

The Reorganization/Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by Mayor Levine at 7:13 p.m.

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 Reorganization/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 Reorganization/Work Session/Regular Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on January 6, 2009. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.”

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

The Township Clerk called the roll.

Present: Ms. Danile, Ms. Eberle, Ms. Francois, Mr. Glicklich, Mayor Levine, Mr. Mettler, Mr. Prasad, Mr. Sumter, Mr. Vassanella

Absent: None

Also present: Leslie G. London, Township Attorney, Kenneth W. Daly, Township Manager, Ann Marie McCarthy, Township Clerk

NOMINATIONS FOR DEPUTY MAYOR – ONE (1) YEAR TERM – 1/01/09 TO 12/31/09

Mayor Levine called for nominations for Deputy Mayor for a one (1) year term commencing January 1, 2009 and expiring December 31, 2009.

Ms. Danile nominated Daniel Glicklich for Deputy Mayor for a one (1) year term commencing January 1, 2009 and expiring December 31, 2009.

The nomination for Deputy Mayor carried as follows upon call of the roll:

	<u>Daniel Glicklich</u>
Danile	✓
Eberle	✓
Francois	✓
Glicklich	✓
Levine	✓
Mettler	✓
Prasad	✓
Sumter	✓
Vassanella	✓

Mayor Levine declared Daniel Glicklich appointed Deputy Mayor and the Township Clerk administered the Oath of Office. Deputy Mayor Glicklich thanked everyone for bestowing him this honor.

NOMINATIONS FOR TOWNSHIP ATTORNEY ONE-YEAR TERM – 01/01/09 TO 12/31/09

Mayor Levine called for nominations for Township Attorney for a one (1) year term commencing January 1, 2008 and expiring December 31, 2008.

Ms. Francois nominated Leslie G. London, Esq. For Township Attorney for a one (1) year term commencing January 1, 2009 and expiring December 31, 2009. Said nomination was seconded by Mr. Mettler.

The nomination for Township Attorney carried as follows upon call of the roll:

	<u>Leslie G. London</u>
Danile	✓
Eberle	✓
Francois	✓
Glicklich	✓
Levine	✓
Mettler	✓
Prasad	✓
Sumter	✓
Vassanella	✓

Mayor Levine declared Leslie G. London appointed Township Attorney and the Township Clerk administered the Oath of Office.

NOMINATIONS FOR BOND COUNSEL – ONE (1) YEAR TERM - 01/01/09 TO 12/31/09

Mayor Levine called for nominations for Bond Counsel for a one (1) year term commencing January 1, 2009 and expiring December 31, 2009.

Ms. Francois nominated Everett Johnson, of Wilentz, Goldman & Spitzer.

The nomination for Bond Counsel carried as follows upon call of the roll:

	<u>Everett Johnson</u>
Danile	✓
Eberle	✓
Francois	✓
Glicklich	✓
Levine	✓
Mettler	✓
Prasad	✓
Sumter	✓
Vassanella	✓

Mayor Levine declared Everett Johnson , of Wilentz, Goldman & Spitzer appointed as Bond Counsel.

NOMINATIONS FOR PUBLIC DEFENDER – ONE (1) YEAR TERM – 01/01/09 TO 12/31/09

Mayor Levine called for nominations for Township Public Defender for a one (1) year term commencing January 1, 2009 and expiring December 31, 2009.

Ms. Francois nominated Dennis Auciello.

The nomination for Public Defender carried as follows upon call of the roll:

	<u>Dennis Auciello</u>
Danile	✓
Eberle	✓
Francois	✓
Glicklich	✓
Levine	✓
Mettler	✓
Prasad	✓
Sumter	✓
Vassanella	✓

Mayor Levine declared Dennis Auciello appointed as Public Defender.

BOARD AND COMMISSION APPOINTMENTS

Planning Board

Class IV Member for a four-year term ending December 31, 2012

Mayor Levine called for nominations for One (1) Class IV Member of the Planning Board, for a four-year term ending December 31, 2012.

Deputy Mayor Glicklich nominated Cecile MacIvor.

Mayor Levine declared Cecile MacIvor appointed by acclamation as Class IV Member of the Planning Board, for a four-year term ending December 31, 2012.

Class III Member for a one-year term ending December 31, 2009

Mayor Levine called for nominations for One (1) Class III Member of the Planning Board, for a one-year term ending December 31, 2008.

Deputy Mayor Glicklich nominated Mr. Prasad. Said nomination was seconded by Ms. Eberle.

Mayor Levine declared Mr. Prasad appointed by acclamation as Class III Member of the Planning Board, for a one-year term ending December 31, 2009.

Class II Member for a one-year term ending December 31, 2009

Mayor Levine called for nominations for One (1) Class II Member of the Planning Board, for a one-year term ending December 31, 2009.

Mr. Glicklich nominated Maureen Sturgeon. Mr. Vassanella seconded by nomination.

Mayor Levine declared Maureen Sturgeon appointed by acclamation as Class II Member of the Planning Board, for a one-year term ending December 31, 2009.

Class I Member for a one-year term ending December 31, 2009.

Mayor Levine the appointment of Anthony Mazzola as the Class I Member of the Planning Board for a one-year term ending December 31, 2009.

Board of Adjustment

Two (2) Regular Members of the Board of Adjustment, each for a four-year term ending December 31, 2012.

Mayor Levine called for nominations for two (2) regular members of the Board of Adjustment, each for a four-year term ending December 31, 2012.

Deputy Mayor Glicklich nominated Raymond Betterbid and Alan Rich. Ms. Danile nominated Grave Evans.

The nominations for the two (2) regular members of the Board of Adjustment, each for a four-year term ending December 31, 2012 were voted on as follows:

	<u>Raymond Betterbid</u>	<u>Alan Rich</u>	<u>Grace Evans</u>
Danile		✓	✓
Eberle	✓	✓	
Francois	✓	✓	
Glicklich	✓	✓	
Levine	✓	✓	
Mettler	✓	✓	

Prasad	✓	✓
Sumter	✓	✓
Vassanella	✓	✓

Mayor Levine declared Raymond Betterbid and Alan Rich as regular members of the Board of Adjustment, each for a four-year term ending December 31, 2012.

One (1) Alternate #2 Member and One (1) Alternate #3 Member of the Board of Adjustment, each for a two-year term ending December 31, 2010.

Mayor Levine called for nominations for one (1) Alternate #2 Member and one (1) Alternate #3 of the Board of Adjustment, each for a two-year term ending December 31, 2010.

Deputy Mayor Vassanella nominated Carl Wright as Alternate #2 Member and Gary Rosenthal as Alternate #3 of the Board of Adjustment, each for a two-year term ending December 31, 2010.

Mayor Levine declared Carl Wright appointed as Alternate #2 and Gary Rosenthal as Alternate #3 of the Board of Adjustment by acclamation, each for a two-year term ending December 31, 2010.

Historic Preservation Commission

Three (3) Regular Members, each for a two-year term ending December 31, 2010.

Mr. Mettler nominated William Mundt, Idaherma Williams and Thomas Gayle as Regular Members of the Historic Preservation Commission, each for a two-year term ending December 31, 2010.

Mayor Levine declared William Mundt, Idaherma Williams and Thomas Gayle as Regular Members of the Historic Preservation Commission by acclamation, each for a two-year term ending December 31, 2010.

Planning Board

A motion was made by Ms. Danile to amend the agenda to include nominations for Alternate #2 Member of the Planning Board. Said motion was seconded by Mr. Mettler and carried unanimously upon call of the roll.

Planning Board Alternate #2 for a two-year term ending December 31, 2010

Mr. Prasad nominated Harry Weber as Planning Board Alternate #2 for a two-year term ending December 31, 2010. Mr. Sumter seconded the nomination.

Mayor Levine declared Harry Weber appointed by acclamation as Alternate #2 Member of the Planning Board, for a two-year term ending December 31, 2010.

Cable TV Advisory Committee

A motion was made by Mr. Vassanella to amend the agenda to include nominations for a Regular Member of the Cable TV Advisory Committee. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Cable TV Advisory Committee for an unexpired two-year term ending December 31, 2009.

Mr. Vassanella nominated Peter von Kaenel as Regular Member of the Cable TV Advisory Committee for an unexpired two-year term ending December 31, 2009.

Mayor Levine declared Peter von Kaenel as Regular Member of the Cable TV Advisory Committee by acclamation for an unexpired two-year term ending December 31, 2009.

MAYOR'S REPORT

Mayor Levine wished everyone a Happy New Year.

DEPUTY MAYOR'S REPORT

Deputy Mayor Glicklich wished everyone a Happy New Year.

PUBLIC DISCUSSION

Upon motion by Mr. Prasad, seconded by Mr. Mettler, the meeting was opened for public discussion. Said motion carried unanimously upon call of the roll.

Ray Kroll, 43 Green Street, spoke on the discussion of the fireworks display scheduled on the agenda to be rescheduled for July 2, 2009. He asked Council to use due diligence when hiring a vendor.

John McConville, 5 Stone Leigh Way, thanked Mr. Vassanella for his good job as Deputy Mayor. He corrected errors in his comments made at the November meeting regarding increases in tax levies. He expressed his support to cancel the fireworks to save money. He expressed his disappointment with Council's spending and with the State's spending. He noticed pumps pumping water onto roads into the storm sewers. He asked about the status of the HVAC report.

Rozalyn Sherman, 520 Rosecliff Court, stated \$60,000 is too much money and is frivolous for tee-shirts.

Ted Chase, 159 Old Georgetown Road, thanked for the addition of the appointment of the Planning Board Alternate #2. He stated the Planning Board needs all the positions filled. He stated the Environmental Commission also needs their positions filled.

John Tibbs, 107 Mark Street, looks forward to a good year. He spoke on hiring practices in the Township should be to hire within the community. He spoke of the importance of the Rent Leveling Board.

Phillip Kramer, 429 Canal Road, asked if the Advisory Board of Health seats are considered holdovers. Deputy Mayor Glicklich replied yes. Mr. Kramer wished everyone a Happy New Year. He stated the Board of Education is moving forward with contracting an architectural firm for the design of an athletic complex. He reported the Board of Education's performance review was rescheduled from December 11th to January 15th.

Keith Stewart, 26 Atlantic Road, asked for the status of the South Middlebush Park. Mr. Daly replied cost estimates have been conducted and steps are being taken for the funding package. The bids should be out in February/March.

Upon motion by Mr. Prasad, seconded by Mr. Mettler to close the public discussion. Said motion carried unanimously upon call of the roll.

COUNCIL COMMENTS

Mr. Prasad wished everyone a happy new year. He spoke of receiving grants for the Route 27 expansion. In regards to foreclosure relief, he noted the Township should coordinate with local banks.

Ms. Francois asked for clarification regarding Mr. McConville's comments regarding the storm sewer. Mr. Daly explained new DEP regulations and noted that to comply with law, the cost would be enormous and enforcement difficult. He wish everyone a happy new year.

Ms. Eberle wished everyone a happy new year. She concurred the Township should look into other options regarding the fireworks to save money.

Mr. Mettler wished everyone a happy new year and wished the new administration luck.

Ms. Danile announced the fire district elections are to be held on February 21, 2009. She congratulated the Police Department on apprehending a robbery suspect. She welcomed Boy Scout Troop 154. She wished everyone a happy new year and looked forward to working together for the best of Franklin.

Mr. Sumter agreed they need to look for the best deal regarding fireworks. He stated the community needs to create jobs for its youth. He wished everyone a happy new year.

Mr. Vassanella spoke of requiring local labor for Township projects and programs. He thanked Mr. McConville for his comments.

Deputy Mayor Glicklich spoke of the review and restructuring of the Rent Leveling Board. He congratulated the new appointees and thanked Mr. Vassanella for his service as Deputy Mayor. He welcomed the boy scouts and wished everyone a happy new year.

Mayor Levine spoke in regards to the Township's budget and the relation of its increase with the increase in population. He stated the Township is not in dire straits or on the brink.

Mr. Daly announced that tickets for the 12th annual Martin Luther King Breakfast are available.

COUNCIL DISCUSSION ITEM

Fire Works Display

The Mayor and Council discussed changing the date of the fireworks from July 3rd to July 2nd to save money in the costs of the fireworks and the overtime needed by Township employees. After a brief discussion, Deputy Mayor Glicklich moved to change the date of the fireworks to Thursday, July 2, 2009. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

APPROVAL OF MINUTES

Mayor Levine presented the following minutes for approval:

- Special Meeting with Legislators – October 21, 2008
- Work Session/Regular Meeting – October 28, 2008

Deputy Mayor Glicklich moved the approval of the minutes:

- Special Meeting with Legislators – October 21, 2008
- Work Session/Regular Meeting – October 28, 2008

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile (10/21)			Danile (10/28)	
Eberle				
Francois (10/21/)			Francois (10/28)	
Glicklich				
Levine				
Mettler				
Prasad				

Sumter
Vassanella

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$5,751,907.40 for January 6, 2009 to the Township Council for payment:

1	Current	4195721.98
2	Grant	37279.09
3	Tax Title Lien	
4	General Capital	77,579.27
5	Water	157,069.81
6	Water Capital	1,016.78
11	Recreation Trust	1,541.95
12	Trust Others	24,891.00
13	Unemployment	
15	Redevelopment	
17	Animal Control	9.00
19	Self Insurance	318.77
20	Affordable Housing	650.49
30	Payroll	1,187,112.74
35	Hist Preservation	
37	Police Forfeiture	
39	Workers Compensation	
40	Open Space	11,257.89
42	Redevelopment E	
50	County Imp Auth Fund	
	Subtotal	5,694,448.77
	Escrows	57,458.63
	Grant Total	5,751,907.40

Mr. Prasad moved that warrants in the amount of \$5,751,907.40 for January 6, 2009 to be paid. Said motion was seconded by Deputy Mayor Glicklich and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Francois	Glicklich			
Levine	Mettler			
Prasad	Sumter			
Vassanella				

ORDINANCES – PUBLIC HEARING AND ADOPTION ON SECOND READING

Ordinance No. 3803

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 1, GENERAL PROVISIONS, ARTICLE II, GENERAL PENALTY, SUBSECTION 1-3, VIOLATIONS AND PENALTIES; CHAPTER 260, PARKS AND RECREATION, ARTICLE II, RULES AND REGULATIONS, SUBSECTION 260-6, PROHIBITED ACTIVITIES; ARTICLE VI, GRIGGSTOWN NATIVE GRASSLAND PRESERVE (PART OF TEN MILE RUN GREENWAY), SUBSECTION 260-32, VIOLATIONS AND PENALTIES; ARTICLE VII, NEGRI-NEPOTE NATIVE GRASSLAND PRESERVE (PART OF THE MIDDLEBUSH GREENWAY), SUBSECTION 260-40, VIOLATIONS AND PENALTIES.

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.

After a lengthy discussion regarding the amount one would be fined for violation of this ordinance. Deputy Mayor Glicklich moved to table the ordinance. Said motion was seconded by Mr. Mettler and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Francois	Glicklich			
Levine	Mettler			
Prasad	Sumter			
Vassanella				

Ordinance No. 3804

Mayor Levine presented the following ordinance:

AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF TOWNSHIP OWNED LAND LOCATED IN BLOCK 552, LOT 22 LOCATED ON LEONA STREET IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, 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.

Deputy Mayor Glicklich moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Mettler 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 public discussion, Mr. Mettler moved to close the public hearing on the ordinance. Said motion was seconded by Deputy Mayor Glicklich and carried unanimously upon call of the roll.

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

Ordinance No. 3805

Mayor Levine presented the following ordinance:

AN ORDINANCE AUTHORIZING THE PUBLIC AUCTION OF TOWNSHIP OWNED LAND LOCATED IN BLOCK 536.01, LOT 2.03 ALSO KNOWN AS 201 CAMPUS DRIVE IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, 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.

Deputy Mayor Glicklich moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Prasad 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 public discussion, Deputy Mayor Glicklich moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Deputy Mayor Glicklich moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Mr. Prasad and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

Ordinance No. 3806

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, ARTICLE XXXIII AFFORDABLE HOUSING 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.

MR. Prasad moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Mettler 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.

Ted Chase, Planning Board Chairman, 159 Old Georgetown Road, supported the ordinance.

There being no public discussion, Mr. Metter 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 to table ordinance until action from the Council on Affordable Housing. Said motion was seconded by Deputy Mayor Glicklich and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

Ordinance No. 3807

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY – CHAPTER 121, BUILDINGS, NUMBERING OF, TO ADD ENFORCEMENT SECTION

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 Glicklich moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Mettler 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.

Tom Tomey, Susan Drive, asked where the number needs to be placed. Mr. Daly replied as long as it is visible from the street.

There being no public discussion, Mr. Mettler moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Deputy Mayor Glicklich moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Mr. Mettler and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

Ordinance No. 3808

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, CHAPTER 5, ARTICLE II, EXECUTIVE AND LEGISLATIVE, MEETINGS OF TOWNSHIP COUNCIL

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

Mr. Prasad moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Mettler 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 public discussion, Deputy Mayor Glicklich moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

Ordinance No. 3809

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226, TRAFFIC AND VEHICLES, SECTION 226-10 – STOPPING OR STANDING PROHIBITED DURING CERTAIN HOURS AND SECTION 226-33 – RESIDENT PERMIT PARKING PROGRAM.

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

Mr. Prasad moved to open the public hearing on the ordinance. Said motion was seconded by Mr. Mettler 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 public discussion, Mr. Mettler moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

Deputy Mayor Glicklich moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Mr. Prasad and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

INTRODUCTION OF ORDINANCES ON FIRST READING

Ordinance No. 3810

Mayor Levine presented the following ordinance:

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF AN AMBULANCE GARAGE, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$172,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$163,875 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Levine stated that the foregoing ordinance is presented to the Township Council for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on January 27, 2009 at 7:00 p.m. in the Municipal Complex.

Deputy Mayor Glicklich moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on February 24, 2009 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Prasad and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

Ordinance No. 3811

Mayor Levine presented the following ordinance:

BOND ORDINANCE PROVIDING FOR THE 2009 ROAD OVERLAY PROGRAM, IN AND BY THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$2,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

Mayor Levine stated that the foregoing ordinance is presented to the Township Council for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on January 27, 2009 at 7:00 p.m. in the Municipal Complex.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on February 24, 2009 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Prasad and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

CONSENT AGENDA

Upon motion by Mr. Vassanella, seconded by Mr. Deputy Mayor Glicklich, the following Consent Agenda were adopted as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			Sumter
Francois	Glicklich			
Levine	Mettler			
Prasad	Vassanella			

Resolution #09-001 Authorize Depositories – All Township Funds.

BE IT AND IT IS HEREBY RESOLVED that the following named banks shall be Depositories for all Township Funds and the Custodian shall be the Treasurer of the Township of Franklin, County of Somerset and State of New Jersey for the period January 1, 2009 to December 31, 2009:

**BANK OF AMERICA
PNC
OCWEN FEDERAL BANK
WACHOVIA BANK
NEW MILLENIUM BANK
TD BANK
INVESTORS SAVINGS BANK
MAGYAR SAVINGS BANK
OCEAN FIRST BANK
THE PROVIDENT BANK
SOVEREIGN BANK
NEW JERSEY CASH MANAGEMENT FUND
NEW JERSEY ASSET AND REBATE MANAGEMENT PROGRAM**

BE IT FURTHER RESOLVED that all disbursements made by check shall be signed by the Mayor or Deputy Mayor and the Chief Financial Officer or Township Treasurer with the following exceptions:

**(1) EMPLOYMENT PAYROLL DEDUCTIONS
PETTY CASH
STATE UNEMPLOYMENT
WORKERS COMPENSATION
SELF INSURANCE**

which shall be signed by the Chief Financial Officer or Treasurer.

(2) PAYROLL

which shall be signed by the Township Manager.

Resolution #09-002 Designate Special Depositories.

BE IT AND IT IS HEREBY RESOLVED that **BANK OF AMERICA** shall be the Depositor for the following funds of the Township of Franklin, County of Somerset and State of New Jersey and the Custodian shall be designated as follows for the period January 1, 2009 to December 31, 2009:

**DEPARTMENT OF COLLECTOR TRUST FUND
MUNICIPAL COURT
MUNICIPAL COURT BAIL**

**TAX COLLECTOR
COURT ADMINISTRATOR
COURT ADMINISTRATOR**

Resolution #09-003 Adopt 2009 Cash Management Plan.

WHEREAS, N.J.S.A. 40A:5-14 of the Local Fiscal Affairs Law requires that every local unit shall adopt a "Cash Management Plan" and shall deposit in an interest bearing account, all available public funds pursuant to the plan;

NOW, THEREFORE, BE IT RESOLVED that the Township of Franklin, County of Somerset and State of New Jersey, hereby adopts the following "Cash Management Plan" policy to be utilized by the Township of Franklin for the year 2009; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be filed with the Director of the Division of Local Government Services, Township Auditor, Chief Financial Officer of the Township of Franklin (Somerset County).

CASH MANAGEMENT PLAN OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET,
NEW JERSEY

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis of deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Franklin, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments herein after referred to. The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity, (regarding its availability for the intended purposes), and the maximum investment return within such limits. The plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. DEFINITIONS

"Arbitrage" refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

“Certificate of Eligibility” is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking, that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

“GUDPA” requires a bank that accepts public funds to be a public depository. A “Public Depository” is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal

Deposit Insurance Corporation, and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from, banks which are located in New Jersey and which meet the requirements of the “GUDPA”.

“The New Jersey Cash Management Fund.” The New Jersey Division of Investment is authorized pursuant to N.J.S.A. 52-18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey-New Jersey Cash Management Fund (the “Fund”). The Fund is authorized to accept deposits from all Local Units of government. The Fund is a “common trust” fund pursuant to the statute that created such funds within the jurisdiction of the Division of Investment. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to

Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA protected deposits by Local Units.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A) The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township.

Current Fund
Grant Fund
Trust Assessment Fund
General Trust Fund
Animal Control Fund
Unemployment Insurance Trust Fund
Self Insurance Trust Fund
Serial Bonds Refunding Trust Fund
General Capital Fund
Water Utility Operating Fund
Water Utility Capital Fund
Public Assistance Fund
Bond & Interest Fund
Affordable Housing Trust Fund
Open Space Trust Fund
Acquisition and Preservation of Historical Structures Account
Green Acres Trust Account
Employee Payroll Deduction Account
Payroll Account
Environmental Impairment Account
Workers Compensation Account
Warrant Account
Developers Escrow

B) The Plan is not intended to cover the deposit and/or investment of the following Funds and Accounts of the Township

1. Petty Cash Funds

2. Cash drawn from a Federal Agency under a letter of credit which cash has to be paid out within 5 working days to a vendor.
3. Deposit, retainage, or amounts posted by way of bond, held by the Township for such things as faithful performance, if the Township would be required by law to pay back any interest earned to the provider of the deposit, except where the Township is required by law or court decision to invest the fund.
4. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the most favorable rate obtainable.

IV. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF FRANKLIN AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS

The Chief Financial Officer, and The Township Treasurer, (The “Designated Officials”) are hereby authorized and directed to deposit and/or invest the Funds referred to in the plan.

V. STANDARDS OF CARE

1. The Designated Officials involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.
2. The Designated Officials shall disclose any material interests in the financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Township.
3. The Chief Financial Officer, under the direction of the Township Manager, is responsible for establishing and maintaining internal control. The controls should ensure that the assets of the Township are protected from loss, theft, or misuse.

VI. PROCEDURES FOR THE RECEIPT OF MONIES

A. Department Procedures

1. A receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the duplicate shall be maintained by the receiving department. All payments and receipts must be recorded.
2. All monies collected or received from any source by or on behalf of the Township shall be deposited within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A : 5-15.
3. All monies received shall be placed in a secured place until forwarded for deposit.
4. No department, division or agency shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is prohibited.

B. Chief Financial Officer (Designated Official)

1. The Chief Financial Officer shall:
 - a. Deposit all monies collected or received from any source by or on behalf of the Township within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.
 - b. Ensure that all monies deposited are in interest bearing accounts.

- c. Make recommendations of legal public depositories to the Township Council who shall by resolution designate said depositories at the first meeting of the calendar year.
- d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement by the end of the following month.
- e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Banking and Insurance, Governmental Unit Deposit Protection Act notification of Certificate of Eligibility, which must be filed semi-annually in the Department of Banking as of June 30th and December 31st of each year.

VII. DESIGNATION OF DEPOSITORIES

The Township Council authorized resolution on January 2, 2009 which designated the following banks and financial institutions as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposits which are not otherwise invested in "Permitted Investments as provided for in this Plan".

BANK OF AMERICA
PNC
OCWEN FEDERREAL BANK FSB
WACHOVIA BANK
NEW MILLENIUM BANK
TD BANK
INVESTORS SAVINGS BANK
MAGYAR SAVINGS BANK
OCEAN FIRST BANK
THE PROVIDENT BANK
SOVEREIGN BANK
NEW JERSEY CASH MANAGEMENT FUND
NEW JERSEY ASSET AND REBATE MANAGEMENT PROGRAM

VIII. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America
2. Government Money Market Mutual Funds
3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment pools.

7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4) or
8. Agreements for the repurchase of fully collateralized securities if:
 - a) The underlying securities are permitted investments pursuant to paragraphs “1” and “3” of this subsection a;
 - b) The custody of collateral is transferred to a third party;
 - c) The maturity of the agreement is not more than 30 days;
 - d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (c.17:9-41); and
 - e) A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “Government Money Market Mutual Fund” and “Local Government Investment Pool” shall have the following definitions:

GOVERNMENT MONEY MARKET MUTUAL FUND

An Investment company or Investment Trust:

- a. Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. Sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec, 270. 2a-7.
- b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270. 2a-7 and
- c. repurchase agreements that are collateralized by such U.S. Government Securities; and
- d. Which has:
 - (i) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) Retained an investment advisor registered or exempt from registration with the security and exchange commission pursuant to the “Investment Advisors Act of 1940,” is U.S.C. Sec 806-1 et seq., with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

“Local Government Investment Pool”. An investment pool:

- a) Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- c) Which is limited to U.S. Government securities that meet the definition of eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that collateralized by such U.S. Government securities.
- d) Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs,

which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.

- e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in an borrowing on such U.S. Government securities.

IX. SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township of Franklin, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Township of Franklin or by a third party custodian prior to or upon the release of the Township of Franklin’s funds.

X. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Officials referred to in Section IV hereof shall supply to the governing body of the Township of Franklin a written report of any Deposits of Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- a) The name of any institution holding funds of the Township of Franklin as a Deposit of a Permitted Investment.
- b) The amount of securities or Deposits purchased or sold during the immediately preceding month.
- c) The class or type of securities purchased or Deposits made.
- d) The book value of such Deposits or Permitted Investment.
- e) The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month..
- f) The fees incurred to undertake such Deposits or Permitted Investments.
- g) The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- h) All other information which may be deemed reasonable from time to time by the governing body of the Township of Franklin.

XI. TOWNSHIP AUDITOR

The Township Investment practices (including compliance with N.J.S.A. 40A:5-14) and the agreement for banking services and compensation thereof shall be reviewed by the Township Auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a conflict exists between this Cash Management Plan and State Statute, the applicable State Statute shall apply.

XII. SURETY BONDS

- a) The Chief Financial Officer and Treasurer shall be covered by surety bonds. During the annual audit, the Township Auditor shall examine said bonds to determine that proper coverage has been obtained.
- b) Staff members of the Chief Financial officer's office other than the Treasurer (See a above) shall be covered by a public employee's faithful performances bond in the minimum amount of \$10,000.

XIII. TERM OF PLAN

This Plan shall be in effect from January 1, 2009 to December 31, 2009. Attached to this Plan is a resolution of the governing body of the Township of Franklin approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to

supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Resolution #09-004 Appoint Public Agency Compliance Officer.

WHEREAS, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, N.J.A.C. 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that Donna Vieiro, Assistant Township Manager be appointed as the Public Agency Compliance Officer for a one-year term ending December 31, 2009.

Resolution #09-005 Fix the Rate of Interest to be Charged on Delinquent Taxes or Assessments.

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500. of the delinquency and 18% per annum on any amount in excess of \$1,500. and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000. on properties that fail to pay the delinquency prior to the end of the calendar year; now

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500. of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500. becoming delinquent

after due date and if a delinquency is in excess of \$10,000. and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency.

2. Effective January 1, 2009 there will be a ten (10) day grace period of quarterly tax payments made by cash, check or Money Order.
3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of the resolution.
4. A certified copy of the resolution shall be provided by the Municipal Clerk to the Tax Collector, Township Attorney, and Township Auditor for the Township of Franklin.

Resolution #09-006 Award Fair and Open Professional Services Agreement – Appraisal Services for Open Space – Sterling Di Santo & Associates, LLC – Amount Not to Exceed \$25,000.00.

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

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

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

WHEREAS, the contracts to be awarded are being awarded as Fair and Open Professional Service contracts pursuant to the Pay to Play Laws, P.L. 2004, C. 19; and

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

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 agreement with the below stated vendors, which agreements shall be maintained on file with the Township Clerk and available for public inspection.
- (2) These agreements are awarded as Fair and Open Professional Service under the provisions of the Pay to Play Laws, P.L. 2004, C. 19.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR: Sterling DiSanto & Associates, LLC

145 West End Avenue, Somerville, NJ 08876
CONTRACT AMOUNT: \$25,000.00
CONTRACT PERIOD: One-Year
SERVICE: Appraisal Services for Open Space Properties

Resolution #09-007 Award Fair and Open Professional Services Agreement – Bond Counsel 2009 – Wilentz, Goldman & Spitzer, P.A.

WHEREAS, a need exists to contract for the below noted services for the Township of Franklin, County of Somerset, New Jersey; and

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

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

WHEREAS, the contracts to be awarded are being awarded as Fair and Open Professional Service contracts pursuant to the Pay to Play Laws, P.L. 2004, C. 19; and

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

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 agreement with the below stated vendors, which agreements shall be maintained on file with the Township Clerk and available for public inspection.
- (2) These agreements are awarded as Fair and Open Professional Service under the provisions of the Pay to Play Laws, P.L. 2004, C. 19.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR: Wilentz, Goldman & Spitzer, P.A.
90 Woodbridge Center Drive, Suite 900, Box 10
Woodbridge, NJ 07095

CONTRACT AMOUNT: As per Agreement
CONTRACT PERIOD: January 1, 2009 thru December 31, 2009
SERVICE: Bond Counsel Services as Agreement

Resolution #09-009 Authorize Extension of Lease Agreement – Co-Location on Police Cell Tower – December 19, 2008 to December 18, 2013 – Sprint Nextel (\$2300 per month paid to Township).

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the Mayor and Township Clerk are hereby authorized to enter into an extension of a Co-Location Lease Agreement with Sprint Nextel, 6391 Sprint Parkway, Overland Park, KS 66251-2650 for their co-location on the Police Cell Tower for a period of five, beginning December 19, 2008 through December 19, 2013.

Resolution #09-010 Authorize Extension of Contract (Items 3-5/3A-5A) and Award Bid (Items 1-2 & 6-9/1A-2A & 6A/9A) – Road Materials as needed – ATAK Trucking; Trap Rock Industries, Inc.; Stavola Construction Materials, Inc.; & Weldon Materials, Inc. – Amount Not to Exceed \$100,000.00 per year for all commodities and all vendors.

WHEREAS, the specifications for the bid, Road Materials allowed for the extension of the contract on an annual basis at existing prices if mutually acceptable to the Township and vendor; and

WHEREAS, of the nine line items, vendors were willing to extend on three and the remaining six line items went out to bid;

WHEREAS, the Township of Franklin is desirous of extending the contract purchase of Road Materials for Items 3-4/3A-5A and contracting for the purchase of Road Materials for Items 1-2; 6-9/1A-2A/6A-9A; and

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

WHEREAS, bids for the provision of road materials was publicized;

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

<u>ITEM NO.</u>	<u>DESCRIPTION</u>		<u>COMPANY</u>	UNIT PRICE
3	Concrete Sand	FOB	ATAK Trucking	12.25
4	Mason Sand	FOB	ATAK Trucking	11.25
5	Double Washing ¾" Sz. 8	FOB	Trap Rock Ind.	18.50
3a	Concrete Sand	Delivered	ATAK Trucking	25.25
4a	Mason Sand	Delivered	ATAK Trucking	24.25
5a	Double Washing ¾" Sz. 8	Delivered	Trap Rock Ind.	23.00

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

<u>ITEM NO.</u>	<u>DESCRIPTION</u>		<u>COMPANY</u>	UNIT PRICE
1	Core Stone	FOB	Trap Rock Inc.	13.00
2	Clean Stone #57 ¾'	FOB	Stavola Const.	10.75
6	FABC Mix 1-5	FOB	Stavola Const.	60.00
7	Stabilized Base Mix 102	FOB	Stavola Const.	58.00
8	Winter Mix	FOB	Trap Rock Ind.	65.00
9	UPM Hi-Perf. Cold Patch	FOB	Weldon Mat'ls	140.00
1a	Core Stone	Delivered	ATAK Trucking	16.90

<u>ITEM NO.</u>	<u>DESCRIPTION</u>		<u>COMPANY</u>	UNIT PRICE
2a	Clean Stone #57 ¾'	Delivered	Stavola Const.	14.65
6a	FABC Mix 1-5	Delivered	No Bids Rec'd	
7a	Stabilized Base Mix 1-2	Delivered	No Bids Rec'd	
8a	Winter Mix	Delivered	Trap Rock Ind.	69.60

9A UPM Hi-Perf. Cold Patch Delivered Weldon Mat'ls 146.00

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 providers; and

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

Resolution #09-011 Award Bid – Screen Printed Clothing – February 1, 2009 to January 31, 2010 – Screenprint Plus (Categories A, B, F, G, H & I) – Metuchen Center Inc. (Categories C, D, E, & I) – Amount Not to Exceed \$60,000.00 for both vendors.

WHEREAS, a Notice to Bidders was published in the Courier News and posted on the Township website on November 26, 2008 for a December 16, 2008 bid opening; 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 contract be awarded:

Screenprint Plus
1336 SE 47 Street
Cape Coral, FL 33904
Categories: A, B, F, G, H, J

Screen Printed Clothing
February 1, 2009 through January 31, 2010
Not to Exceed \$60,000.00 Per Year

Metuchen Center Inc.
429 Joyce Kilmer Avenue
New Brunswick, NJ 08901
Categories: C, D, E, I

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 #09-012 Award Bid – Purchase of Vehicle Parts as needed – February 1, 2009 to January 31, 2011 – National Parts Supply Co. & Genuine Parts Company – Amount Not to Exceed \$80,000.00.

WHEREAS, a notice to bidders for the receipt of bids for the Purchase of Vehicle Parts as Needed for the period of February 1, 2009 through January 31, 2011 was published in the *Courier News* and posted on the Township's website on November 6, 2008, one addendum on November 24, 2008 and receipt was on December 16, 2008;

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bid be awarded for the Purchase of Vehicle Parts as Needed for the period of February 1, 2009 through January 31, 2011:

VENDOR: NATIONAL PARTS SUPPLY COMPANY
ADDRESS: 535 Milltown Road, North Brunswick, NJ 08902

VENDOR: GENUINE PARTS COMPANY
ADDRESS: 1770 New Durham Road, South Plainfield, NJ 07080

ITEM: Purchase of Vehicle Parts as Needed – 02/01/09 – 01/31/11

AMOUNT: Amount Not to Exceed \$80,000.00 per year

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.

Resolution #09-013 Extend Competitive Contract – Design and Print Newsletter – Extend Contract to September, 2009 – GraphiColor – Amount Not to Exceed \$10,000.00 per issue.

WHEREAS, Resolution #07-452 awarded a contract for the design and printing of the Township Newsletter, *Franklin Times* on September 18, 2007; and

WHEREAS, as a competitive contract, the contract can be up to five years and the original specifications stated that the contract could be extended on an annual basis at the existing terms and conditions if mutually acceptable to the Township and vendor; 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 bids be extended:

GRAPHICOLOR
3490 North Mill Road
Vineland Industrial Park
Vineland, NJ 08360-1594

**Design and Print Newsletter
To September 2009**

Amount not to exceed \$10,000.00 per issue

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 #09-014 Authorize Change Order #1 & Final – Reconstruction of Pine Street – DeFino Contracting Company – Unforeseen Conditions of Roadway – Original Contract Amount: \$175,000.00 – Change Order Amount: \$34,150.79 – New Contract Total Amount: \$209,150.79.

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on February 26, 2008, authorized the awarding of a contract to

DeFino Contracting Company
28 Industrial Drive, Cliffwood Beach, NJ 07735
Contract Amount: \$175,000.00

WHEREAS, the contract awarded to DeFino Contracting Company for the Reconstruction of Pine Street is in need of a change order as a result of unforeseen conditions of the roadway in the amount of \$34,150.79 resulting in a new contract total of \$209,150.79; 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 DeFino Contracting Company; 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 #09-015 Authorize Change Order #1 & Final – Winston Area Resurfacing – DeFino Contracting Company – Contract Amount Reduction – Original Contract Amount: \$432,980.63 – Reduced Contract Amount: \$361,873.01.

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on July 8, 2008, authorized the awarding of a contract to

DeFino Contracting Company

28 Industrial Drive, Cliffwood Beach, NJ 07735

Contract Amount: \$ 432,980.63

WHEREAS, the contract awarded to DeFino Contracting Company for the Winston Area Resurfacing was completed less than the contract amount; and

WHEREAS, the final contract amount for the Winston Area Resurfacing is \$361,873.01;

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 DeFino Contracting Company for the Winston Area Resurfacing.

Resolution #09-016 Authorize Change Order #2 – New Brunswick Road Resurfacing – Trap Rock Industries, Inc. – Unforeseen Cost of Additional Traffic Control – Contract Amount: \$298,817.92 (includes 1st change order) – Change Order #2 Amount: \$1,537.83 – New Contract Total Amount: \$300,355.75.

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on June 24, 2008, authorized the awarding of a contract to

Trap Rock Industries, Inc.

P.O. Box 419

Kingston, NJ 08528

Amount: \$273,661.80

WHEREAS, the Township Council authorized Change Order No. 1 to the contract awarded to Trap Rock Industries Inc. for New Brunswick Road Resurfacing as a result of unforeseen and unanticipated problems in the amount of \$25,146.12 resulting in a new contract total of \$298,807.92; and

WHEREAS, there is a need for Change Order No. 2 as a result of unforeseen costs of additional traffic control in the amount of \$1,537.83, resulting in a new contract total of \$300,345.75; 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. 2 to the contract with Trap Rock Industries LLC; 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 #09-017 Authorize Change Order #2 – 14 Liberty Lane CDBG Rehabilitation Contract – Stormbringer Construction – Unforeseen Problems – Contract Amount: \$23,257.00 (includes change order #1) – Change Order #2 Amount: \$300.00 – New Contract Total Amount: \$23,557.00.

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, has on May 13, 2008, authorized the awarding of a contract to

Stormbringer Construction
35 Como Drive
Somerset, NJ 08873

Amount: \$20,480.00

WHEREAS, on September 9, 2008, the Township Council authorized Changed Order No. 1 for additional work and supplies were needed, in the amount of \$2,777.00, new total amount of \$23,257.00; and

WHEREAS, as a result of unforeseen problems, it is necessary to issue Change Order No. 2 in the amount of \$300.00 resulting in a new contract total of \$23,557.00; 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. 2 to the contract with Stormbringer Construction; 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 #09-018 Authorize Change Order #1 – 68 Douglas Avenue NPP Rehabilitation Contract – J&A Renovations – Unforeseen Problems – Original Contract Amount: \$10,850.00 – Change Order Amount: \$3,100.00 – New Contract Total Amount: \$13,950.00.

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey, authorized the awarding of a contract to

J&A RENOVATIONS
PO Box 1518
New Brunswick, NJ 08903

Amount: \$10,850.00

WHEREAS, it could not be determined until the work began that additional work and supplies were needed, this requiring a Change Order #1 in the amount of \$3,100.00 new total amount of \$13,950.00; 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 Orders No. 1 to the contract with J&A Renovations; 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 #09-019 Authorize Execution of NJDEP Green Acres Grant - \$450,000.00
– Open Space Acquisition Project.

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Franklin desires to further the public interest by obtaining a grant of \$450,000.00 from the State to fund the following project: Open Space Acquisition;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Brian D. Levine, Mayor of the Township of Franklin is hereby authorized to:

- a) Make application for such loan and/or grant
- b) Provide additional application information and furnish such documents as may be required
- c) Act as the authorized correspondent of the above names applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above names project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council:

- 1) That the Mayor of the Township of Franklin is hereby authorized to execute an agreement and any amendment thereto with the State known as Open Space Acquisition; and
- 2) That the applicant has its matching share of the project, if a match is required, in the amount of \$450,000.00.
- 3) That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
- 4) The applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project.
- 5) That this resolution shall take effect immediately.

Resolution #09-020 Authorize Execution of 2008 Somerset County Open Space Partnership Grant Agreement – Scalzone Natural Area.

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 execution of a grant agreement with Somerset County for the 2008 County/Municipal Open Space Partnership Program Grant for the Scalzone Natural Area and does authorize the appropriate Township officials to execute these grant agreements on its behalf.

Resolution #09-021 Authorize Application – 2009 Lead Identification & Field Testing Grant.

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 grant applications to the NJ Department of Community Affairs for Lead Identification and

Field Testing 2009 Grant and does authorize the appropriate Township officials to execute these grant applications on its behalf.

Resolution #09-022 Authorize Issuance of Raffles 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>
Sharing Network Foundation, Inc. 841 Mountain Avenue, Springfield, NJ 07061 Off-Premise Raffle – RL#1749 Drawing: The Palace At Somerset Park	February 27, 2009 6:30 pm – 12:00 am
Immaculata High School Spartan Club 240 Mountain Avenue, Somerville NJ On-Premise Raffle – RL#1750 Drawing: DoubleTree Hotel	April 4, 2009 10:30 am – 3:30 pm
Franklin Warriors Parents Club 424 Vanderbilt Avenue, Somerset NJ On-Premise 50/50 – RL#1751 Drawings: Franklin High School	Jan. 23, 27, 2009 Feb. 3, 7, 17, 20, 25, 2009

Resolution #09-023 Authorize Place-to-Place Transfer (Extension of Premises) – Plenary Retail Distribution License #1808-44-032-006 – A to Z Discount Auto Parts, Inc., t/a Cedar Grove Wine and Liquors, 120 Cedar Grove Lane.

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail Distribution License No. 1808-44-032-006, for purposes of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the licensee has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Mayor and Council does hereby approve, effective January 6, 2009, the expansion of the aforesaid Plenary Retail Distribution License licensed premises located at 120 Cedar Grove Lane, Somerset, New Jersey to place under the license the area delineated in the application form and sketch of the licensed premises attached thereto.

Resolution #09-024 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>
194/41 TO	Township of Franklin	4/08	12.48
194/44.01		Subdivision	157.83
227/53.01C00001 TO			
117/53.03			
87.05/4.13	First American Tax Service	4/08	2,515.88
455/4.01	Att: Barbara Holbert	Paid Twice	5,673.04
	PO Box 961239	4/08	
	Ft. Worth, TX 76161-0239	Paid Twice	
41.02/273	Wells Fargo Real Estate Tax	4/08	1,250.00
	P.O. Box 14506	Paid Twice	
	Des Moines, IA 50309-9736		
489.02/7	Teamor, Jack & Jeanette	2/08	1,933.85
	4 Halsey Street	3/08	2,042.23
	Somerset, NJ 08873	4/08 Exempt	2,042.22
513.31/33	PHH Mortgage	4/08	503.97
	P.O. Box 371867	Land Tax	
	Pittsburgh, PA 15250-7867	Paid Twice	
37.02/9.01 1-6	Franklin Township	4/08	10,562.50
Water	Sewerage Authority	Should be	
	70 Commerce Drive	Sewer	
	Somerset, NJ 08873		

Resolution #09-025 Authorize Tax Remittals.

WHEREAS, there appears on the books of the Collector of Revenue, taxes to be remitted, as a result of Common Elements; and

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>QTR/YR</u>	<u>AMOUNT</u>
489.02/7	Teamor, Jack & Jeannette	2/08	1,933.85
	4 Halsey Street	3/08	2,042.23
	Somerset, NJ 08873	4/08 – 100%	2,042.22
		Disabled Veteran	

Resolution #09-026 Authorize Tax Title Lien Redemptions.

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: 06/09/08
Block/Lot: 364/16
Name & Address: HOLDER, ANTHONY & THORA; 8 TAMARACK RD.

Amount: \$ 634.87
Make Check Payable To: NATU PATEL
Certificate No.: 08-194
Payment Received: 12/01/08

Date of Sale: 06/09/08
Block/Lot: 374/4
Name & Address: TURNBULL, IAN P.; 143 JFK BLVD.
Amount: \$ 931.28
Make Check Payable To: SEQUOIA INVESTMENTS
Certificate No.: 08-200
Payment Received: 12/02/08

Date of Sale: 06/09/08
Block/Lot: 88.02/36.01
Name & Address: CABOT II-NJ1M01 LLC; 95 CLYDE ROAD
Amount: \$ 1,429.50
Make Check Payable To: MOORING TAX ASSET GROUP, LLC
Certificate No.: 08-076
Payment Received: 12/04/08

Date of Sale: 06/09/05
Block/Lot: 528.05/82
Name & Address: YORK, DAVID; 291 PIERCE STREET
Amount: \$ 48,327.04
Make Check Payable To: ATF, LLC BMO CAP COR AS SP
Certificate No.: 05-103
Payment Received: 12/05/08

Date of Sale: 06/08/07
Block/Lot: 252/44
Name & Address: MC KINNEY, MARTHA; 78 RUNYON AVENUE
Amount: \$ 902.52
Make Check Payable To: DAXUAN WANG
Certificate No.: 070145
Payment Received: 12/05/08

Date of Sale: 06/08/00
Block/Lot: 68/2
Name & Address: EDEN, JAMES L.; 47 FRANKLIN STREET
Amount: \$ 26,348.49
Make Check Payable To: MACRICH ASSOCIATES, LLC PROFIT
Certificate No.: 20-157
Payment Received: 12/15/08

Date of Sale: 06/08/06
Block/Lot: 75/9
Name & Address: FRANCIS, RUSSELL F. & CAROLE ANNE; 82 SMITH ROAD
Amount: \$ 25,072.25
Make Check Payable To: STAPLE SEWING AIDS PENSION
Certificate No.: 06-044
Payment Received: 12/15/08

Date of Sale: 06/08/07
Block/Lot: 75/9

Name & Address: FRANCIS, RUSSELL F. & CAROLE ANNE; 82 SMITH ROAD
Amount: \$ 11,754.90
Make Check Payable To: STAPLE SEWING AIDS PENSION
Certificate No.: 070055
Payment Received: 12/15/08

Date of Sale: 06/09/05
Block/Lot: 101/34
Name & Address: WOODSON, FRANCES E. & EDWARD W., JR.; 55 CHURCHILL AVENUE
Amount: \$ 54,742.08
Make Check Payable To: ATF, LLC BMO
Certificate No.: 05-029
Payment Received: 12/15/08

Date of Sale: 06/08/07
Block/Lot: 372/1
Name & Address: NATIONAL CITY BANK; 31 PATTON DRIVE
Amount: \$ 1,252.28
Make Check Payable To: JNH FUNDING CORP.
Certificate No.: 070195
Payment Received: 12/15/08

Date of Sale: 06/08/00
Block/Lot: 25/15
Name & Address: AANONSEN, ARNOLD; 51 FOREST AVENUE
Amount: \$ 50,288.63
Make Check Payable To: ELLIOT LOEB
Certificate No.: 20-120
Payment Received: 12/16/08

Date of Sale: 06/09/05
Block/Lot: 73.01/28.02
Name & Address: JERZEWSKI, EDWARD & LOIS; 78 WELSHS LANE
Amount: \$ 70,973.13
Make Check Payable To: ATF, LLC BMO CAP MKTS COR AS SP
Certificate No.: 05-021
Payment Received: 12/17/08

Date of Sale: 06/09/08
Block/Lot: 358/6
Name & Address: SACHS, RONALD B; 16 FLOWER ROAD
Amount: \$ 12,059.89
Make Check Payable To: PLYMOUTH PK TAX SERVICES, LLC
Certificate No.: 08-189
Payment Received: 12/17/08

Date of Sale: 06/10/03
Block/Lot: 34.02/16.03C2703
Name & Address: TROSKOSKI, MARY; 33 FISHER DRIVE
Amount: \$ 2,189.73
Make Check Payable To: JAMES C. OLDER
Certificate No.: 03-018
Payment Received: 12/19/08

Date of Sale: 06/09/08
Block/Lot: 37.02/5.04C1837
Name & Address: MC INTOSH, JURELL; 37 MINDY DRIVE
Amount: \$ 17,427.46
Make Check Payable To: EDISON TAX SERVICES, LLC
Certificate No.: 08-048

Payment Received: 12/22/08

Resolution #09-027 Release of Street Opening Escrow and Bond Surety – Satellite Builders, LLC – 2 Irvington Avenue - \$300 Escrow & \$300 Bond Surety.

WHEREAS, the following have deposited a Bond Surety for Street Opening Permits; and

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

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

Permit Number: 6707
Opening Location: 2 Irvington Avenue
Block/Lot: 321/6.01
Applicant's Name & Address: Satellite Builders LLC
6 Park Avenue, Greenbrook, NJ 08812
Escrow/Bond Surety: \$300.00/\$300.00

Resolution #09-028 Schedule Special Township Council Meeting – January 13, 2009 – 7:00 p.m. – Council Chambers – Appointment of Township Prosecutors.

BE IT RESOLVED on this **6th day of January, 2009**, 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, 2009 to December 31, 2009 is hereby amended to include a Special Meeting on Tuesday, January 13, 2009 at 7:00 p.m. which shall be held at the Municipal Complex, Council Chambers, 475 DeMott Lane regarding the Appointment of Township Prosecutors.

ADIJOURNMENT

Motion was made by Ms. Francois and seconded by Mr. Prasad to adjourn to the Reorganization Meeting at 9:42 p.m. Motion was carried unanimously.

Brian D. Levine, Mayor

Ann Marie McCarthy, Township Clerk

Approved: As Submitted.

Dated: February 24, 2009