

The Special Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey was called to order by the Mayor at 7:09 p.m.

Mayor Levine read the following statement: "In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Special 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 by faxing to the officially designated newspapers, a notice indicating that the Special Meeting would take place at the Municipal Building at 7:00 p.m. on December 20, 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."

The Township Clerk called the roll.

Present: Ms. Ashley-Williams, Ms. Danile, Ms. Eberle, Mayor Levine, Deputy Mayor McKenzie, Ms. Ritchie (arrived at 7:12 p.m.), Mr. Sumter, Mr. Vassanella

Absent: Mr. Regan

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

FY06 MUNICIPAL CURRENT, CAPITAL, OPEN SPACE & WATER UTILITY BUDGET

Resolution #05-549 – Read Budget by Title

Mayor Levine presented the following resolution:

BE IT RESOLVED, by the Township Council of the Township of Franklin, County of Somerset that it hereby determines that the FY2006 Municipal Budget shall be read by its title, as per NJSA 40A:4-8 and it is declared that all required conditions have been met.

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

Public Hearing on FY06 Municipal Budget as Introduced

Deputy Mayor McKenzie moved to open the public hearing on the FY06 Municipal Budget as Introduced. Said motion was seconded by Ms. Eberle and carried unanimously upon call of the roll.

There being no comments from the public, Ms. Danile moved to close the public hearing on the FY06 Municipal Budget as Introduced. Said motion was seconded by Ms. Ashley-Williams and carried unanimously upon call of the roll.

Resolution #05-550 Adopt FY06 Current, Capital, Open Space & Water Utility Budget

Mayor Levine presented the following resolution:

BE IT RESOLVED by the Mayor and Township of the Township of Franklin, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 25,697,499.00 (Item 2 below) for municipal purposes

SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	\$ 7,568,349.27
Miscellaneous Revenues Anticipated	14,710,967.44
Receipts from Delinquent Taxes	1,800,000.00
2. Amount to be Raised by Taxation for Municipal Purposes (Item 6(a), Sheet 11)	\$ <u>25,697,499.00</u>
 Total Revenues	 \$ <u>49,776,815.71</u>

SUMMARY OF APPROPRIATIONS

1. General Appropriations	
Within "CAPS"	
(a&b) Operations Including Contingent	\$ 26,448,695.00
(e) Deferred charges and Statutory Charges – Municipal	1,512,653.00
Excluded from "CAPS"	
(a) Operations – Total Operations Excluded from "CAPS"	10,380,227.71
[c] Capital Improvements	2,625,680.00
(d) Municipal Debt Service	4,157,367.00
(m) Reserve for Uncollected Taxes	<u>4,652,193.00</u>
 Total Appropriations	 \$ <u>49,776,815.71</u>

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution by the Governing Body on the 20th day of December, 2005. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the SFY 2006 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Said resolution was moved by Deputy Mayor McKenzie and seconded by Ms. Danile.

Mayor Levine moved to change how the Township compensates Attorneys (exception of Township Attorney) – to pay them as contractors and not as employees. There was no second to the motion.

Mayor Levine moved to change the Redevelopment Administrator from an employee to a consultant. Said motion was seconded by Ms. Danile. Said motion failed as follows upon call of the roll:

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

The motion to adopt Resolution #05-550 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. Danile moved to open the meeting for public discussion. Said motion was seconded by Deputy Mayor McKenzie and carried unanimously upon voice vote.

Mayor Levine announced the motion carried. This meeting is open for public discussion on any item of interest which does not have a public hearing of its own. Anyone interested in speaking, please raise their hand and when recognized, give your name and address.

John McConville, 5 Stone Leigh Way, asked how a member of the Planning Board and Board of Adjustment could also sit on Council. Mr. Rainone replied that a Council member does not sit on the Board of Adjustment. He stated that it is according to statute that a member of the governing body sits on the Planning Board.

There being no further comments from the public, a motion was made by Deputy Mayor McKenzie 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

Deputy Mayor McKenzie made a motion to adopt the following consent agenda items. Said motion was seconded by Ms. Ritchie.

Resolution #05-551 Authorize Purchase under State Contract – Motorola – Expansion of Trunked Radio System to include Berry Street and Trap Rock Location – An Amount Not to Exceed \$1,611,242.80

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: **Motorola**
85 Harristown Road
Glen Rock, NJ 07452

State Contract No. A53804

ITEMS: Expansion of Trunked Radio System to Include Berry Street and Trap Rock Location

COST: \$1,611,242.80

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 #05-552 Amending Resolution #05-517 – Authorizing the Release of Deed Restriction – Estate of Angelo Bottone for Property Located at Block 493.01, Lots 20-23, 41-51 – 329 Elizabeth Avenue

WHEREAS, the Township Council of the Township of Franklin, County of Somerset, State of New Jersey adopted Resolution #05-517 entitled, “Resolution Authorizing the Release of Deed Restriction – Estate of Angelo Bottone for Property Located at Block 493.01, Lots 20-23; 41-51 – 329 Elizabeth Avenue” at a meeting held on December 13, 2005; and

WHEREAS, said resolution 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; and

WHEREAS, the condition that the two (2) residential structures built on the subject property after the subdivision will be affordable units per COAH standards was incorrect and the resolution should have stated “one affordable housing unit per COAH standards and one market rate unit;

NOW, THEREFORE, BE IT RESOLVED, on this 20th 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 as follows: one (1) affordable unit per COAH standards and one (1) market rate unit.

Resolution #05-553 Authorize Issuance of Raffle Licenses

WHEREAS, the following have made application to the Township of Franklin, Somerset County, for a Raffle/Bingo License; and

WHEREAS, said applications have been presented to the Mayor and the Chief of Police for Findings and Determinations; and

WHEREAS, the Clerk has reported that the proper fees have been paid;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be instructed to issue a **RAFFLE/BINGO LICENSE** to the following:

<u>NAME OF ORGANIZATION</u>	<u>DATE OF RAFFLE/BINGO</u>
St. Matthias Home School Association	January 13, 2005
170 JFK Boulevard, Somerset, NJ	6:30 pm – 11:00 pm
Basket Bingo – BL#1532	
On-Premise Raffle – RL#1533	
On-Premise 50/50 – RL#1534	
Drawings: St. Matthias School Cafeteria	

Resolution #05-554 Support of Special Session of State Legislature Dedicated to Property Tax Relief and Reform

WHEREAS, New Jersey’s property taxes, which support county and municipal governments and the public schools, are among the highest in the nation; and

WHEREAS, the current system of property taxation has placed an enormous burden on the residents of this State; and

WHEREAS, this system is unfair because it is not based upon ability to pay and is applied in an inequitable and non-uniform manner; and

WHEREAS, there is a dire need to reform property taxes which are stifling the State’s economy, making home ownership impossible for many, and disproportionately burdening the elderly, the young, and low income families; and

WHEREAS, remedying the problems associated with high property taxes is a legislative responsibility; and

WHEREAS, there is a need for the Legislature to convene in a special session dedicated solely to addressing property tax relief and reform in this State;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that we do call upon our State Senator Bob Smith and our Representatives in the General Assembly, Joseph Egan and Upendra Chivukula, that they support, the convening of a special session of the Legislature for the purpose of considering property tax relief and reform; and be it, further,

RESOLVED, that copies of this Resolution be forwarded to Senator Bob Smith, to Assembly Members Joseph Egan and Upendra Chivukula, to Acting Governor Codey, to Governor Elect Jon Corzine and to the New Jersey State League of Municipalities.

Deputy Mayor McKenzie gave his support for Resolution #05-554 and stated that the school systems in New Jersey are at a crossroad. He stated that something needs to be done. He recommended that a special committee be apprised of the Mayor, Deputy Mayor and two (2) members of Council to work closely with the Board of Education as well as improve communications between both boards. He spoke of a NJ School Board Association seminar that members of Council should also attend. The seminar is about how to provide for a successful school budget campaign. He stated that there needs to be more voter awareness of the school budget. It is the largest utilization of property taxes and the least know. He asked for Council's support.

Ms. Ashley-Williams supported the resolution and reiterated her support of property tax reform. She also supported the four-member subcommittee and recommended that the two other members be a Council member from the Financial Oversight Committee and a Council member who is the Board of Education Liaison.

Ms. Danile supported the resolution and noted that she is unsure how much would be accomplished in a Special Session of the Legislature. She stated that a Constitution Convention might be better.

Ms. Eberle stated that the Special Session is a good start. She stated that Governor-Elect Corzine is in favor of property tax reform. She stated that the special session may be the start towards a Constitution Convention.

Deputy Mayor McKenzie stated that a Special Session is the quickest way to address the issue and if it is not successful, then possibly a Constitution Convention should be considered.

Ms. Ashley-Williams agreed and asked that Governor-Elect Corzine be added to the resolution for a copy to be sent to him.

Mr. Vassanella agreed with the Council and noted that it is a good start. He suggested that the subcommittee structure be reviewed as to terms and appointments.

The motion to adopt the Consent Agenda items carried as follows upon call of the roll:

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

Mayor Levine announced that the Executive Session listed on the agenda has been postponed until a meeting in January. He wished everyone Happy Holidays.

ADJOURNMENT

Motion was made by Ms. Danile and seconded by Ms. Ashley-Williams to adjourn the meeting at 7:36p.m. The motion was carried unanimously upon voice vote.

Ann Marie McCarthy, Township Clerk

Approved:

Date: