builder is in the Plan and the Township wants to remove a developer before final approval, does the developer have the right to come back and sue the Township. Mr. Rainone replied that once a Plan is submitted – assuming COAH's timeframes are met – a plan is submitted by December 20, 2005 and one stays in the COAH process, the Township is ultimately going through the Substantive Certification and is protected from builder's remedy lawsuits. Ms. Ritchie added there is an objection process with COAH. Mr. Rainone stated that any property owner, any citizen, any real estate developer, any provide of affordable housing, any housing advocate can file an objection to the plan, but that would be in the COAH process and would be mediated through the COAH process. Ms. Sherman asked the Council to do the right thing and not allow the Bennett's/Veronica development in the Plan and to look at other ways to take care of this particular requirement.

Mr. Regan arrived at the meeting at 8:44 p.m.

Robin Suydam, 29 Skillman Lane, supported the Planning Board's recommendation of the Plan and opposed the Bennett's Lane/Veronica Avenue development proposal. She encouraged Council to approve the resolution that in favor of transferring out as many units as the Township could and to approve the resolution in favor of bonding the shortfall.

Garbor Fari, 15 King Road, asked opposed the Bennett's Lane/Veronica Avenue development and asked Council to do the right thing and endorse the plan without the Bennett's Lane/Veronica Avenue development.

Dr. Theodore Chase, 159 Old Georgetown Road, Planning Board Chairman, expressed his relief that if Council adopts something different from the Planning Board, COAH will try to get both boards to resolve the matter. He stated that there has been too little communication between both boards throughout the process. He asked Council to adopt the Plan as adopted by the Planning Board last week. He stated that many residents from the Bennett's Lane area have spoken and there are very serious environmental constraints on this area, particularly the tendency of flooding of the streams. He stated that he is not totally against any affordable housing in this area. He stated that if the Township adopts a Plan without the Bennett's Lane/Veronica Avenue development and the developer files an objection, the Township can at least negotiate from a position of strength rather than from a position of weakness or a position where the Township has to accept what is in the Plan, even if there are second thoughts. He stated that the cost of sending units outside the Township would be much less of a hardship to the taxpayers than to continually pay for the added school children.

Mr. Rainone clarified that procedurally, once a petition is submitted, the Township would have to make a motion to COAH to amend the Plan and it is an adversarial process in COAH.

Joseph Danielson, 49 Marcy Street, Planning Board Member, expressed his disconcert of the events that occurred at the December 7th Planning Board meeting. He spoke of a letter written by Dr. Michael Orsini, the Vice Chair to the Township Manager, Councilman Regan and the Township Attorney regarding the events of the Planning Board meeting involving Councilwoman Ritchie. He alleged that Councilwoman Ritchie made threatening statements to Dr. Orsini.

Ms. Ritchie disagreed with the statements made by Mr. Danielson regarding the events of the Planning Board meeting. Mayor Levine stated that Councilwoman Ritchie has a point of personal privilege. Ms. Ritchie asked for the Township's Attorney's opinion on what her rights are when someone from the public makes untrue statements about a Councilperson. A heated discussion ensued between Ms. Ritchie and Mr. Danielson regarding statements made by Ms. Ritchie to Dr. Orsini at the December 7th Planning Board meeting. Mr. Danielson spoke of the merits of the Planning Board's decision to remove the Bennett's Lane/Veronica Avenue development proposal from the Plan. He stated that they did not have time to fully explore the RCA options.

Mr. Vassanella asked for clarification regarding final certification and asked if it would be hard to remove or change a project in the plan. He asked what would happen if substantive certification was completed before Council had time to revise the Plan. Mr. Rainone reviewed the process and stated there is an objection period and a mediation period built into the timeframe. He stated that certification would not be granted within 45 days after the application was submitted. He stated that COAH's review process does not begin until after the 45 day objection period. Ms. Ashley-Williams made a point of order and asked that Council's questions be saved until Council discussion.

Alex Mansaray, Planning Board Member, stated that the members voted on principle and he disagreed with the attack of Mr. Danielson of Ms. Ritchie's character this evening. He stated that one should not impugn one's character and he was surprised of the change of the vote.

Stuart Lieberman, Attorney from the firm of Lieberman and Blecher in Princeton, New Jersey and retained by the Franklin Residents Against Improper Development. He stated that they are all residents who reside on Bennett's Lane and are concerned about the Edgewood Properties component of the Fair Share Plan. He requested that Council endorse the Plan that was adopted by the Planning Board. He expressed it would be a terrible mistake for Council to attempt to undo the hard work of the Planning Board. He stated that the Planning Board has asked the consultant to re-evaluate the property in light of the fact that there are C-1 streams, which have three hundred foot tributaries throughout the property. He stated that there is a documented red-shouldered hawk, which results in one hundred and fifty-foot wetlands buffers that has not been taken into account. He urged Council to submit the Plan without the Edgewood Properties development (Bennett's Lane/Veronica Avenue). HE stated that there is a period where there is give and take with COAH and during that period there can be re-evaluations. The Plan with the Edgewood Properties development (Bennett's Lane/Veronica Avenue) will cause tremendous hardships for many people in the Township.

Mr. Lieberman stated for the record that he disagreed with Mr. Rainone that Council has the authority to change the elements – the Fair Share Plan. He opposed Mr. Rainone's position and disagreed with it and would object if Council does anything other than to vote to adopt or not adopt it. He stated that he doesn't believe the law gives the Township any other alternative. He stated that he is concerned about allegations of Mr. Orsini's letter to Mr. Regan and if the letter was given to Council, he requested it be made part of the record.

Ms. Ritchie made a point of order and stated that she did not receive a copy of said letter and asked Mr. Rainone for his advice. Mr. Lieberman concluded that Ms. Ritchie should recuse herself from this matter because of the allegations made against her regarding signs on property owned by the developer. Ms. Ritchie took a point of privilege and stated that she did not place signs on the developer's property. When she became aware of the signs, she sent someone to remove them. She stated that someone put them back. She stated that she is not recusing herself from this matter.

Steven Rubin, 93 Sunnyvale Court, stated he is a resident as well as a developer. He stated that he did not expect Council to consider making any changes to what the Planning Board adopted last week. He read a letter into the record expressing his company's interest in developing a portion of property identified as Lots 46 and 47 in Block 468.07 along Cedar Grove Lane in a multi-family manner with an affordable housing component. He cited many reasons why he believes the property would be an ideal affordable housing site and the many practical benefits it would bring to the Township. He stated that his proposal meets all of COAH's suitability requirements and would be an excellent example of Smart Growth in accordance with of the Office of State Planning Guide Lines. He stated that property is located in the Planning Area 1 and in extremely close proximity to other cluster-residential zoning designations. He stated the project would also propose to realign Cedar Grove Lane and New Brunswick Road.

Douglas Wilson, stated that there has been much misinformation given regarding the COAH requirements. He disagreed with Mr. Lieberman's statements. He took a strong position in conjunction with the authority of Council as a legislative body to do what it wants – the same as any ordinance when you disagree with the Master Plan and Council has the authority under the Municipal Land Use Law to adopt the ordinance that is totally inconsistent with the Master Plan, provided Council does so with a majority vote with the reason of record. Mr. Wilson stated that he represents Edgewood Properties. He stated that either way Council votes, either Mr. Lieberman or himself will file an objection. He stated that one the objection period starts; the Township will be in the mediation process and ultimately be in litigation. He stated a proposal that was raised by the consultant to the Planning Board that the proposal be reduced from 800 to 600 units was a fair compromise. He stated that his client feels he belongs in the Plan.

Deputy Mayor McKenzie move to close the public discussion on the Municipal Fair Share Plan. The motion was seconded by Ms. Ashley-Williams and carried unanimously upon voice vote.

Resolution #05-514 Endorse the Housing Element and Fair Share Plan as adopted by the Planning Board for Certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification.

Mayor Levine presented the following resolution:

WHEREAS, the Planning Board of Franklin Township, Somerset County, State of New Jersey, adopted the Housing Element of the Master Plan on December 7, 2005; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:95-2.2(a); and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 7, 2005; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:95-2.2(a); and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, Somerset County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Franklin Township Planning Board; and

BE IT FURTHER RESOLVED that the Township Council of the Township of Franklin, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:95-3.2, submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that all owners of sites in the Housing Element and Fair Share Plan will receive notice of the petition by the Council on Affordable Housing; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:95-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Franklin Township Clerk's Office located at 475 DeMott Lane, Somerset, New Jersey, during the hours of 7:30 a.m. and 4:30 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:95-3.5.

The aforesaid resolution was moved by Mr. Regan. Mr. Vassanella asked how he is to vote on this resolution when all of his questions have not been answered. Said motion was seconded by Mayor Levine.

Mr. Vassanella asked for clarification as to how many RCA (Regional Contribution Agreement) units are in the original plan and the amended plan. After a brief discussion, Ms. Bergailo stated that the difference could be from 26 to 100 RCA units, depending on how COAH comes back with the review. Ms. Bergailo stated that the Township is targeting 50.

In response to a question asked by Mr. Vassanella, Mr. Rainone replied that the plan if its was 800 units, on its own, would generate an obligation. In addition to the obligation it generated itself, it would give the Township 50 extra rental units and in COAH terms that is 2 for 1 credits to its 100 credits. It was generating an excess of 100 credits from what its own generated obligation. It would generate an obligation of 1 for 9 credits.

Mr. Vassanella noted that he understood that the site is out of the Planning Board's plan and asked that if they went back to the original plan, would obligation be incurred because of any retail or commercial space built into the housing plan. Ms. Bergailo replied yes.

Mr. Vassanella asked how much of the affordable housing fund surplus can legally go towards the purchase of RCAs. Mr. Daly replied that the Spending Plan is addressed in Appendix VI. He stated the consultant has shown the Township has \$1.8 million in the plan. She projected through 2014 revenues to come up to \$2.8 million. Mr. Daly stated that the Township may have to bond for the additional 25 RCA units.

Ms. Danile clarified that when the Township submits the Plan on December 20, 2005, COAH has 14 days to send the Township a letter stating where the petition is complete or not. Assuming it is complete, COAH will tell the Township it has 7 days to publish a notice that the Township is petitioning. She asked if the forty-five day period commences when the notice is published in the newspaper. She asked what remedies the Township has within those forty-five days to make any changes. Mr. Rainone replied that the Township can file subsequent petitions after the original petition is submitted and the process would start over again, however the December 20, 2005 would be kept as the original start date.

Mr. Regan asked for a point of clarification. He asked if it was possible that the Township could file twice before certification, noting that COAH only allows two rounds of

revisions once the initial plan is submitted. He stated that the Township would probably submit the petition, wait for comments from COAH and then responding to their comments. He asked if deficiencies were found and the Township used its two chances, they would not be protected from COAH. In response, Mr. Rainone stated that because once objections are filed, the Township would be in the mediation process. He assumed that the discussion is about voluntary repetitions as opposed to mediation process where COAH sends you back to do something.

Mr. Regan stated that he spoke with someone in Trenton and was told that municipalities only have two revisions regardless of when they are used – before or after – there are only two chances. Mr. Rainone replied that there is not such thing as re-petitioning after Substantive Certification, everything is done prior to Substantive Certification.

Ms. Danile asked for clarification that if the Township is through the forty-five days, the Township has certification. Mr. Rainone replied that after the forty-five days, if you have objectors, the Township goes into mediation. If there are no objectors, the Township proceeds to COAH staff review and COAH reviews your Plan. Ms. Danile asked if then the Township has certification. Mr. Rainone replied then the staff makes a recommendation, if there are no deficiencies, COAH would then grant certification.

Ms. Danile as if the Township accepts the plan as is, what are the risks the Township incur if the Plan is not acceptable. Ms. Ritchie asked for clarification for the term “as is”. She asked if Ms. Danile meant as recommended by the Planning Board. Ms. Danile replied in the affirmative. Mr. Rainone stated that he considers the Council’s ability to endorse as their ability to make a conscience decision as to how they endorse it. He stated that if Council endorses the Plan with a change, COAH will send the Plan back to the Township and asked that Council and the Planning Board come to an agreement. COAH usually will give forty-five days for the Township to come into agreement. If the plan is not changed, the risk is the same, an objector files an objection and the Township ends up in mediation. He stated that there would be objectors if the Plan is changed or not changed.

Ms. Danile asked if it would be realistic to think this property would never be developed in any way. Ms. Ritchie replied that would be unrealistic because the property has been zoned over 20 years and a developer has a right to develop property according to the zoning.

Ms. Danile asked the consultant why the Township shouldn’t endorse the plan as recommended by the Planning Board. She asked if the Township could just submit the plan to COAH because the Township is confident the plan is a good one. Ms. Bergailo stated that the Township can endorse the plan and noted the difficulties lie with the objectors attacking the credits and other sites in the plan. She stated that the danger lies in not having a larger cushion than 27 units. Ms. Danile asked if objectors are going to come along and force the Township to do what they might not want to do. Ms. Bergailo stated that in her experience, no plan is airtight. She stated that what she deems to be credits may not be deemed as credits by COAH. She stated the plan has asked for all the credits it could to meet the gap in the obligation. She stated she would stand behind all credits asked for because she feels they are valid. Ms. Bergailo stated that unfortunately some of the credits may not be credit-worthy according to COAH and that is why she recommends a large buffer in the crediting of the plan.

Mr. Rainone stated in regards to COAH review, the first thing to understand is that the people at COAH actually need to believe that municipalities need to build affordable housing and they actually believe municipalities have to build a lot of it. He further stated that COAH has behind them a number of acts of the legislature and decision of the State’s Supreme Court that says it is the public policy of the State to build affordable housing. He stated that some municipalities try to build as little housing as possible and to prepare a plan that reflects that idea. When a municipality submits a plan to COAH they need to be able to convince them why the credits in the plan are valid. He agreed with Ms. Bergailo that a buffer is needed. Mr. Daly stated that the Township lost 100 credits, but the number of RCAs only increased by 25. He stated that the reason for that is that other calculations were made to come up with other credits

or other ways to reduce the Township's obligation. He stated that those things could get challenged.

Ms. Danile asked again for the risks the Township may run into if they do not amend this plan. Ms. Bergailo replied that if the plan is objected to, it will be mediated by COAH. The Township may not get the fifty family rental units from that developer. Ms. Danile asked what would happen if the Township loses those fifty family units. Ms. Bergailo stated that the Township would have to increase the RCAs as part of the plan that the Planning Board adopted. She stated that is a policy decision to be made by Council.

Ms. Ashley-Williams asked how the new calculations were made. Ms. Bergailo stated the reduction in the obligation came from re-analyzing projects that had received certificates of occupancy. She asked those to recall that the obligation is based on every twenty-five jobs generated based on COAH multipliers. She stated that it was a re-examination of the square footage that had certificates of occupancy and essentially reducing that number because a portion of the building has been reused and not constructed as new. Therefore, that brought down the over-all obligation from 770 to about 745, which is why only 25 more RCAs were needed to have the 27 unit surplus.

Mr. Regan summarized that the consultant cannot guarantee that objections will be filed against either version of the plan. Mr. Vassanella stated that the Township is at risk of an objection no matter what plan is submitted. Mr. Vassanella asked if COAH's idea is to allow a municipality to work out every possibility in the plan that they submit. Ms. Bergailo stated that towns are given the opportunity to comply. A lengthy discussion ensued regarding options of Council, the amount of buffers, the number of RCAs, the mediation process and the COAH review process.

At the end of Council's discussion, Mayor Levine reiterated the point that no matter what Council decides, objections will be made. He stated that Council would have to decide who they would pick their battles with and he would pick the battle with the developer rather than a resident. He asked the consultant if she thought the plan would hold up to COAH. Ms. Bergailo stated that every credit that she asked for is within the bounds of COAH's regulations and all the projects that are proposed are in compliance with COAH's regulations. She stated that she would feel more comfortable with more projects and more credits which are decisions that need to be made and finalized by the Planning Board and Council based on local knowledge and experience.

A brief discussion ensued regarding what plan the Council was voting on. It was clarified that the original plan was amended by Council with the removal of two projects. It went to the Planning Board who amended it by removing another project.

Mr. Vassanella asked if there was an alternative to this plan. He asked if there was an alternative to the Edgewood Properties development proposal. Ms. Ritchie stated she was prepared to make a recommendation to revise the plan that the Planning Board reviewed before they made changes with the same reductions in design constraints that she suggested at the Planning Board meeting. She stated that she cannot make a motion because there is a motion on the floor to adopt Resolution #05-514 which endorses the Planning Board's plan. A discussion ensued regarding Ms. Ritchie's alternative; the Planning Board's process of the plan; the number of RCAs; Inclusionary Projects and the need to amend the resolutions proposed for adoption regarding RCAs and bonding.

Mr. Regan stated he would like to vote on the motion that was made and seconded. Mayor Levine suggested to call the question. Mr. Rainone stated there could be a motion to amend the motion and noted that he thought Ms. Ritchie amended the motion. Mr. Regan stated he didn't recall hearing a motion to amend.

Ms. Ritchie stated that she did not make a motion because she thought she needed the approval of the mover and seconder of the original motion to amend. Ms. Ritchie moved to

amend the motion to adopt Resolution #05-514 by reducing the density on the Bennett's/Veronica tract, the residential density from 10.75 to a maximum of 8 units to the acre. There would be no building on the twenty acre lot that is in the Planning Area III along Bennett's Lane. The C-1 stream buffers and the wetlands would be respected according to NJDEP requirements. The units that are self-generated by the residential and commercial development would be age-restricted housing and the developer would continue to provide the additional fifty family units initially proposed. Said motion was seconded by Ms. Ashley-Williams. Judge Wilson disagreed with the procedures involving motions. Mr. Rainone stated that a motion to amend is always in order as long as the Chair recognizes and there is a vote.

Ms. Ritchie withdrew her motion because she did not want there to be any implication of impropriety. Ms. Ritchie made a motion to table the original motion. 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	Levine		
Eberle	McKenzie			
Regan	Ritchie			
Sumter	Vassanella			

Ms. Ritchie restated her motion. Ms. Ritchie made a statement expressing her opinion that it was a very responsible planning process that the Planning Board undertook. She stated that she is opposed to regional contribution agreements. She expressed her concerns about the costs of Regional Contribution Agreement units. She stated that she does not believe that COAH is going to give the Township credits for all the projects proposed.

Said motion was seconded by Ms. Ashley-Williams and as a result Resolution #05-514 was amended as follows:

WHEREAS, the Planning Board of Franklin, Somerset County, State of New Jersey, adopted the Housing Element of the Master Plan on December 7, 2005; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:95-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 7, 2005; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:95-2.2(a)2; and

WHEREAS, the Governing Body reviewed the Housing Element and Fair Share Plan that the Planning Board adopted on December 7, 2005 and heard public comment on the matter at its public meeting held on December 13, 2005; and

WHEREAS, the Governing Body endorses the Housing Element and Fair Share Plan in whole except for two components of the adopted Compliance Plan including (1) the 50-unit Regional Contribution Agreement to be conveyed to the Borough of Carteret and (2) the exclusion of the Bennett's Lane/Veronica Avenue Site that was originally contained in the Planning Board's draft plan that was put on-file for public inspection 10 days prior to the Planning Board's hearing on December 7, 2005; and

WHEREAS, the Governing Body has determined that 25 fewer units should be conveyed to Carteret by RCA so that more affordable units are created in-town to fill the need for affordable housing in the Township, as well as to defray the need for municipal bonding for the RCA units and the costs that would be incurred upon the taxpayers of the Township; and

WHEREAS, the Governing Body has determined that another project be added to the plan to provide additional opportunity for affordable housing in the Township and to off-set

any potential loss in credits that may occur during COAH's review process and the public comment and objection period; and

WHEREAS, the Governing Body has determined that the Bennett's Lane / Veronica Avenue site of 80.5 acres as indicated in the Planning Board's Draft Housing Element and Fair Share Plan, and subsequently excluded from the plan by the Planning Board, is suitable for the production of affordable housing at a density comparable to that currently permitted in the Township's Cluster Residential Zone, which permits 8 units per acre. This site will be required to provide 50 family rental units in addition to one unit for every 8 market rate units created and one unit for every 25 jobs created on any related commercial project, per COAH's Rules. This translates into an affordable set-aside, dependent upon the number of units and non-residential square-footage constructed, of approximately 20.5 percent. Further, this site will abide by any and all regulations promulgated by the New Jersey Department of Environmental Protection and the New Jersey Department of Transportation and any and all other applicable local, County and State regulations. That portion of the site that is located in State Planning Area 3 may be used for the calculation of residential density if included in the applicable consequent site plan application, however shall not be developed with housing or commercial uses.

NOW THEREFORE BE IT RESOLVED that the Governing Body of Franklin, Somerset County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Franklin Planning Board and amended herein; and

BE IT FURTHER RESOLVED that the Governing Body of Franklin, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:95-3.2, submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that all owners of sites in the Housing Element and Fair Share Plan, as amended by the Governing Body, will receive notice of the petition by the Council on Affordable Housing; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:95-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Franklin municipal clerk's office located at 475 DeMott Lane, during the hours of 8:30 a.m. and 4 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:95-3.5.

Mr. Vassanella expressed his concerns regarding RCAs and disregard to homeless people or other people who have other problems.

Mr. Regan clarified that the plan they are voting on came out of the Land Use Committee had 25 RCAs and asked if they were discussing an additional 25 RCAs. He stated that he would like not to deal with RCAs. He expressed his concerns regarding COAH. He stated that the Township was put into a very difficult situation.

Ms. Ashley-Williams agreed that she does not support RCAs, but understands that the Township has to use them as an option and would like to see them used as little as possible. She expressed her concern that the Township is being pushed into doing this. She stated that she doesn't have a problem with the Planning Board's decision because they voted their conscience. She stated that she has a problem with the requirements set on the Township by COAH. She expressed her support of affordable housing. She stated that she does not like the timetable put on the Township to provide units.

Mr. Sumter expressed his support of Ms. Ritchie. He stated that this is not the first time the Township is fighting for affordable housing. He stated that the Township has not done its fair share of affordable housing and that is why we have this problem today.

Mayor Levine expressed his support of affordable housing and his concern of the time constraints mandated by COAH. He stated that the Township would be vulnerable to lawsuits no matter which way it decides.

The aforesaid resolution was adopted as follows upon call of the roll:

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

Resolution #05-515 Intent to Bond for Shortfall in the Township's Affordable Housing Program

Ms. Ritchie moved the following resolution with the amendment of RCAs from 50 to 25:

WHEREAS, the Township of Franklin in the County of Somerset has petitioned the Council On Affordable Housing (COAH) for substantive certification of its adopted Housing Element and Fair Share Plan; and

WHEREAS, COAH has determined that the Township of Franklin must allocate funds for the creation of five accessory apartments and twenty-five (25) Regional Contribution Agreement (RCA) units; and

WHEREAS, the Township of Franklin anticipates that funding will come from the following source to satisfy said obligation: it's Affordable Housing Trust Fund; and

WHEREAS, in the event that the above funding source proves inadequate to meet the Township of Franklin's funding obligation, the Township of Franklin shall provide sufficient funding to address any shortfalls;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, State of New Jersey, that the Township Council does hereby agree to fund any shortfall in its Affordable Housing Program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that said shortfall shall be funded by bonding if there are no other resources.

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

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

Resolution #05-516 Authorize Send Municipality Regional Contribution Agreement (RCA)

Ms. Ritchie moved the following resolution with the amendment that the number of RCAs is changed from 50 to 25 and the dollar amount is changed from \$1.75 million to \$875,000:

WHEREAS, the Township of Franklin, Somerset County has a fair share obligation to provide housing opportunities to households of low- and moderate-income as established by the New Jersey Supreme Court and by the New Jersey Fair Housing Act, N.J.S.A. 52:27d-301 et seq.; and

WHEREAS, the Fair Housing Act provides that municipalities within the same region as defined by the Council On Affordable Housing (COAH) may meet up to 50 percent of that obligation through a Regional Contribution Agreement (RCA) under which the sending municipality makes a cash payment to another municipality, known as the receiving municipality, which undertakes to provide low- and moderate-income housing which is credited toward the sending municipality's fair share obligation; and

WHEREAS, N.J.A.C. 5:94-5.1 (a) allows municipalities to propose the transfer of up to fifty percent (50%) of their third round growth share obligation; and

WHEREAS, the Township of Franklin proposes to transfer up to twenty-five (25) units of its growth share obligation at a cost of \$35,000.00 per unit or a total of up to \$875,000.00 in the form of a RCA with the Borough of Carteret, Middlesex County; and

WHEREAS, the Township of Franklin and the Borough of Carteret are in the same region as defined by Council On Affordable Housing (COAH); and

WHEREAS, the Borough of Carteret desires to provide affordable housing for low- and moderate-income residents of the region, which action will be furthered by funds made available through the Regional Contribution Agreement (RCA); and

WHEREAS, the Regional Contribution Agreement (RCA) is in the best interests of the Township of Franklin;

NOW, THEREFORE, BE IT RESOLVED that the Township of Council of the Township of Franklin in the County of Somerset is hereby authorized to execute such documents and exhibits as may be necessary to effectuate the Regional Contribution Agreement (RCA).

Said motion was seconded by Ms. Eberle 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			

PUBLIC DISCUSSION

Ms. Ashley-Williams moved to open the meeting for public discussion. Said motion was seconded by Ms. Ritchie 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.

John McConville, 5 Stone Leigh Way, questions Resolution #05-526 regarding the Somerset County Paving Program. Mr. Daly replied that the amount is what was agreed upon between Somerset County and the Township.

Ms. Ritchie moved to close the public discussion portion of the meeting. Said motion was seconded by Ms. Ashley-Williams and carried unanimously upon voice vote.

CONSENT AGENDA ITEMS

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

Resolution #05-518 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>
11.01/17.26	Walden, Sheila 3 Fox Hill Road Princeton, NJ 08540	4/05 Tax Exempt	3,829.68
85/56.03C0247	Michael Christopher 247 Kingsberry Drive Somerset, NJ 08873	4/05 Attorney and Mortgage Company Paid	1,527.05
276/9.01	Hilary Gaston 4 Lander Street Somerset, NJ 08873	4/05 Attorney and Mortgage Company Paid	2,117.62
85/56.03C0039	First National Title Co. 10001 West Lincoln Drive Marlton, NJ 08053 Attn: Lydia	4/05 Title Co. and Mortgage Co. Paid	1,527.05
85/56.03 C0048	Wells Fargo Real Estate 1 Home Campus Des Moines, IA 50328	4/05 Title Co. and Mortgage Co. Paid	1,465.76
377/6	Franklin Township Sewer	4/05 Paid Water and should be Sewer	250.00
488/30	Prystash, Paul Box 432 South Bound Brook, NJ 08880	2/05 3/05 4/05 Tax Exempt	141.22 1,008.46 1,008.46

511/18.11	Ziwei Zhau 3 Club House Road Somerset, NJ 08873	4/05 Mortgage and Attorney Paid	2,936.09
20.14/11	First American Real Estate Tax Service 3445 Winton Place, Ste. 219 Rochester, NY 14623	4/05 Mortgage and Attorney Paid	5,953.34

Resolution #05-519 Support and Commit to Participation in the PARIS County Shared Services Demonstration Grant for the purpose of conducting a records inventory needs assessment of all Somerset County municipalities.

WHEREAS, the Board of Chosen Freeholders of the County of Somerset has agreed to apply for a PARIS Grant in the amount of up to \$200,000.00; and

WHEREAS, the Board of Chosen Freeholders of the County of Somerset is acknowledging and accepting the responsibility of acting as applicant for this grant; and

WHEREAS, the Township of Franklin is eligible to apply for its own Public Archives & Records Infrastructure Support Grant in the amount of \$40,000.00, has chosen the option to participate in the Somerset County Shared Services Demonstration Grant; and

WHEREAS, the Township Council of the Township of Franklin is acknowledging and accepting responsibility for participating in this County Shared Services Demonstration Grant; and

WHEREAS, the State of New Jersey has made PARIS grants available to assist county and municipal governments in their records management, preservation and storage efforts; and

WHEREAS, the purpose of this grant is to conduct an archives and records management needs assessment and strategic plan;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin that the Township of Franklin does support and commit to participation in the PARIS County Shared Services Demonstration Grant for the purpose cited above.

Resolution #05-520 Urge Somerset County Board of Chosen Freeholders to enact left-turn restrictions onto Amwell Road from the following roads: Wilson Road; McGuffey Avenue; French Street and Charles Street – Mondays through Fridays from 4pm to 7 pm.

WHEREAS, there is a growing concern regarding the increasing volume and speeding on Wilson Road; and

WHEREAS, the Traffic Safety Bureau of the Franklin Township Police Department and the Public Safety Standing Committee have recommended the following left-turn restrictions from 4:00 p.m. to 7:00 p.m. – Monday through Friday:

- From Wilson Road southbound to Amwell Road eastbound
- From McGuffey Avenue southbound to Amwell Road eastbound
- From French Street southbound onto Amwell Road eastbound
- From Charles Street southbound onto Amwell Road eastbound; and

WHEREAS, these restrictions would effectively eliminate the use of Wilson Road by commuters during the peak hour periods; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council urge the Somerset County Board of Chosen Freeholders to enact left-turn restrictions from 4:00 p.m. to 7:00 p.m. – Monday through Friday at the following intersections:

- From Wilson Road southbound to Amwell Road eastbound
- From McGuffy Avenue southbound to Amwell Road eastbound
- From French Street southbound onto Amwell Road eastbound
- From Charles Street southbound onto Amwell Road eastbound

Resolution #05-521 Adopt 2006 Township Council Meeting Schedule.

WHEREAS, the **Open Public Meeting Act (P.L. 1975, Chapter 231)** of the Laws of the State of New Jersey, **Section 13** thereof, requires the public body, at least once each year within seven (7) days following the Annual Organization or Reorganization meeting of the public body, or by January 10th to provide notice of a schedule of regular meeting of said public body to be held during the succeeding year; and

NOW, THEREFORE, BE IT RESOLVED on this **13th day of December, 2005**, by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, that the meeting schedule for the period January 1, 2006 to December 31, 2006 shall be held at 475 DeMott Lane on the following dates and times:

JANUARY 1, 2006 (Sunday) 2:00 pm REORGANIZATION MEETING

Combined Agenda/Regular Meeting

January	10 (Tuesday) 7:00 pm 24 (Tuesday) 7:00 pm	July	11 (Tuesday) 7:00 pm
February	14 (Tuesday) 7:00 pm 28 (Tuesday) 7:00 pm	August	8 (Tuesday) 7:00 pm
March	14 (Tuesday) 7:00 pm 28 (Tuesday) 7:00 pm	September	12 (Tuesday) 7:00 pm 26 (Tuesday) 7:00 pm
April	11 (Tuesday) 7:00 pm 25 (Tuesday) 7:00 pm	October	10 (Tuesday) 7:00 pm 24 (Tuesday) 7:00 pm
May	9 (Tuesday) 7:00 pm 23 (Tuesday) 7:00 pm	November	9 (Thursday) 7:00 pm 28 (Tuesday) 7:00 pm
June	13 (Tuesday) 7:00 pm 29 (Thursday) 9:00 am	December	12 (Tuesday) 7:00 pm

Tuesday, June 6 – Primary Election Day

Tuesday, November 07 – General Election Day

Friday, November 10 - Veterans Day Observed

BE IT FURTHER RESOLVED that the **COURIER NEWS**, the **PRINCETON PACKET** and the **HOME NEWS/TRIBUNE** be and they are hereby designated as those newspapers to whom adequate notice must be given in accordance with **Section 14**; and

BE IT FURTHER RESOLVED that the reasonable sum to be paid by an individual requesting copies of the Regular Meeting Schedule or revisions to same as specified in **Section 14 3(d)** shall be **\$20.00**.

Resolution #05-522 Award Contract to Network Cabling Inc. for the installation of data and telephone wiring for the renovation to the Municipal Building in an amount not to exceed \$18,475.92.

WHEREAS, the Township of Franklin desires to purchase items as follows through State Contract, which items when combined with prior purchases exceed the prevailing bid threshold:

VENDOR: Network Cabling Inc.

PO Box 1092
Jackson, NJ 08527

State Contract No.

ITEMS: Installation of data and telephone wiring for the renovations to the municipal building.

COST: \$18,475.92

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

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

Resolution #05-523 Authorize Reduction of Two (2) Performance Guarantees – Stop & Shop Supermarket Co. – PLN2003-0046 – Block 32/Lot 1.02 – Route 27/Vliet Road – Site Improvements – Bond #104255773 from \$1,379,793.60 to \$413,938.08 and Bond #104255774 from \$255,465.60 to \$76,639.68.

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

ITEM:	Performance Bond
NAME OF APPLICANT:	Stop & Shop Supermarket Company
ADDRESS OF APPLICANT:	1385 Hancock Street, Quincy, MA 02169
SITE PLAN DOCKET:	PLN2003-0046

NUMBER:	#104255773
INSURANCE CO./BANK:	Travelers Casualty & Surety Company of America
IN THE AMOUNT OF:	\$1,379,793.60
FOR:	Site Improvements for Block 32/Lot 1.02

NUMBER:	#104255774
INSURANCE CO./BANK:	Travelers Casualty & Surety Company of America
IN THE AMOUNT OF:	\$255,465.60
FOR:	Site Improvements for Block 32/Lot 1.02 – Route 27 & Vliet Road

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

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 Bonds be reduced as follows: #104255773 to \$413,938.08 and #104255774 to \$76,639.68 to the above named applicant.

BE IT FURTHER RESOLVED that Final Release of Bond #104255773 will be upon completion of the pad sites, submission of as-built drawings and maintenance guarantees;

BE IT FURTHER RESOLVED that Final Release of Bond #104255774 will be upon final NJDOT approval, submission of as-built drawings and maintenance guarantees.

Resolution #05-524 Authorize 2006 Curbside Recycling Interlocal Agreement with Somerset County – Estimated 24,000 households @ \$23.85 per household per year.

WHEREAS, the County of Somerset provides Recycling Services to the Township of Franklin and has submitted a renewal agreement for the period January 1, 2006 to December 31, 2006 with Somerset County Recycling located at 40 Polhemus Lane, Bridgewater NJ 08807;

NOW, THEREFORE, BE IT AND IT IS HEREBY 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 on behalf of the Township Agreement with the County of Somerset providing for Recycling Services for 2006 at a rate of \$23.85 per household per year.

Resolution #05-525 Award Bid – Warnock Automotive Inc. – Sport Utility Vehicle for Police Department – Not to Exceed \$25,878.00.

WHEREAS, a notice to bidders for the receipt of bids for Sports Utility Vehicle for Police Department was published in the Courier News on October 7, 2005 with a bid opening of October 25, 2005; and

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

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

**Warnock Automotive, Inc.
d/b/a Warnock Ford
175 Route 10
East Hanover, NJ 07926**

Sports Utility Vehicle for Police Department

Amount not to exceed \$25,878.00; and

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

Resolution #05-526 Authorize Interlocal Agreement with the Somerset County Traffic Safety – 2005 Line Striping Program – Not to Exceed \$8,867.33.

WHEREAS, the County of Somerset provides a line striping program to the Township of Franklin and has submitted an agreement for the 2005 Line Striping Program;

NOW, THEREFORE, BE IT AND IT IS HEREBY 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 on behalf of the Township Agreement with the County of Somerset providing for the 2005 Line Striping Program at a cost of \$0.945 per linear foot at an amount not to exceed \$8,867.33

Resolution #05-527 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 with all the charges due the said individuals at the time of redemption be and the same are hereby ordered refunded to the said individuals, and the proper officials of the Township of Franklin, Somerset County, New Jersey are hereby authorized and empowered to execute a voucher to the said individuals in the following amounts:

Date of Sale:	June 11, 1998
Block/Lot:	34.10/9.01C0710
Name & Address:	Gielegem, David K. 110 Edward Drive Franklin Park, NJ 08823
Amount:	\$332.66
Make Check Payable To:	Herbert Sehgel P.O. Box 284 Kingston, NJ 08528
Certificate No.:	98-182
Payment Received:	November 29, 2005
Date of Sale:	June 8, 2004
Block/Lot:	386.10/26
Name & Address:	Heim, George & Laura 26 Almond Drive Somerset, NJ 08873
Amount:	\$862.23
Make Check Payable To:	Staple Sewing Aids Pension 90 Dayton Avenue, Bldg. 6C Passaic, NJ 07055
Certificate No.:	04-094
Payment Received:	November 30, 2005
Date of Sale:	June 8, 2005
Block/Lot:	207/9.19
Name & Address:	Bain, William J. & Janice 32 Kee Avenue Somerset, NJ 08873
Amount:	\$1,715.97
Make Check Payable To:	James C. Older 87 East Mountain Road Hillsborough, NJ 08844
Certificate No.:	040062
Payment Received:	November 28, 2005
Date of Sale:	April 10, 1997
Block/Lot:	188/8
Name & Address:	CDC Properties, Inc. 630 Franklin Blvd. Somerset, NJ 08873 (For 13 Berkley Place)
Amount:	\$160.50

Make Check Payable To: George Shrier
 201 South 2nd Avenue, Box 16
 Highland Park, NJ 08904

Certificate No.: 97-210

Payment Received: November 28, 2005

Resolution #05-528 Authorize FY06 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 \$93,272,272.68;

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	129,327.10
	Other Expenses	9,520.00
Manager (Grant Coordinator's Office)	Salaries & Wages	44,345.05
	Other Expenses	906.50
Manager (Purchasing&General Services)	Salaries & Wages	39,697.00
	Other Expenses	112,577.50
Human Resources (Personnel)	Salaries & Wages	59,857.56
	Other Expenses	26,988.50
Township Council	Salaries & Wages	50,979.60
	Other Expenses	9,900.10
Municipal Clerk	Salaries & Wages	155,029.00
	Other Expenses	15,500.00
Elections	Salaries & Wages	4,200.00
	Other Expenses	7,980.00
Treasury	Salaries & Wages	187,889.28
	Other Expenses	67,777.50
Audit Services	Salaries & Wages	
	Other Expenses	30,000.00
Data Processing		

	Salaries & Wages	104,027.56
	Other Expenses	86,222.50
Tax Collection		
	Salaries & Wages	83,584.80
	Other Expenses	17,924.20
Tax Assessor		
	Salaries & Wages	207,644.50
	Other Expenses	38,476.90
Legal Services		
	Salaries & Wages	14,700.00
	Other Expenses	259,000.00
Engineering Services		
	Salaries & Wages	156,569.08
	Other Expenses	15,000.00
Economic Development		
	Salaries & Wages	91,235.20
	Other Expenses	30,782.50
<u>LAND USE ADMINISTRATION</u>		
Planning Board		
	Salaries & Wages	119,496.15
	Other Expenses	56,962.50
Zoning Board Of Adjustment		
	Salaries & Wages	14,700.00
	Other Expenses	36,470.00
Affordable Housing Agency		
	Salaries & Wages	
	Other Expenses	49,000.00
<u>CODE ENFORCEMENT:</u>		
Code Enforcement		
	Salaries & Wages	763,556.83
	Other Expenses	42,245.00
Zoning Enforcement		
	Salaries & Wages	49,788.90
	Other Expenses	700.00
<u>PUBLIC SAFETY FUNCTIONS</u>		
Police Department – Uniform		
	Salaries & Wages	6,428,548.70
	Other Expenses	217,682.50
Police Department – Clerical		
	Salaries & Wages	266,216.30
	Other Expenses	
Police Department – 911/Dispatch		
	Salaries & Wages	390,831.00
	Other Expenses	104,230.00
Police Department – Crossing Guards		
	Salaries & Wages	129,949.40
	Other Expenses	
Office of Emergency Management		
	Salaries & Wages	9,089.50
	Other Expenses	1,960.00
Aid to Volunteer Fire Companies		
	Salaries & Wages	
	Other Expenses	39,732.00

Aid to Volunteer Ambulance Companies

Salaries & Wages	
Other Expenses	75,775.00

Fire Prevention

Salaries & Wages	339,560.20
Other Expenses	11,823.00

Prosecutor's Office

Salaries & Wages	28,560.00
Other Expenses	560.00

PUBLIC WORKS FUNCTIONS

Public Works – General

Salaries & Wages	1,600,127.20
Other Expenses	

Street & Road Maintenance

Salaries & Wages	
Other Expenses	132,650.00

Snow Removal

Salaries & Wages	200,000.00
Other Expenses	159,800.00

Public Works Administration

Salaries & Wages	
Other Expenses	735.00

Recycling (Mini Dump)

Salaries & Wages	
Other Expenses	685,912.50

Building and Grounds

Salaries & Wages	
Other Expenses	129,850.70

Vehicle Maintenance

Salaries & Wages	
Other Expenses	108,937.50

Maintenance School Equipment

Salaries & Wages	
Other Expenses	

Community Services Act

Salaries & Wages	
Other Expenses	

Shade Tree Commission

Salaries & Wages	
Other Expenses	500.00

HEALTH & HUMAN RESOURCES

Health Services (Administration)

Salaries & Wages	121,670.25
Other Expenses	10,152.00

Health Services (Clinic)

Salaries & Wages	10,930.00
Other Expenses	46,395.30

Environmental Health Services (Inspection)

Salaries & Wages	144,387.60
Other Expenses	9,782.50

Animal Control Services

Salaries & Wages	149,219.20
Other Expenses	15,582.00

Community Resources (Welfare)

Salaries & Wages	83,727.00
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Municipal Court	Other Expenses	27,519.80
	Salaries & Wages	236,445.30
	Other Expenses	41,790.00
Public Defender	Salaries & Wages	10,500.00
	Other Expenses	
PARKS & RECREATION		
Recreation Services & Programs		
	Salaries & Wages	246,795.50
	Other Expenses	79,548.00
Maintenance of Parks	Salaries & Wages	
	Other Expenses	61,080.00
OTHER COMMON OPERATING FUNCTIONS		
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
<u>UTILITY EXPENSES & BULK PURCHASES</u>		
Electricity		
	Salaries & Wages	
	Other Expenses	189,750.00
Street Lighting	Salaries & Wages	
	Other Expenses	462,199.00
Telephone	Salaries & Wages	
	Other Expenses	150,000.00
Water	Salaries & Wages	
	Other Expenses	10,175.00
Gas & Fuel	Salaries & Wages	
	Other Expenses	191,441.25

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	896,692.61

TOTAL GENERAL OPERATIONS WITHIN CAPS **17,763,719.12**

Salaries & Wages (Sub-Total Not Including Contingent) 12,673,184.76

Other Expenses (Sub-Total Not Including Contingent) 5,085,034.36

EDUCATION FUNCTIONS

Municipal Library

Salaries & Wages	
Other Expenses	1,559,388.80

FEDERAL, STATE & COUNTY GRANTS

Grants & Matching Funds for Grants

Matching Funds for Grants

INTERLOCAL SERVICE AGREEMENTS

Board of Education Transportation

Salaries & Wages	94,507.70
Other Expenses	66,290.65

Somerset County Shared Services

Salaries & Wages	
Other Expenses	9,017.00

Senior Transportation

Salaries & Wages	
Other Expenses	32,250.00

Middlesex County Sexually Transmitted Disease

Salaries & Wages	
Other Expenses	4,550.00

INSURANCE

Liability

Salaries & Wages	
Other Expenses	741,457.00

Workers Compensation Insurance

Salaries & Wages	
Other Expenses	

Employee Group Insurance

Salaries & Wages	
Other Expenses	3,892,539.20

Unemployment Insurance

Salaries & Wages	
Other Expenses	

Public Employees Retirement System

Salaries & Wages	
Other Expenses	33,337.00

Police & Firemen's Retirement System

Salaries & Wages	
Other Expenses	210,126.00

CAPITAL IMPROVEMENTS

Capital Improvements – Down Payments

Salaries & Wages	
Other Expenses	100,000.00

Capital Improvements – Specific Projects

Salaries & Wages	
Other Expenses	580,000.00

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	72,201.00

SCIA Lease Payments

Salaries & Wages	
Other Expenses	1,257,166.00

DEFERRED CHARGES

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	

LOSAP (Other Expenses)

Salaries & Wages	
Other Expenses	

TOTAL GENERAL OPERATIONS EXCLUDED**FROM CAPS****11,386,322.65****SUBTOTAL – GENERAL OPERATIONS****29,244,549.47**

Reserve for Uncollected Taxes

Other Expenses

TOTAL **29,244,549.47**

WATER UTILITY

Operating

Salaries & Wages	1,238,996.25
Other Expenses	4,772,939.10
Health Benefits	369,815.94
Insurance Other	33,750.00

Capital Improvements

Down Payments on Improvements
 Capital Improvement Fund
 Capital Outlay

Debt Service

Payment of Bond Principal	945,000.00
Interest on Bonds	165,007.73
Loan Repayment Principal and Interest	535,367.22

Statutory Expenses

Social Security	96,431.10
Disability Insurance	5,000.00

TOTAL WATER UTILITY **8,162,307.34**

OPEN SPACE

Salaries and Wages	40,760.00
Other Expenses	5,570.00

Down Payments on Improvements

Capital Improvements

Down Payments on Improvements
 Capital Improvement Fund
 Capital Outlay

Debt Service

Payment of Bond Principal	9,370.00
Interest on Bonds	21,630.00

Total – Open Space **77,330.00**

Resolution #05-529 Authorize Subgrantee Agreement – 2005 CDBG Grant – The Center for Great Expectations – Site Improvements – Not to Exceed \$50,000.00.

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 Center for Great Expectations for the CDBG Project for Site Improvements in the amount of \$50,000.00.

Resolution #05-530 Authorize Subgrantee Agreement – 2005 CDBG Grant – Family & Community Services of Somerset County – Youth Counselor – Not to Exceed \$14,630.00.

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 Family & Community Services of Somerset County for the CDBG Project for a Youth Counselor in the amount of \$14,630.00.

Resolution #05-531 Authorize Subgrantee Agreement – 2005 CDBG Grant – Somerset County Coalition on Affordable Housing – Housing Counseling – Not to Exceed \$12,450.00.

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 Somerset County Coalition on Affordable Housing for the CDBG Project for Housing Counseling in the amount of \$12,450.00.

Resolution #05-532 Authorize Subgrantee Agreement – 2005 CDBG Grant – Somerset Residence Corporation – Shower Stall Conversions – Not to Exceed \$12,000.00.

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 Somerset Residence Corporation for the CDBG Project for Shower Stall Conversions in the amount of \$12,000.00.

Resolution #05-533 Authorize Subgrantee Agreement – 2005 CDBG Grant – Franklin Township Board of Education – After School Program (2004-05 & 2005-06 School Years) – Not to Exceed \$56,117.00.

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 Franklin Township Board of Education for the CDBG Project for After School Program (2004-05 and 2005-06 School Years) in the amount of \$56,117.00.

Resolution #05-534 Authorize Subgrantee Agreement – 2005 CDBG Grant - Franklin Township Food Bank – Emergency Lights/Storage – Not to Exceed \$4,341.00.

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 Franklin Township Food Bank for the CDBG Project for Emergency Lights/Storage in the amount of \$4,341.00.

Resolution #05-535 Approve Location of Township’s Radio Tower for Township’s Trunked Radio System on the Corner of Berry Street and Churchill Avenue.

WHEREAS, pursuant to Development Code Chapter 112-9B (25) (e) (3):

1. Third priority locations for wireless communication shall be on new supporting towers on lands owned by the Township of Franklin, which lands have been approved by the Franklin Township Council for the location of a tower;
2. The Township Council does recommend, specifically, an existing and/or new communication tower in the Department of Public Works Complex on Churchill Avenue; and

WHEREAS, the recommended location of the Township’s Radio Tower for the Township’s Trunked Radio System is located at the corner of Berry Street and Churchill Avenue, which is Township owned land and part of the Department of Public Works Complex; and

WHEREAS, the recommended location of the Township's Radio Tower for the Township's Trunked Radio System has been determined to be centrally location in an area of the Township that based on the coverage studies, needs enhancement;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, State of New Jersey, that it hereby approves the location of Berry Street and Churchill Avenue as the location for the Township's Radio Tower for the Township's Trunked Radio System.

Resolution #05-536 Award Bid – Water Works Supplies – January 1, 2006 through December 31, 2006 – Kennedy Culvert & Supply Company and The Lee Company – Not to Exceed \$32,000.00.

WHEREAS, a notice to bidders for the receipt of bids for Water Works Supplies was published in the Courier News on October 27, 2005 for receipt on November 10, 2005;

WHEREAS, there were two (2) addenda, dated November 7, 2005 and November 14, 2005 postponing receipt of bids to November 29, 2005;

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bids be awarded for a one year period – January 1, 2006 through December 31, 2006 with a renewable one additional year at existing terms if agreeable to Township and Vendor:

KENNEDY CULVERT & SUPPLY COMPANY

395 Roycefield Road
Hillsborough, NJ 08844
Categories: B, D, J, HH, II

THE LEE COMPANY

Route #46/PO Box 40
Denville NJ 07834
Categories: A, C, E, F, G, H, I,
J1, K, L, M, N, AA, BB, CC,
DD, EE, FF, GG, JJ, KK, LL,
MM, NN, PP, P, Q, R, S

WATER WORKS SUPPLIES
PIPES, VALVES, FITTINGS, ETC.

THE LEE COMPANY
CATEGORY A: CLASS 52
PIPE DUCTILE IRON MJ WITH ACCESSORIES

AMOUNT	SIZE	BID #	PRICE	TOTAL
100	4 INCH	A-1	15.75	1,575.00
1000	6 INCH	A-2	16.40	16,400.00
1000	8 INCH	A-3	16.90	16,900.00
1000	10 INCH	A-4	23.25	23,250.00
250	12 INCH	A-5	38.20	9,550.00
650	16 INCH	A-6	57.40	37,310.00
180	20 INCH	A-7	76.80	13,824.00
100	24 INCH	A-8	97.50	9,750.00
			TOTAL	128,559.00

KENNEDY CULVERT & SUPPLY COMPANY
CATEGORY B: CLASS 52
BELL AND SPIGOT (SLIP JOINT) PIPE

AMOUNT	SIZE	BID #	PRICE	TOTAL
100	4 INCH	B-1	9.15	915.00

1000	6 INCH	B-2	9.59	9,590.00
1000	8 INCH	B-3	13.13	13,130.00
1000	10 INCH	B-4	17.19	17,190.00
500	12 INCH	B-5	21.72	10,860.00
500	16 INCH	B-6	32.32	16,160.00
100	20 INCH	B-7	42.42	4,242.00
100	24 INCH	B-8	53.53	5,353.00
			TOTAL	77,440.00

THE LEE COMPANY
 CATEGORY C: VALVES AWWA
 GATE VALVES WITH J END

AMOUNT	SIZE	BID #	PRICE	TOTAL
2	12 INCH	C-1	1,574.00	3,148.00
2	10 INCH	C-2	1,245.00	2,490.00
5	8 INCH	C-3	799.00	3,995.00
5	6 INCH	C-4	515.00	2,575.00
2	4 INCH	C-5	397.00	794.00
			TOTAL	13,002.00

KENNEDY CULVERT & SUPPLY COMPANY
 CATEGORY D:
 RESILIENT WEDGE GATE VALVES WITH MJ END

AMOUNT	SIZE	BID #	PRICE	TOTAL
2	12 INCH	D-1	997.00	1,994.00
2	10 INCH	D-2	791.00	1,582.00
5	8 INCH	D-3	504.00	2,520.00
10	6 INCH	D-4	318.00	3,180.00
2	4 INCH	D-5	248.00	496.00
2	20 INCH	D-6	6,848.00	13,696.00
2	16 INCH	D-7	3,488.00	6,976.00
			TOTAL	30,444.00

THE LEE COMPANY
 CATEGORY E
 CAST IRON VALVE BOX TWO (2) PIECE SLIP TYPE WITH LID

AMOUNT	SIZE	BID #	PRICE	TOTAL
20	5 1/4 INCH	E-1	75.00	1,500.00
			TOTAL	1,500.00

CATEGORY F:
 FITTINGS, TEES - MECHANICAL JOINT - AWWA C110

AMOUNT	SIZE	BID #	PRICE	TOTAL
1	12" X 12"	F-1	536.00	536.00
1	12" X 10"	F-2	528.00	528.00
1	12" X 8"	F-3	445.00	445.00
1	12" X 6"	F-4	425.00	425.00
1	10" X 10"	F-5	422.00	422.00
1	10" X 8"	F-6	354.00	354.00
1	10" X 6"	F-7	345.00	345.00
1	8" X 8"	F-8	245.00	245.00

1	8" X 6"	F-9	234.00	234.00
1	6" X 6"	F-10	172.00	172.00
1	12" X 6"	F-11	504.00	504.00
1	10" X 6	F-12	475.00	475.00
1	8" X 8"	F-13	330.00	330.00
1	8" X 6"	F-14	288.00	288.00
1	6" X 6"	F-15	275.00	275.00

CATEGORY F:

TEES DUCTILE IRON MJ CLASS 350 AWWA C1 (CONT.)

AMOUNT	SIZE	BID #	PRICE	TOTAL
1	12" X 12" X MJ	F-16	302.00	302.00
1	12" X 10" X MJ	F-17	270.00	270.00
1	12" X 8" X MJ	F-18	255.00	255.00
1	12" X 6" X MJ	F-19	233.00	233.00
1	10" X 10" X MJ	F-20	217.00	217.00
1	10" X 8" X MJ	F-21	193.00	193.00
1	10" X 6" X MJ	F-22	187.00	187.00
1	8" X 8" X MJ	F-23	160.00	160.00
1	8" X 6" X MJ	F-24	147.00	147.00
1	6" X 6" X MJ	F-25	110.00	110.00
			TOTAL	7,652.00

CATEGORY I: COMPRESSION UNIONS FOR K TYPE COPPER

AMOUNT	SIZE	BID #	PRICE	TOTAL
12	¾ INCH	I-1	6.80	81.60
12	1 INCH	I-2	7.45	89.40
6	1 ¼ INCH	I-3	19.30	115.80
6	1 ½ INCH	I-4	23.80	142.80
6	2 INCH	I-5	32.10	192.60
			TOTAL	622.20

KENNEDY CULVERT & SUPPLY COMPANY

CATEGORY J:

COPPER K TYPE

AMOUNT	SIZE	BID #	PRICE	TOTAL
5	¾" X 100'	J-1	388.00	1,940.00
1	1" X 100'	J-2	511.00	511.00
5	1 ¼" X 60'	J-3	382.20	1,911.00
5	1 ½" X 60'	J-4	491.40	2,457.00
5	2" X 40'	J-5	583.60	2,918.00
			TOTAL	9,737.00

THE LEE COMPANY

CATEGORY J1

FLAIR UNIONS FOR K TYPE COPPER

AMOUNT	SIZE	BID #	PRICE	TOTAL
5	1 INCH	J1-1	10.95	54.75
5	1 1/2 INCH	J1-2	30.15	150.75
			TOTAL	205.50

CATEGORY K: ROCKWELL 261 OR EQUIVELENT

AMOUNT	SIZE	BID #	PRICE	TOTAL
	4.74-5.14			
4	4" X 12"	K-1	43.70	174.80

2	4" X 15"	K-2	48.50	97.00
2	4" X 20"	K-3	73.30	146.60
	6.84-7.24			
10	6" X 12"	K-4	53.20	532.00
10	6" X 15"(16)	K-5	58.60	586.00
10	6" X 20"	K-6	92.10	921.00
2	6" X 30"(22)	K-7	131.50	263.00
	8.99-9.39			
10	8" X 12"	K-8	62.00	620.00
10	8" X 15"(16)	K-9	71.30	713.00
2	8" X 20"	K-10	103.50	207.00
2	8" X 30"	K-11	154.00	308.00
	11.04-11.44			
5	10" X 12"	<u>K-12</u>	79.00	395.00
5	10" X 15"	K-13	92.00	460.00
2	10" X 20"	K-14	126.00	252.00
2	10" X 30"	K-15	179.00	358.00
	13.10-13.50			
5	12" X 12"	K-16	96.00	480.00
5	12" X 15"(16)	K-17	109.00	545.00
2	12" X 20"	K-18	149.00	298.00
2	12" X 30"	K-19	210.00	420.00
	17.15-18.35			
2	16"X12"	K-20	230.00	460.00
2	16"X20:	K-21	359.00	718.00
			TOTAL	8,954.00

CATEGORY L:

REPAIR CLAMP DOUBLE BAND (ROCKWELL 262, BAKER 334, FORD FS2)

AMOUNT	SIZE	BID #	PRICE	TOTAL
	4.74-5.57			
4	4" X 8"	L-1	44.00	176.00
4	4" X 12"	L-2	68.00	272.00
4	4" X 15"	L-3	82.00	328.00
4	4" X 20"	L-4	109.00	436.00
	6.84-7.64			
10	6" X 12"	L-5	76.00	760.00
5	6" X 15"	L-6	96.00	480.00
5	6" X 20"	L-7	130.00	650.00
5	6" X 22"	L-8	160.00	800.00
	8.99-9.79			
10	8" X 12"	L-9	84.50	845.00
10	8" X 15"	L-10	110.00	1,100.00
5	8" X 20"	L-11	149.00	745.00
5	8" X 22"	L-12	182.00	910.00
	11.10-11.90			
5	10" X 15"	L-13	136.00	680.00
5	10" X 20"	L-14	180.00	900.00
5	10" X 22"	L-15	230.00	1,150.00
	13.20-14.00			
5	12" X 15"	L-16	156.00	780.00
5	12" X 20"	L-17	209.00	1,045.00
	18.84-19.19			
4	16"X12"	L-18	170.00	680.00
			TOTAL	12,737.00

CATEGORY M:
TAPPING CLAMPS (REPAIR BAND) SINGLE BAND 1"CC
(ROCKWELL 264, BAKER 336, FORD FS1)

AMOUNT	SIZE	BID #	PRICE	TOTAL
	4.74-5.14			
4	4" X 12"	M-1	64.00	256.00
	6.84-7.24			
4	6" X 12'	M-2	75.00	300.00
	8.99-9.39			
4	8" X 12'	M-3	86.00	344.00
10	10"x12"	M-4	98.00	980.00
			TOTAL	1,880.00

CATEGORY N:
TAPPING CLAMP (REPAIR BAND) DOUBLE BAND 1"CC
(ROCKWELL 265, BAKER 338, FORD FS2)

AMOUNT	SIZE	BID #	PRICE	TOTAL
	4.74-5.57			
2	4" X 12"	N-1	85.00	170.00
	6.84-7.64			
2	6" X 12"	N-2	94.00	188.00
	8.99-9.79			
2	8" X 12"	N-3	103.00	206.00
	11.10-11.90			
2	10" X 12"	N-4	144.00	288.00
	13.20-14.00			
2	12" X 12"	N-5	162.00	324.00
			TOTAL	1,176.00

CATEGORY AA
MISCELLANEOUS CURB BOX RODS

AMOUNT	<u>SIZE</u>	BID#	PRICE	TOTAL
20	2' TO 3'	AA-1	27.30	546.00
20	3' TO 4'	AA-2	30.80	616.00
20	4' TO 5'	AA-3	33.60	672.00
			TOTAL	1,834.00

CATEGORY BB
CURB BOX WITH FOOT PIECE

AMOUNT	SIZE	BID#	PRICE	TOTAL
5	3' TO 4'	BB-1	51.30	256.50
			TOTAL	256.50

CATEGORY CC
¾" INCH 6 FOOT LENGTHS

AMOUNT	SIZE	BID#	PRICE	TOTAL
10	6' X ¾"	CC-1	9.00	90.00
			TOTAL	90.00

CATEGORY DD
CORPORATIONS WITH QUARTER BENDS

AMOUNT	SIZE	BID #	PRICE	TOTAL
10	1" FLAIR	DD-1	25.20	252.00
10	1 ¼"	DD-2	122.00	1,220.00

10	1 ½"	DD-3	81.00	810.00
			TOTAL	2,282.00

CATEGORY EE

CURB STOPS FLAIR X FLAIR (MARK II ORISEAL VALVE - MUELLER H15204)

AMOUNT	SIZE	BID #	PRICE	TOTAL
50	1"	EE-1	39.00	1,950.00
10	1 ¼"	EE-2	54.50	545.00
10	1 ½"	EE-2	77.50	775.00
			TOTAL	3,270.00

CATEGORY FF

CURB STOPS FLAIR X IRON PIPE (THREADED) (MARK II ORISEAL VALVE H15174)

AMOUNT	SIZE	BID #	PRICE	TOTAL
50	1"	FF-1	35.70	1,785.00
5	1 ¼"	FF-2	49.50	247.50
			TOTAL	2,032.50

CATEGORY GG

CURB STOPS IRON PIPE X IRON PIPE (THREADED) (MARK II ORISEAL VALVE H10283)

AMOUNT	SIZE	BID #	PRICE	TOTAL
10	1 ¼ INCH	GG-1	33.10	331.00
5	2 INCH	GG-2	91.80	459.00
			TOTAL	790.00

KENNEDY CULVERT & SUPPLY COMPANY

CATEGORY HH

CORPORATIONS COMPRESSION

AMOUNT	SIZE	BID #	PRICE	TOTAL
50	1 INCH	HH-1	19.19	959.50
5	2 INCH	HH-2	84.50	422.50
5	1 ½	HH-3	51.10	255.50
			TOTAL	1,637.50

CATEGORY II

CURB STOPS COMPRESSION X COMPRESSION (MARK III ORISEAL VALVE)

AMOUNT	SIZE	BID #	PRICE	TOTAL
50	1 INCH	II-1	29.85	1,492.50
10	1 ½'	II-2	56.90	569.00
			TOTAL	2,061.50

THE LEE COMPANY

CATEGORY JJ

CURB STOPS COMPRESSION X IRON PIPE (THREADED) (MARK III ORISEAL VALVE)

AMOUNT	SIZE	BID #	PRICE	TOTAL
50	1 INCH	JJ-1	37.50	1,875.00
10	1 ½"	JJ-2	N/A	0.00
			TOTAL	1,875.00

CATEGORY KK

DRILL BITS CEM-RES (FOR D-5 TAPPING MACHINE)

AMOUNT	SIZE	BID #	PRICE	TOTAL
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2	1 7/8"	KK-1	319.00	638.00
			Bid "36069"	
2	1 7/16	KK-2	209.00	418.00
			Bid "36056"	
5	15/16	KK-3	114.00	570.00
			Bid "36039"	
	1-INCH BITS FOR B101 DIRECT TAPPING			
5	MACHINE	KK-4	180.00	900.00
			Bid "680540"	
			TOTAL	2,526.00

CATEGORY LL

VALVE BOX EXTENTIONS (MUELLER H10376)

AMOUNT	SIZE	BID #	PRICE	TOTAL
20	1 INCH	LL-1	13.00	260.00
20	2 INCH	LL-2	18.00	360.00
20	3 INCH	LL-3	19.00	380.00
20	4 INCH	LL-4	23.00	460.00
			TOTAL	1,460.00

CATEGORY MM

VALVE BOX LIDS (FOR 3 INCH & 4 INCH EXTENTIONS) MUELLER H103610

AMOUNT	SIZE	BID #	PRICE	TOTAL
40	N/A	MM-1	10.10	404.00
			TOTAL	404.00

CATEGORY NN

BELL CLAMPS # 160

AMOUNT	SIZE	BID #	PRICE	TOTAL
6	6 INCH	NN-1	68.00	408.00
6	8 INCH	NN-2	93.00	558.00
6	10 INCH	NN-3	116.00	696.00
4	12 INCH	NN-4	127.00	508.00
4	16 INCH	NN-5	180.00	720.00
			TOTAL	2,890.00

CATEGORY PP

RISE RITES FOR STREET VALVES

AMOUNT	SIZE	BID #	PRICE	TOTAL
20		PP-1	23.60	472.00
			TOTAL	472.00

CATEGORY P:

SERVICE SADDLES DOUBLE STRAP-IRON (ROCKWELL 313)

AMOUNT	SIZE	BID #	PRICE	TOTAL
	6.86-7.60			
2	6" X 3/4"	P-1	14.70	29.40
2	6" X 1"	P-2	14.70	29.40
2	6" X 1 1/4"	P-3	17.90	35.80
5	6" X 2 "	P-4	18.10	90.50
	8.99-9.79			
5	8" X 3/4"	P-5	16.00	80.00

December 13, 2005 – Work Session/Regular Meeting

10	8" X 1"	P-6	16.00	160.00
2	8" X 1 1/4"	P-7	20.20	40.40
2	8" X 1 1/2"	P-8	20.50	41.00
2	8" X 2"	P-9	20.50	41.00
	11.10-11.90			
2	10" X 3/4"	P-10	21.00	42.00
2	10" X 1"	P-11	21.00	42.00
2	10" X 1 1/4"	P-12	21.00	42.00
2	10" X 1 1/2"	P-13	21.00	42.00
2	10" X 2"	P-14	21.00	42.00
	13.20-14.00			
2	12" X 3/4"	P-15	35.00	50.00
2	12" X 1"	P-16	35.00	50.00
2	12" X 1 1/4"	P-17	31.00	62.00
2	12" X 1 1/2"	P-18	32.00	64.00
2	12" X 2"	P-19	32.00	64.00
	17.40-18.88			
2	16" X 3/4"	P-20	40.50	81.00
2	16" X 1"	P-21	40.50	81.00
2	16" X 1 1/4"	P-22	55.50	111.00
2	16" X 1 1/2"	P-23	55.50	111.00
2	16" X 1 1/2"	P-24	57.00	114.00
			TOTAL	1,545.00

CATEGORY Q:

REPAIR SERVICE SADDLES, DOUBLE STRAP-IRON
(ROCKWELL 331)

AMOUNT	SIZE	BID #	PRICE	TOTAL
	6.90-7.40			
5	6" X 3/4"	Q-1	27.90	139.50
20	6" X 1"	Q-2	27.90	558.00
2	6" X 1 1/4"	Q-3	30.50	61.00
5	6" X 1 1/2"	Q-4	30.50	152.20
	8.99-9.79			
5	8" X 3/4"	Q-5	32.30	161.50
20	8" X 1"	Q-6	32.30	646.00
2	8" X 1 1/4"	Q-7	41.50	83.00
5	8" X 1 1/2"	Q-8	41.50	207.50
	11.04-12.12			
10	10" X 3/4"	Q-9	40.50	405.00
2	10" X 1"	Q-10	40.50	81.00
2	10" X 1 1/4"	Q-11	43.90	87.80
2	10" X 1 1/2"	Q-12	43.90	87.80
	13.14-14.38			
2	12" X 3/4"	Q-13	58.00	116.00
5	12" X 1"	Q-14	58.00	290.00
2	12" X 1 1/4"	Q-15	63.00	126.00
2	12" X 1 1/2"	Q-16	63.00	126.00
			TOTAL	3,328.00

CATEGORY R: (ROCKWELL 362)

AMOUNT	SIZE	BID #	PRICE	TOTAL
2	16" X 3/4"	R-1	108.00	216.00
5	16" X 1"	R-2	108.00	540.00
2	16" X 1 1/4"	R-3	108.00	216.00

2	16" X 1 1/2"	R-4	108.00	216.00
2	16" X 2"	R-5	108.00	216.00
2	20" X 3/4"	R-6	124.00	248.00
4	20" X 1"	R-7	124.00	496.00
2	20" X 1 1/4"	R-8	124.00	248.00
2	20" X 1 1/2"	R-9	124.00	248.00
2	20" X 2 "	R-10	124.00	248.00
			TOTAL	2,892.00

CATEGORY S:
MISCELLANEOUS
SLEEVES MJ DUCTILE IRON

AMOUNT	SIZE	BID #	PRICE	TOTAL
2	4 INCH	S-1	52.00	104.00
10	6 INCH	S-2	77.00	770.00
10	8 INCH	S-3	97.00	970.00
10	10 INCH	S-4	119.00	1,190.00
5	12 INCH	S-5	154.00	770.00
2	16 INCH	S-6	374.00	748.00
			TOTAL	4,552.00

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

Resolution #05-537 Amend Professional Services Agreement – Schoor DePalma – Fair Share Plan – Original Contract: \$40,000.00 – Additional Amount: \$10,000.00 – Amended Contract Amount: \$50,000.00.

WHEREAS, the Township Council awarded on contract to Schoor DePalma for preparation and submission of the Township's Affordable Housing Fair Share Compliance Plan in the amount of \$40,000.00 on May 24, 2005; and

WHEREAS, a need exists to amend said contract to provide an additional \$10,000.00 therefor; and

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

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

WHEREAS, 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.

Change Order #6 4,864.00 Electric Hand Dryers in all Public Toiler Areas

Change Order #7 11,320.00 Alternate Sanitary Sewer Connection

**Total of Change
Orders Nos. 1-7 \$ 34,175.00**

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

NOW, THEREFORE, BE IT RESOLVED 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 Nos. 1 thru 7 to the contract with Fuscon Enterprises in an amount not to exceed \$34,175.00, resulting in a new contract amount of \$6,431,175.00; and

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

Resolution #05-539 Authorize Release of Construction Water Meter Escrow Monies.

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: Cedar Hill Hydro Seeding
ADDRESS: 127 Cedar Grove Lane
 Somerset, New Jersey 08873

AMOUNT DEPOSITED:	\$650.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT FOR SERVICE CHARGE & WATER USAGE	\$0.00
AMOUNT TO BE REFUNDED:	\$650.00
(Service Charge/Water Usage – Paid in full by separate check)	

APPLICANT: The Norwood Company
ADDRESS: 974 Marcon Blvd., Suite 220
 Allentown, PA 18190

AMOUNT DEPOSITED:	\$875.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT FOR SERVICE CHARGE & WATER USAGE	\$135.00
AMOUNT TO BE REFUNDED:	\$740.00

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 #05-540 Authorize Release of Water Overpayments.

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

<u>YEAR</u>	<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>REASON</u>	<u>AMOUNT</u>
2005	171.01/108.01	Rocco Sansone 382 Somerset Street Somerset, NJ 08873	Paid for two taps only needed one	1,893.98

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 #05-541 Authorize Release of Performance Guarantee – Dome Tech Solar (NJ American Water) – PLN2005-0007 – Block 516/Lot 6.02 – 701 Randolph Road - \$9,180.00.

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

ITEM:	Performance Bond
NAME OF APPLICANT:	Dome Tech Solar (NJ American Water Company)
ADDRESS OF APPLICANT:	175 May Street, Suite 200 Edison, New Jersey 08837
NUMBER:	CK#2064
IN THE AMOUNT OF:	\$9,180.00
FOR:	Block 516/Lot 6.02 – 701 Randolph Road – Solar Photovoltaic Project

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 \$9,180.00 be released to the above named applicant.

Resolution #05-542 Authorize Release of Inspection Fees – Dome Tech Solar (NJ American Water Company) – PLN2005-0007 – Block 516/Lot 6.02 – 701 Randolph Road - \$3,717.50.

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:	Dome Tech Solar (NJ American Water Company)
ADDRESS:	510 Thornall Street, Suite 170 Edison, NJ 08837
DOCKET NO.	PLN2005-0007

BLOCK/LOT:	516/6.02	
LOCATION:	701 Randolph Road	
AMOUNT DEPOSITED:	\$1,250.00 <Heyer>	\$3,750.00 <In-Hse>
AMOUNT CHARGED:	<u>847.50</u>	<u>435.00</u>
AMOUNT TO BE REFUNDED:	\$ 402.50	\$3,315.00

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 #05-543 Authorize Grant Application – 2006 Recreational Trails Program Grant – Ten Mile Run Pedestrian Bridge – Grant Amount: \$25,000.00.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of an application 2006 Recreational Trails Program Grant to apply for funds in the amount of \$25,000.00 for the following:

For funding for the construction of the Ten Mile Run Pedestrian Bridge on Township-Owned Open Space Property known as Block 20.02, Lot 12.05 and does authorize the appropriate Township officials to execute these grant applications on its behalf.

Resolution #05-544 Authorize Change Order #1 – CDBG Housing Rehab for 61 Girard Avenue – Ronald Patrick’s Plumbing – Original Contract Amount: \$28,325.00 – Change Order Amount: \$1,425.00 – New Contract Amount: \$29,750.00.

Resolution #05-545 Authorize Extension of Contract – Metuchen Center – Screened T-Shirts for Various Township Programs – 12/01/05 to 11/30/06 – Not to Exceed \$17,000.00.

BE IT AND IT IS HEREBY RESOLVED that the resolution adopted December 11, 2003 awarding bid for Screened T-Shirts for Various Township Programs for the period December 1, 2003 to November 30, 2005, with a clause providing for the extension of the contract at the existing terms and conditions for one (1) additional year:

Metuchen Center

429 Joyce Kilmer Road
New Brunswick, NJ 08901

be extended for the period December 1, 2005 to November 30, 2006 in an amount not to exceed \$17,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk be and the same are hereby authorized to enter into a contract with the above listed company.

Resolution #05-546 Authorize Change Order #1 – Transport International Pool, Inc., d/b/a GE Capital Modular Space – Renovations to Municipal Building – Original Contract: \$576,702.00 – Additional Amount: \$51,050.00 – New Contract Amount: \$627,752.00.

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on April 12, 2005, authorized the awarding of a contract to

TRANSPORT INTERNATIONAL POOL, INC.

D/B/A GE CAPITAL MODULAR SPACE

426 West Lancaster Avenue

Devon, PA 19333

An amount not to exceed \$576,702.00; and

WHEREAS, during the course of the contract, it was discovered after work began:

1. Repositioning of the building resulting in the extension of the stone façade to the new areas currently facing the public right of way;
2. Extensive unmarked underground utility changes to the footing layout were required;
3. Grade changes had to be made;
4. Accommodations for barrier-free access were readdressed.

resulting in the need to increase the contract as follows:

CHANGE ORDER NO. 1:

Renovations to the Municipal Building – Amount not to exceed \$51,050.00

New Contract Total not to exceed \$627,752.00; 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 Transport International Pool, Inc., d/b/a GE Capital Modular Space; 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 #05-548 Authorize the Issuance of New Plenary Retail Distribution License to Peter Camamis.

WHEREAS, on November 9, 2004 the Township Council adopted Resolution #04-495 which authorized the sale of one (1) plenary retail consumption license and one (1) plenary distribution license; and

WHEREAS, on January 11, 2005 the Township Council adopted Resolution #05-038 which awarded the plenary distribution license to the high bidder, Peter Camamis in the amount of \$275,100; and

WHEREAS, the submitted application form is complete in all respects, the ten percent (10%) bid deposit of \$27,500 has been paid; and

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

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

WHEREAS, Peter Camamis has complied with all the conditions of sale within six (6) months of said award of license;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Franklin, State of New Jersey that it hereby authorizes the issuance of a plenary retail distribution license to Peter Camamis effective December 13, 2005.

RESOLUTION VOTED ON SEPARATELY

Mayor Levine presented the following resolution:

Resolution #05-547 Authorize Release of Planning Review Escrow – Robert Tarullo – PLN2002-062 – Block 62/Lots 4-6 – 36 William Street - \$1,210.00.

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:	Robert Tarullo		
ADDRESS:	350 West High Street Bound Brook, NJ 08805		
DOCKET NO.	PLN2002-0062		
BLOCK/LOT:	62/4-6		
LOCATION:	36 William Street		
AMOUNT DEPOSITED:	\$375.00 <Heyer>	\$1,500.00 <In-Hse>	\$125.00 <Ritchie>
AMOUNT CHARGED:	<u>200.00</u>	<u>465.00</u>	<u>125.00</u>
AMOUNT TO BE REFUNDED:	\$175.00	\$1,035.00	\$ 0.00

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.

Deputy Mayor McKenzie moved the adoption of the aforesaid resolution. 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		Ritchie	Regan
Eberle	Levine			
McKenzie	Sumter			
Vassenella				

PUBLIC DISCUSSION

Deputy Mayor McKenzie moved to open the meeting for discussion on matters of a general nature. Said motion was seconded by Mr. Sumter and carried unanimously upon voice vote.

Saul Cohen, 8 Yates Avenue, asked for a increase in speed limit on Schoolhouse Road from 25 mph to 40 mph. Mr. Daly replied he would check with the Traffic Bureau. He

commended the Department of Public Works for their fine job on removing snow during the two (2) snow storms.

John McConville, 5 Stone Leigh Way, stated that he misunderstood the salary ordinance and apologized for misstatements made at the last meeting.

Deputy Mayor McKenzie moved to close the meeting for discussion on matters of a general nature. Said motion was seconded by Ms. Ashley-Williams and carried unanimously upon voice vote.

ADJOURNMENT

Deputy Mayor McKenzie moved to adjourn the meeting at 12:00 a.m. (December 14, 2005). 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