

The 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 called the Work Session/Regular Meeting of the Township Council to order. Mayor Levine stated "In accordance with Section 5 of the Open Public Meeting Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, a list of dates, annually, indicating that this Work Session/Regular Meeting would take place at the Municipal Complex at 7:00 p.m. on June 23, 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. Francois (Arrived at 7:29 p.m.), Deputy Mayor Glicklich, Mayor Levine, Mr. Mettler, Mr. Sumter, Mr. Vassanella

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

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

APPOINTMENT OF MUNICIPAL COURT JUDGE

Mayor Levine opened the meeting for nominations for Municipal Judge for a 3-year term ending June 30, 2012.

Deputy Mayor Glicklich nominated Emil Philobosian for Municipal Judge for a 3-year term ending June 30, 2012. Said nomination was seconded by Mr. Vassanella.

There being no further nominations, Mr. Mettler moved to close the nominations. Said motion was seconded by Deputy Mayor Glicklich and carried unanimously upon voice vote.

The Township Clerk polled the Council on the nominations and noted the results:

<u>Roll Call:</u>	<u>Emil Philobosian</u>
Councilwoman Danile	Absent
Councilwoman Eberle	Absent
Councilwoman Francois	Absent
Councilman Glicklich	Aye
Mayor Levine	Aye
Councilman Mettler	Aye
Councilman Prasad	Absent
Councilman Sumter	Aye
Councilman Vassanella	Aye

The Township Clerk administered an Oath of Office appointing Emil Philobosian to Municipal Judge for a 3-year term ending June 30, 2012.

MAYOR'S REPORT

Mayor Levine presented the following report:

- Gave a brief overview of how the meeting would be conducted.

- Expressed his regrets over the passing of Officer Tom Coolidge and extended his condolences to Officer Coolidge's family and the Police Department.
- Stated that there will be a special meeting of the Township Council on Thursday, June 26, 2009 to interview and vote on a Tax Assessor and to discuss how to proceed with restructuring the Health Department.
- Fourth of July Celebration will take place on July 2, 2009 in the Municipal Complex, beginning at 6:00 p.m. The annual fireworks display will take place later that evening at 9:15 p.m.

DEPUTY MAYOR'S REPORT

Deputy Mayor Glicklich expressed his condolences to Officer Tom Coolidge's family and stated that Officer Coolidge's loss is a real loss to the Township.

Deputy Mayor Glicklich stated that the Ad Hoc Committee for Committees is just about finished with their work. One more meeting should probably be all that is required before the committee's recommendations will be forwarded to the Council with copies of the committee's meeting minutes. He suggested bringing questions and recommendations to the Township Clerk so that they can be looked at before the committee comes back to the Council.

Deputy Mayor Glicklich stated that this week especially, the Township has received a lot of money due to grants. He specifically mentioned Youth Services, Municipal Alliance, Open Space and CDBG grants. Just about everything that has been applied for in regards to youth services, has been received.

Deputy Mayor Glicklich wished everyone a happy Fourth of July.

PUBLIC DISCUSSION

Deputy Mayor Glicklich moved to open the meeting for public discussion. Said motion was seconded by Mr. Mettler and carried unanimously upon voice vote.

Rozalyn Sherman, 529 Rosecliff Court, Somerset, questioned if the Township attempted to receive a grant to pay for the cost of Resolution #09-274 on the Consent Agenda. This resolution awards a bid to Sports and Golf Solutions to install Township-owned pavilions at Castleton and Dunham/Lebed Parks. She further questioned if the Township had people looking for grants for items such as this one. She noted that the Township's current Grant Coordinator is out on disability.

Mr. Daly responded that the Recreation Director attempts to get as many grants as she can find. No grants were available for this particular item. Deputy Mayor Glicklich pointed out that the pavilions have already been purchased. This bid award is solely for the installation of the structures.

Fred McKenzie, 10 Magnolia Road, Somerset, requested that the Township maintain its police force at its current numbers. He stated that reducing the number of police officers in the Township would be a disservice to the community, especially in light of the rising crime rate. He went on to state that JFK Boulevard is falling apart in one section. The road had been paved only two years ago. He cited poor workmanship. Mr. McKenzie went on to state that recreational activities are important to the community, particularly for children, and the Township needs to do all it can to create these activities for the children of Franklin Township.

Carol Peterson, 12 Lake Avenue, Somerset, stated that Mr. Daly is already addressing the first of her issues. Houses that have been broken into along Veronica Avenue and Hamilton Street have been accumulating garbage in them. People must be using these houses as dumping grounds for their trash. For her second issue, she requested that the Township pass some kind of ordinance to restrict the use of fireplace burning. She stated that someone in her community has been burning what she can only assume to be trash in their fireplace. She has been awakened in the night with fears that her house was

on fire due to the accumulated smell and police have been called to the area. She recommended restricting the use of wood-burning stoves, fireplaces and outdoor chimneys to the colder seasons, between October and April. She also recommended restricting what could be burned in such fireplaces. She mentioned that other towns have put these kinds of restrictions in place. Ms. Peterson went on to request that a street sweeper be sent down Lake Avenue more often this year. She stated that the landscaping services used on the properties along Lake, Spring and Hill Streets have been causing an accumulation of grass clippings to clog the drains on these streets.

John Tibbs, 107 Mark Street, Somerset, stated that he is pleased to see that the Township is pursuing so many grants to help the children of Franklin Township. He would like to see the Township continue to pursue these grants and requested that the Township look into applying for the federal stimulus package that President Obama has made available for towns to use for their at-risk children. He pointed out that children have been asking him where the Township summer jobs and programs are. He stated that these opportunities and programs are no longer available. He pointed out that the youth development entities of Franklin Township are also no longer available. He stated that in light of the incidents that have been occurring in the Hamilton Street Business District, it is the Township's moral obligation to help train the youth of this area. He stated that his is willing and available to help.

Phillip Kramer, 429 Canal Road, representing Taxpayers United in Franklin, stated that a sign advertising the Township's Fourth of July Celebration has been placed on the corner of DeMott Lane and Amwell Road. This sign is approximately six inches from the edge of the road and clearly in violation of the Township's sign ordinance. Mr. Daly has already been made aware of the situation and has assured that the sign will be moved to be in compliance with the Township ordinance. As Chairman of the Advisory Board of Health, he stated that the Advisory Board of Health has created a disposition in regards to the restructuring of the Health Department. That disposition will be available for Thursday's meeting. Once again representing Taxpayers United in Franklin, he pointed out that Second Chance for Animals has donated \$24,000.00 to the Township to pay for two part-time workers in the Animal Shelter. He stated that this is an enormous expense to keep the Animal Shelter going and thanked the organization for their efforts. Mr. Kramer asked if the Township Council would have any objections to having candidates for Township Council use the facilities and equipment in the Township Council chambers to film and show debates, provided that there were no costs to the Township. He offered having candidates pay the individual who was filming or to have volunteers do the filming as a means of negating costs. He stated that he had brought this matter up at the previous Council meeting and had gone to the Township Manager, but he was told that the Manager would need direction from the Council.

Mayor Levine, upon being directly asked by Mr. Kramer, stated that he would not object to Mr. Kramer's request and that he would actually encourage it. Ms. Francois questioned if this matter should be done as a resolution as it specifically pertains to Township policy. Ms. London stated that the best way to deal with this matter was to create a resolution formally stating the Council's approval.

Mr. Kramer stated that he is a candidate for Council in the Third Ward, along with Mr. Mettler. Both he and Mr. Mettler are in favor of hosting such debates on the Township television channel.

Walter Howard, 148 Coddington Avenue, Somerset, distributed some documents to the Township Council. Mr. Vassanella requested that Mr. Howard give these kinds of documents to the Township Clerk before the Council meeting so that the Council might review them beforehand and be prepared to respond with appropriate feedback. Mr. Howard stated that he was not looking for feedback at this time.

Mr. Howard stated that he has been bringing the issue regarding a deed restriction on his property to the Council for the past ten years. He had a title search company look up the deed restriction on his property and the deed restrictions on other properties in the Township, particularly one for Paul Herr. He reviewed copies of these deed restrictions with the attorney earlier that morning. A deed restriction was released from his property but it was not the deed restriction that was originally placed upon his property. Mr.

Howard stated that the reason Council released the deed restriction on his property was because he had offered to donate his land to Habitat for Humanity. He stated that he never offered to donate his land to Habitat for Humanity. The deed restriction placed on Mr. Herr's property was the same that was placed on his own property. Mr. Howard stated that he was told that the reason his deed restriction was treated differently was because it was a different deed restriction and that Mr. Herr paid more money for his property. He provided documents to show that Mr. Herr did not pay a significant amount for his land, nor was his deed restriction any different from Mr. Howard's deed restriction. He spoke briefly of the hardship variances on his property and pointed out that he offered to sell his land to Habitat for Humanity rather than donate it. He stated that he did this because there was precedence for this kind of sale set forth by the deed restriction released from the Smalls property. He stated that every property owner in the area who has asked for the release of the deed restriction on their property had been granted the release, except for the Smalls and himself. He mentioned that both he and the Smalls are the only black property owners to ask for a release of the deed restrictions on their properties and that everyone else who had asked for the release of their deed restrictions had been white. He believed that the reason his property was treated differently was because he was black.

Mayor Levine questioned which member of Council Mr. Howard is accusing of being racist. Mr. Howard stated that he was not accusing any member of Council of being racist and was only pointing out facts. He apologized if he had offended anyone. At this point Councilwoman Francois made a point of order and Mr. Howard returned to his seat.

Dr. Theodore Chase, 159 Old Georgetown Road, reminded by Mr. Kramer's address to the Council, expressed concerns over the possibility of moving the Department of Health over to the County. Members of the Environmental Commission have expressed concern that there will be a gradual loss of Health Department function within the Township if the Health Department were to be turned over to the County. It was their hope that the Township would maintain the Health Department and health education within the Township.

Tom Canales, 105 South Lawrence Avenue, mentioned that with the change of the season the police presence in the Fourth and Fifth Wards, particularly around the Hamilton Street area, would have to be improved. He went on to discuss his disappointment with the Home News article about the increasing crime in Franklin Township and stated that this had become a blight upon the Township, particularly after achieving the rank of Fifth Best Place to Live in America. Mr. Canales expressed his condolences to Officer Coolidge's family. He went on to question if there was a way to work with the Police Chief to better distribute the Township's existing police force.

Mr. Canales also spoke in regards to illegal housing difficulties in the Township. He pointed out that not all illegal housing that is advertised is coming from Somerset. Illegal housing in New Brunswick is being advertised in Somerset and illegal housing in Somerset is being advertised in New Brunswick. He questioned if it was possible to work with New Brunswick to do something about this issue, particularly in light that Ordinance No. 3778, which created Chapter 183, the Property Maintenance Code, had been passed and is now in effect.

Courtney Throckmorton, 591 Somerset Street, also spoke regarding illegal housing in Franklin Township. He stated that illegal housing and the increase in crime are related problems and asked that the Township toughen the municipal codes to really enforce compliance. He asked that illegal housing advertisement from other towns be forwarded to those towns so that they might be able to act on them. He stated that the Township's departments, such as code enforcement and health, should work with the police to come up with a solution to this problem.

Mr. Throckmorton mentioned Ordinance No. 3838, which allows the Township to use eminent domain to condemn properties for the purposes of building affordable housing. He asked that the Township consider purchasing foreclosed houses for the Township's affordable housing needs instead of condemning a homeowner's property. By working with foreclosed properties, the Township would be assisting the residents of the Township that can no longer afford their properties.

Mr. Throckmorton stated that he knew Officer Tom Coolidge and understands that he had a young family. He requested that opportunities to donate to scholarships or other financial assistance could be printed in the Township newsletter to help Officer Coolidge's family.

Mr. Throckmorton also commented on budget cuts and asked the Council to reconsider some of the equipment purchases that have been placed into the budget. He questioned if certain vehicles and equipment were really necessary at this time or if the Township could hold off on purchasing these items in an effort to save jobs. He stated that he understood that the common perception is that municipal workers do not pull their weight but his opinion was that most municipal workers do work very hard at their jobs and that it would be very difficult for these workers to find new employment should their positions be removed.

Gary LaSilva, 22 Ambrose Street, Shop Steward for CWA 1034, representing the blue collar workers, questioned Resolution #09-311, which extends the contract for maintenance of the Township's HVAC systems. He questioned if at one time, the Township had an employee that maintained those systems. He stated that he believed that paying \$13,000 per month to maintain the system seemed like a lot of money but was willing to be corrected.

Mr. LaSilva went on to state the CWA 1034 has had many discussions with the Township Manager in the past and good ideas on how to maintain the work force and save money were always passed back and forth. However, recently communications seem to have stopped for an unknown reason. He stated that the Township could not afford to lose any more employees. He claimed that many people don't seem to understand what municipal employees do. He pointed out that the Township's fleet of vehicles, including the police vehicles, is maintained by three people. There used to be six people to maintain the fleet when it was smaller but these employees have been lost through attrition and retirements. They were not replaced. He stated that the Township's road crews do a lot of work for the Township and are not given just credit for the work they do because of a perception that road workers stand around and do nothing. He requested that the Council go over the budget with the CWA union because he believed that some of the equipment does not need to be replaced at this time and perhaps that money could be used to save jobs. He stated that he did not understand why the lines of communication seem to have been lost but he would like to see them reopened.

Ms. Francois asked for clarification on options to sell Township equipment. Mr. LaSilva stated that he is not in favor of selling Township equipment at this time due to the economy. The equipment would not be sold at a valuable price and if the equipment would be needed later, opportunities for purchasing the equipment again would have the Township paying more than what they sold the old equipment for. He stated that he is more in favor of maintaining the equipment the Township currently has and attempting to get more use out of the equipment rather than replacing it at this time.

Michael Kalafer, 582 Post Lane, Somerset, stated that he is running for Council in Ward Two. He spoke in regards to the recent crimes in Wards Four and Five and the gang activity that seems to be increasing in that area. He asked the Council to look into the Guardian Angel program that has assisted with at-risk youth in New York and Newark. He pointed out that Franklin Township has areas that are urban and sub-urban and that the Council has a great deal of balancing to do. He stated that the Guardian Angel program could assist the police department with advice and ideas on how to address the increase of crime in the Township.

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

Mr. Daly stated that he believed the portion of JFK Boulevard that Mr. McKenzie is referring to is maintained by the County but he would have the engineering department look into it. He further stated that he would check on the ordinances that restrict what can be burned in a fireplace but he expressed concern about limiting the season of when a person can burn wood in their fireplaces, citing that this could be viewed as an intrusion. He went on to state his agreement that lawn maintenance services blowing grass into the

streets has been a problem and he will look into the ordinance regarding it. There is an ordinance in place that prohibits blowing snow out into the street. He stated that blowing grass is equally offensive and also pollutes the water.

Mr. Daly went on to say that there are summer jobs available for the youth through the federal stimulus package. However, the federal government has made it incredibly complicated to get these funds so they are mostly available at the County level. He stated that he would have the recreation department make sure that these opportunities are advertised in Franklin Township and made available to the children of the Township.

Mr. Daly stated that he agreed with Mr. Kramer regarding the sign on the corner of DeMott Lane and Amwell Road, and had already taken action on it. He went on to speak in regards to the editorial printed in the Home News. He stated that the newspaper has been biased in its reporting on Franklin Township and pointed out that wording always seems to focus on the negative aspects of Franklin Township, even when the paper is reporting on activities that have taken place in New Brunswick. The newspaper continues to do a disservice to the community of Franklin Township and he found the article to be offensive. The Mayor and Deputy Mayor are working on a response to the article and Mr. Daly expressed his hope that the newspaper will print it.

Mr. Daly spoke in regards to illegal housing concerns in Franklin Township. He pointed out that there is only one zoning inspector to cover the entirety of Franklin Township, roughly 45 square miles. While she is diligent and very good at coming down on illegal housing she is only one person. It is good for people to report illegal housing when they find it.

Mr. Daly stated that Ordinance No. 3838 is written to state that the land will be acquired by either purchase or condemnation due to legal language. The Township is not condemning the property. It is property that is being foreclosed on by a bank and, in order to keep the deed restriction on the property that makes it an affordable housing unit, the Township must purchase the property from the current owner. If the bank were to proceed with its foreclosure the property would lose its deed restriction and would no longer be an affordable housing unit. The Township intends to resell the property as an affordable housing unit. Eminent Domain is not being utilized at this time.

Mr. Daly stated that there had been good communication with Mr. LaSilva and the blue-collar union in the past and that he had stated in the past that he would like to hire Mr. LaSilva as a budget analyst. However, he had been informed by the Township's business agent that it is inappropriate to speak with Mr. LaSilva instead of him when it regards budget matters. He stated that he would inform the business agent that Mr. LaSilva had budget items he would like to discuss.

Mr. Daly addressed Mr. LaSilva's questions regarding maintenance for the Township's HVAC system. The one month extension is put into place to cover emergency repair costs while that service is once again put out to bid. The high amount is designed to take into account the cost of repairing or replacing equipment, some of which is very expensive, should it be necessary to do so. This money will not necessarily be spent. It is available in the event of an emergency.

Mayor Levine stated that the purchase of the affordable housing unit will come at no cost to the taxpayers. It is a wash for the Township.

Ms. London spoke in response to Mr. Howard's concerns. She stated that she has reviewed every document Mr. Howard presented with Mr. Howard and had come to the conclusion that they respectfully disagree. She stated that she does not see any disparate treatment in comparison to other property owners and that his property is different from the other property owners. It is a comparison of apples and oranges. Mr. Howard is permitted to sell his property to Habitat for Humanity and she recommended that he discuss further sale options with that organization.

COUNCIL COMMENTS

Mr. Vassanella read a brief memo from the Human Relations Commission regarding the 2010 Census. The Human Relations Commission is working closely with the Township Clerk to coordinate efforts and educate the public. The Human Relations Commission is comprised entirely of unpaid volunteers.

Mr. Vassanella stated that the Township has received grant money from the federal stimulus package. The Township has received \$555,500 from the Energy Efficiency and Conservation Block Grant from the federal government. This money will be used to complete the recommendations of the energy audit which was completed on the Municipal Building last fall. These recommendations included improvements to the HVAC system and installation of energy efficient lighting. The receipt of this money is proof that the efforts of the Township staff, Council and public seem to be working.

Mr. Vassanella stated that he is in favor of hosting candidate debates on the Township cable channel but would like to make sure that the debates are held under a few ground rules to ensure that they are the benefit to the Township residents that they are supposed to be. He further stated that he is one of the people that originally pushed to have these debates on the Township cable channel, along with Mr. Kramer and some other Council people.

Mr. Vassanella stated that he has met with members of the Hamilton Street area and there was discussion on how to handle the issues of crime and illegal housing in the area. Several initiatives have been presented and efforts are being made by the Township to address these issues. He would provide more information on proposed initiatives once that have become more than just ideas. He stated that he will add discussion of the Guardian Angels to the Public Safety Committee agenda to get feedback from the police department on the option. He encouraged anyone who had ideas to present them to Mr. Daly or himself. Deputy Mayor Glicklich and Mr. Sumter also sit on the Public Safety Committee.

Mr. Vassanella stated that he couldn't discuss labor issues at this time but would say that public works jobs are not a glamorous job and does go largely unappreciated. As an example, he pointed out that public works employees are generally outside plowing and salting or sanding roads in the cold while residents remain warm inside their homes. Public works employees are underappreciated. Mr. Vassanella went on to say that everyone has a different opinion on what should be a priority for the Township and that certain services are generally considered more important than others. Each opinion is correct but it is the Council's responsibility to balance all of these concerns and make it all work. He stated that a lack of communication seems to be the largest hindrance in this endeavor.

Mr. Vassanella finally commented that a new grant will be presented to the Township in the coming weeks from the Community Foundation and Second Chance for Animals. This is a \$2,000.00 grant used to assist the Food Bank program in acquiring pet supplies, more particularly pet food. Especially in the current financial crisis faced throughout the country, pet owners are finding that they can no longer support their pets because they cannot provide food for them. This program will allow pet owners to keep their pets by giving these pet owners the opportunity to acquire pet food through the Food Bank.

Mr. Sumter stated that he hadn't heard about the Guardian Angels in a long time. He was not aware that they were still around. He stated that it might be a good idea to look into that. He commended Mr. McKenzie for his continuing efforts to support Franklin Township and for his appearance earlier in the evening in which he requested that the Township maintains their police force and continue to assist at-risk children. He agreed with Mr. Tibbs and stated that the Township needed programs to give the youth of Franklin Township something to do. He also stated that Mr. Howard had been bringing his issue to the Council for the past twelve years and he had been under the impression the entire time that Mr. Howard had intended to donate his land. He stated that Hamilton Street and the surrounding area are in for a rough summer and the Township needs to do more to help

the area. He further stated his desire to continue looking for grant money to assist the Hamilton Street area.

Mr. Mettler stated that it was always good to see representatives from Second Chance for Animals among those present at the meeting. He further stated that the organization was an amazing asset to the Township and that if anyone had money they wished to donate to an organization, he would recommend Second Chance for Animals. He went on to state that he had looked over the documents Mr. Howard had provided to the Council and pointed out that the wording on the documents stated that Mr. Howard would convey his property to Habitat for Humanity. It is an ambiguous term that means that Mr. Howard would transfer ownership of the property to Habitat for Humanity and could mean either “donate” or “sell”. Mr. Mettler questioned which property Ms. Peterson was referring to when she mentioned that an abandoned property was being used as a dumping site for trash. He stated that he could only believe it was the green painted house that used to be owned by David Peirce, which is located across the street from Gleason’s Funeral Home. Mr. Daly confirmed that that was indeed the house being referred to and that the Township has had multiple enforcement actions on those houses and will be proceeding with further action.

Ms. Francois stated that she is in full support of a resolution to televise Township Council candidate debates on the Township’s cable television channel. She also stated that she prefers order in these matters and expressed her hope for the candidate registration forms. She responded to Mr. Howard’s comments by stating that she hoped Mr. Howard was satisfied with the resolution he had been provided with. She further stated that Ms. London, the Township Attorney, is very fair and she had faith that whatever decision the attorney made was the right recommendation for Mr. Howard’s resolution.

Ms. Francois went on to address Mr. Tibbs’ comments regarding the youth of Franklin Township. She stated that she, Deputy Mayor Glicklich and Mr. Bruce Medley from the Recreation Department, took a tour of Middle Earth, which they found very informative. They then went and took a tour of the SCAP building on Lewis Street. She commented that there is a lot of empty space there that the gentleman there is willing to donate. He just needed to gain approval from his board of directors. A meeting had been scheduled the previous Thursday but it had been cancelled. Progress had been made on this matter. Rozalyn Sherman is spearheading the business subcommittee of the Franklin Youth Initiative. Steps are being taken to partner with the Community Foundation. She welcomed Mr. Tibbs’ help and pointed out that setting up the SCAP building for utilization by Franklin Township’s youth will require donations of time and resources.

Ms. Francois spoke in regards to job programs and training for Franklin Township’s youth. She stated that a very successful job fair with interview training took place on April 25th and a job exposition took place on May 7th. Several of Franklin Township’s youths came to the job exposition and several companies were very impressed with them. She stated that they are still waiting to see if any of these companies hired these youths.

Ms. Francois extended her thanks to Second Chance for Animals for their donation of \$24,000.00 and their continued advocacy of the Franklin Township Animal Shelter.

Deputy Mayor Glicklich stated that the Township is going to receive a total of \$962,000.00 in grant money. A large portion of that is the federal stimulus grant focused on energy efficiency. While the Township cannot reduce the budget by this amount of money it will go a long way in helping the people of Franklin Township.

Deputy Mayor Glicklich stated that he had taken a tour of the SCAP building with Ms. Francois and that the creation of a drop-in center had been discussed at the most recent youth forum. The creation of a drop-in center would be a great opportunity for the children of Franklin Township. He stated that much of this progress is due to the efforts of the Franklin Youth Initiative and pointed out that the Franklin Youth Initiative consists entirely of volunteers and is not associated with the Township Council. He stated that he had spoken with Ms. Sherman and there are a number of people who are willing to donate money to assist the youth of Franklin Township. Some of these people are having difficulty donating because they need to be a 501-C3. Deputy Mayor Glicklich expressed his hope that more institutions participate in donating to the youth of Franklin Township.

Deputy Mayor Glicklich spoke in regards to the newspaper article recently posted in the Home News. He expressed his disappointment that the reporter who wrote the article did not contact any Township representatives and claimed that this was the wrong way to write a newspaper article. He stated that people should not believe all they read and if a member of the public should have any questions or concerns regarding any concern in the Township, they should not hesitate to contact either the Township Manager or their Councilperson.

Deputy Mayor Glicklich spoke in regards to condemning housing in Franklin Township. He stated that the Council does not condemn houses to take them from homeowners for the purpose of making affordable housing. He stated that the action in question is only taking place because the property owner, a recipient of affordable housing, is having his property foreclosed on by the bank and, in order to keep the unit as affordable housing, the Township must purchase the property. The Township will not lose money on the property because it will be resold as an affordable housing unit.

Deputy Mayor Glicklich stated that dumping grass or leaves in the street is a violation of New Jersey Department of Environmental Protection regulations. He was uncertain if the Township had an ordinance regarding this matter in addition to the Department of Environmental Protection regulations but the DEP does give violators of this regulation a hefty fine. He requested that anyone who sees someone dumping grass or leaves into the street report these violations to the Township so that it can be stopped. Grass and leaves not only block sewer drainage but also may contain harmful chemicals on them that can contaminate drinking water.

Deputy Mayor Glicklich stated that it was great to see Mr. McKenzie at the meeting and that he hasn't changed at all in his concerns for the children of Franklin Township. He stated that progress had been made in locating a space in the southern portion of Franklin Township for recreational use. He further stated that Dr. Chase and Mr. Mettler were highly beneficial in locating appropriate properties in the southern portion of Franklin Township and that there has been a great deal of feedback from residents in the area. While this may seem to have little effect on the Fourth and Fifth Wards and the concerns there, he pointed out that opening this space will have a snowballing effect on the park usage in the northern portion of Franklin Township and should open up space, and therefore opportunities, in the parks in the Fourth and Fifth Wards. Deputy Mayor Glicklich also reported that the development of Middlebush Park has been approved but he was uncertain as to when work would begin.

Deputy Mayor Glicklich expressed his support for hosting Township Council candidate debates on the Township cable channel. He also expressed his gratitude for the generous donation and great work of the Animal Shelter volunteers.

Mayor Brian Levine reiterated what had already been commented on the various grants being applied for and received by Franklin Township. He expressed his hope that the Energy Efficiency grant will allow the Township to run more efficiently and therefore allow the Township to save money on its energy usage. He also pointed out that the Township is applying for a COPS grant. He stated that when money is taken from the Budget to pay for anything, that money is reduced out of the Budget. Someone always has to pay for that. The sole exception of this comes when the Township receives money from the Federal government. The effects of that spending will not be felt for some time.

Mayor Brian Levine spoke in regards to Mr. Howard's comments and stated that Mr. Howard must have been bringing his concerns before the Council for a dozen years. During that time the Township has had three attorneys and various council people. Each of these officials had been of the same opinion regarding Mr. Howard's property.

Mayor Brian Levine expressed his agreement with Mr. Daly and stated that the Home News had written articles that point out Franklin Township's connection to several crimes that have been committed in the New Brunswick and Hamilton Street areas. These articles seem to focus on Franklin Township's involvement in the crimes, rather than pointing out that a number of these crimes were either committed in New Brunswick or committed by New Brunswick residents. He further expressed his hope that this negative

reporting on Franklin Township was just an oversight and that future articles will be better.

Mayor Brian Levine also commented on the good work of Second Chance for Animals and expressed his gratitude for their efforts. He went on to congratulate the graduating class of Franklin High School and thanked the efforts of the parents, the staff of the Board of Education and the teachers of Franklin Township for their efforts.

COUNCIL DISCUSSION ITEM

Agenda Format (Old Business & Committee Reports)

Mayor Levine stated that the format of the Township Council's Agenda is set by ordinance and that a member of the Council has requested a new item, containing old business and committee reports, be placed as a standard item on the Agenda.

Deputy Mayor Glicklich explained that there had been instances in the past where an item of interest had been brought before the Council but as each Council meeting goes by, the item is lost only to be brought up again at a later date. In an effort to keep these kinds of items from being forgotten, he recommended providing a place on the Agenda where these items can be referred to on a meeting by meeting basis until either the issue is resolved or is no longer relevant.

Mayor Levine stated that it was a good suggestion and that the Council or Administration could come back with a recommendation on how to proceed. Mr. Mettler expressed his support of the idea.

APPROVAL OF MINUTES

Mayor Levine presented the minutes of the April 14, 2009 Work Session/Regular Meeting and the April 27, 2009 Special Meeting for approval.

Deputy Mayor Glicklich moved the approval of the minutes of the April 14, 2009 Work Session/Regular Meeting and the April 27, 2009 Special Meeting. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Francois (4/14)	Glicklich		Francois (4/27)	Danile
Mettler	Sumter		Levine	Eberle
Vassanella				Prasad

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$1,147,123.29 for June 23, 2009 to the Township Council for payment:

1	Current	423,248.63
2	Grant	25,770.06
3	Tax Title Lien	80,286.34
4	General Capital	6,332.50
5	Water	476,696.59
6	Water Capital	767.76
11	Recreation Trust	4,020.63
12	Trust Others	87,123.89
13	Unemployment	
15	Redevelopment	380.00
17	Animal Control	
19	Self Insurance	
20	Affordable Housing	5,845.18
30	Payroll	30,120.26
37	Police Forfeiture	

39	Worker's Comp	
40	Open Space	5,379.40
42	Redevelopment E	1,152.05
50	County Imp Auth Fund	
	Subtotal	1,147,123.29
	Escrow	
	Grand Total	1,147,123.29

Deputy Mayor Glicklich moved that warrants in the amount of \$1,147,123.29 for June 23, 2009 to be paid. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

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

Ms. Francois left at 8:56 p.m.

PUBLIC HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

Ordinance No. 3832

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY BY ADDING A NEW CHAPTER, MORE PARTICULARLY CHAPTER 109, CHARITABLE CLOTHING BINS.

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. Sumter and carried unanimously upon call of the roll.

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

There being no comments from the public, Mr. Sumter moved to close the public hearing on the ordinance. Said motion was seconded by Mr. Mettler 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. Vassanella and carried as follows upon call of the roll:

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

Ordinance No. 3833

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY BY AMENDING CHAPTER 85, FALSE ALARMS.

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

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

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

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

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

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

PUBLIC HEARING AND ADOPTION OF RESOLUTIONS

Mayor Levine presented the following resolution:

Resolution #09-295 Authorize the Release of Certain Deed Restrictions upon Township-Owned Real Property located on Viking Avenue and identified as Block 287.02, Lots 24-27 pursuant to N.J.S.A. 40:60-51.2.

WHEREAS, on November 10, 1988 the Township of Franklin conveyed certain premises described as Block 287.02, Lot 24 as shown on the Tax Map of the Township of Franklin, Somerset County, to Dethor Legrand; and

WHEREAS, the deed for said conveyance contained the following deed restriction:

“No dwelling or similar structure shall be erected on the above-described premises unless said premises are combined with adjoining premises to form a parcel conforming with the area and yard requirements of the Development Ordinance. This covenant shall run with the land and be binding upon the grantee, his heirs, executors, administrators and assigns”; and

WHEREAS, on September 4, 1973 the Township of Franklin conveyed certain premises described as Block 287.02, Lots 25-27 as shown on the Tax Map of the Township of Franklin, Somerset County to John and Jennie Williams; and

WHEREAS, the deed for said conveyance contained the following deed restriction:

“This conveyance is made subject to the restriction that no dwelling house shall be erected on the premises. This restrictive covenant shall run with the land”; and

WHEREAS, on November 28, 1986, John and Jennie Williams conveyed the said Block 287.02, Lots 25-27 to Dethor Legrand; and

WHEREAS, by virtue of that conveyance, as of November 28, 1986, fee title to Block 287.02, Lots 24-27 was vested in Dethor Legrand; and

WHEREAS, by virtue of a Final Judgment entered in Tax Foreclosure on or about March 28, 1995 in the Superior Court of New Jersey – Somerset County against Dethor Legrand, the Township of Franklin reacquired title to the said Block 287.02, Lots 24-27; and

WHEREAS, the Township of Franklin subsequently entered into an Amended Development Agreement with Raritan Valley Habitat for Humanity, Inc. ("Habitat") (the said Amended Development Agreement hereafter the "Agreement"), pursuant to which the Township of Franklin agreed, among other things, to convey certain Township-owned real property to Habitat for the construction and provision of affordable housing within the Township of Franklin; and

WHEREAS, pursuant to Schedule B of the Agreement, Block 287.02, Lots 24-27 are among the Township-owned properties that are to be conveyed to Habitat pursuant to the terms of the Agreement; and

WHEREAS, in accordance with the terms of the Agreement, Habitat has requested the Township to remove and release the aforementioned restrictions from the title of Block 287.02, Lots 24-27, so that same may be ultimately be conveyed to Habitat from the Township, by deed without the said restrictions, to facilitate the construction of affordable housing, all as contemplated by the Agreement; and

WHEREAS, notice in accordance with N.J.S.A. 40:60-51.2 has been duly given; and

WHEREAS, the Township Council held a public hearing on the matter on June 23, 2009, [at which time no objection to the release of the said restrictions was presented or raised]; and

WHEREAS, the Township Council, based upon the foregoing, and based upon the discussion which occurred at the public hearing on June 23, 2009, is satisfied that the release of the aforementioned restrictions is in the best interests of the Township, and will help facilitate the provision of affordable housing under the Agreement with Habitat.

NOW, THEREFORE, BE IT RESOLVED this 23rd day of June, 2009 by the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey:

1. That the Mayor and Township Clerk be and the same hereby authorized and directed to execute a Deed to Raritan Valley Habitat for Humanity, Inc. for Lots 24-27 in Block 287.02, unencumbered by the aforesaid deed restrictions.
2. In all other respects, however, the deed to Habitat shall contain the usual and customary restrictions and recitations applicable to all conveyances of real property for the provision of affordable housing in this State in accordance with applicable law.
3. This Resolution shall take effect immediately, and may be recorded with, or referenced within, the aforementioned Deed as indicia of the release of the aforementioned restrictions of record by the Township of Franklin.

Mayor Levine 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 resolution. 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 resolution. He stated that anyone interested in speaking to raise their hand and when recognized, state your name and address.

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

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

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

Mayor Levine presented the following resolution:

Resolution #09-296 Approval of the Fiscal Year 2009 Community Development Block Grant Program 2009 Action Plan.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which will benefit low and moderate income families, or other urgent community development needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2009 Community Development Block Grant in the estimated amount of Three Hundred Twenty Three Thousand Eight Hundred Forty Dollars (\$323,840);

WHEREAS, the Township can budget a total of Three Hundred Twenty Three Thousand Eight Hundred Forty Dollars (\$323,840) for eligible activities to Fiscal Year 2009;

WHEREAS, Public Hearings were held on February 10, March 24 and June 23, 2009 to provide citizen participation in the development of the Action Plan for HUD's Fiscal Year 2009;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Franklin that:

- Section 1.** The application for the Federal Fiscal Year 2009 Community Development Block Grant Program for Franklin Township is hereby in all respects approved.
- Section 2.** It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with Federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, creed, national origin or handicap and other assurances as set forth under the certifications.
- Section 3.** The Mayor of the Township of Franklin on behalf of the Township Council, is authorized to file an application for Three Hundred Twenty Three Thousand Eight Hundred Forty Dollars (\$323,840), which the U.S. Department of Housing and Urban Development has indicated it is willing to make available to carry out the Community Development Program, and act as authorized representative of the Township of Franklin.
- Section 4.** The Mayor of the Township of Franklin, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

Mayor Levine stated that the Township Attorney has approved the Affidavit of Publication and a public hearing is in order.

Mr. Sumter moved to open the public hearing on the resolution. Said motion was seconded by Mr. Vassanella and carried unanimously upon call of the roll.

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

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

Mr. Sumter moved the final passage of the resolution in accordance with law. 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>	<u>ABSENT</u>
Glicklich	Levine			Danile	Eberle
Mettler	Sumter			Francois	Prasad
Vassanella					

Mr. Daly left at 9:05 p.m.

INTRODUCTION OF ORDINANCE ON FIRST READING

Ordinance No. 3836

Mayor Levine presented the following ordinance:

AN ORDINANCE AMEND THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 13, BOARDS, COMMISSIONS AND COMMITTEES, ARTICLE VI, CABLE TELEVISION COMMITTEE

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 July 14, 2009 at 7:00 p.m. in the Municipal Complex.

Deputy Mayor Glicklich expressed concern over Section D and requested that wording be placed in the ordinance that allowed the public to submit complaints to a Township authority who can take note of these complaints and direct them to the appropriate authority, such as the cable company or the Board of Public Utilities.

Mr. Vassanella expressed concern over placing wording in the ordinance that places the Cable Television Advisory Board in a position of responsibility over public complaints. While the board is not averse to answering the public's questions and concerns over cable services provided in the Township and encourages the public to come to meetings to provide their input, placing legal responsibility for public complaints could cause trouble for the Township. He urged caution in placing such wording in the ordinance.

Ms. London agreed with Mr. Vassanella and stated that there is a standard complaint form on the Office of Cable Television website that could be placed on the Township website. Mr. Vassanella stated that copies of complaints sent to the Office of Cable Television should be available to the municipality and the Cable Television Advisory Board intended on obtaining this information both before contract negotiations have begun and while a cable company is currently under contract in the Township. Ms. London stated that the municipality also has a right to acquire copies of any complaints sent directly to the cable company.

A brief discussion followed regarding amendments to Chapter 13-21, Section D, List of Duties, and Chapter 13-24, Term of Office.

Deputy Mayor Glicklich moved to amend Ordinance No. 3836, Chapter 13-21, Cable Television Advisory Board, Section D, List of Duties, to compile and forward complaints to the Office of Cable Television or other appropriate agencies according to Ordinance 40A:5A-26 and Chapter 13-24, Term of Office, staggered two-year terms. Said motion was seconded by Mr. Vassanella and carried as follows upon call of the roll:

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

Mr. Vassanella moved the foregoing ordinance for adoption, as amended, on first reading, posting, publication in accordance with law and public hearing and final adoption on July 14, 2009 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Sumter and carried as follows upon call of the roll:

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

Ordinance No. 3837

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 260, PARKS AND RECREATION, SECTION 260-11, EXCLUSIVE-USE PERMITS FOR PARK FACILITIES

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 July 14, 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 July 14, 2009 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Vassanella and carried as follows upon call of the roll:

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

Ordinance No. 3838

Mayor Levine presented the following ordinance:

AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR AFFORDABLE HOUSING PURPOSES AND TO AUTHORIZE THE SALE OF CERTAIN PREMISES IN THE TOWNSHIP OF FRANKLIN PURSUANT TO NJSA 40A:12-13(a) – BLOCK 34.10, LOT 59.01 C1219, ALSO KNOWN AS 73 AMETHYST WAY, UNIT G-1, FRANKLIN PARK.

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 July 14, 2009 at 7:00 p.m. in the Municipal Complex.

Mr. Sumter moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on July 14, 2009 at 7:00 p.m. at the Municipal Complex. 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>	<u>ABSENT</u>
Glicklich	Levine			Danile	Eberle
Mettler	Sumter			Francois	Prasad
Vassanella					

CONSENT AGENDA ITEMS

Upon motion by Deputy Mayor Glicklich seconded by Mr. Mettler, the following consent agenda items were adopted as follows upon call of the roll:

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

Resolution #09-274 Award Bid – Installation of Township-Owned Pavilions at Castleton and Dunham/Lebed Parks – Sports and Golf Solutions – Amount Not to Exceed \$33,989.00.

WHEREAS, a notice to bidders for the receipt of bids for the Installation of Township-Owned Pavilions at Castleton and Dunham/Lebed Parks was published in the *Courier News* and posted on the Township’s website on April 30, 2009 and receipt was on May 19, 2009;

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bid be awarded for Installation of Township-Owned Pavilions at Castleton and Dunham/Lebed Parks:

VENDOR: SPORTS AND GOLF SOLUTIONS
ADDRESS: 4 Crest Hill Road
Verona, NJ 07044
ITEM: Installation of Township-Owned Pavilions at Castleton and Dunham/Lebed Parks
AMOUNT: Amount Not to Exceed \$33,989.00

WHEREAS, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

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 #09-297 Authorize Issuance of 2009-2010 Liquor License Renewals.

WHEREAS, application has been received for two (2) Plenary Retail Consumption Licenses, three (3) Plenary Retail Consumption Licenses issued under the Hotel-Motel Exception, three (3) Plenary Retail Distribution Licenses and one (1) Club License; and

WHEREAS, the application has been made to the Township Clerk and filing fees have been paid to the Township and to the State of New Jersey, Division of Alcoholic Beverages; and

WHEREAS, the Health Officer, the Chief of Police and Fire Inspector have inspected the applicants’ property and have approved them as per letters filed with the Township Clerk; and

WHEREAS, no objections have been filed with the Township Clerk; and

WHEREAS, said applications have been examined by the Township Council and the Township Council finds that:

The submitted application forms are complete in all respects:

The applicants are qualified to be licensed according to all statutory, regulatory and Local Government Alcoholic Beverage Control Laws and Regulations;

The applicants have disclosed and the issuing authority has ascertained and reviewed the source of any additional financing obtained in the previous license term for use in the licensed business; and

with respect to Club Licenses:

The submitted applications are complete in all respects, including submission of the Club Member List;

The Officers and Directors of the Club are qualified according to all statutory, regulatory and Local Government Alcoholic Beverage Control Law and Regulations; and

The Clubs maintain all records required by NJAC 13:2-8.8 (Special Events Open to Non-Club Members) and NJAC 13:2-8.12 (true books of accounts for receipts and disbursements);

NOW, THEREFORE, BE IT RESOLVED this 14th day of July, 2009 by the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey that the Township Clerk be and she is hereby instructed to issue two (2) Plenary Retail Consumption Licenses to the following:

1808-33-007-008	Avenue Pub LLC	t/a Cricket Pub & Grill 408 Elizabeth Avenue, Somerset, NJ 08873
1808-33-016-007	The Palace @ Somerset Park LLC	t/a The Palace @ Somerset 333 Davidson Avenue, Somerset, NJ 08873

BE IT FURTHER RESOLVED that the Clerk is instructed to issue three (3) Plenary Retail Consumption Licenses under the Hotel/Motel exception as follows:

1808-36-037-001	Toucan-Somerset LLC	t/a Toucan Restaurant & Catering 1850 Easton Avenue, Somerset, NJ 08873
1808-36-038-001	Intercontinental Hotels Group Resources, Inc.	t/a Staybridge Suites by Holiday Inn 260 Davidson Avenue, Somerset, NJ 08873
0808-36-034-003	Somerset Hospitality Liquor, LLC	t/a Madison Suites Hotel 11 Cedar Grove Lane, Somerset, NJ 08873

BE IT FURTHER RESOLVED that the Clerk is instructed to issue three (3) Plenary Retail Distribution Licenses to the following:

1808-44-005-006	Hiren Inc.	t/a Buy Rite Liquors 900 Easton Avenue, Suite 42, Somerset, NJ 08873
1808-44-008-004	UJAL, Inc.	t/a Franklin Liquors 1221 Route 27, Suite 1, Somerset, NJ 8873
1808-44-040-003	Franklin Park Liquors Inc.	t/a Franklin Park Liquors Unit #9, 789 Old New Brunswick Road, Franklin Park, NJ 08823

BE IT FURTHER RESOLVED that the Clerk is instructed to issue one (1) Club License to the following:

1808-31-023-002	Loyal Order Moose Lodge #1803	t/a Loyal Order Moose Lodge #1803 1300 Hamilton Street, Somerset, NJ 08873
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Resolution #09-298 Authorize Place-to-Place Transfer of Plenary Retail Distribution License – UJAL, Inc., t/a Franklin Liquors, 1221 Route 27, Suite 1, Somerset.

WHEREAS, an application has been filed for a Place-to-Place Transfer of Plenary Retail Distribution License Number 1808-44-008-004, issued to UJAL, Inc. , for an inactive license with a mailing address of 5 Belair Court, Milltown, NJ, 08850;

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby approve, effective June 23, 2009, the Place-to-Place Transfer of the aforesaid Plenary Retail Consumption license, from inactive status to its new location at 1221 Route 27, Suite 1, Somerset, NJ 08873, and does hereby direct the Township Clerk to endorse the license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to premises located at 1221 Route 27, Suite 1, Somerset, NJ 08873;”

Resolution #09-299 Approval of Fireworks Display – The Palace – Weddings on July 4, 2009; July 5, 2009; July 11, 2009; July 24, 2009 and August 2, 2009. – ***Moved to Resolutions, Voted on Separately.***

Resolution #09-300 Authorize Issuance of Special Events Permit – Central Jersey Pagan Pride Project – Colonial Park – August 22, 2009 – 8:30 am to 8:00 pm.

WHEREAS, a request has been received from the organizers of Central New Jersey Pagan Pride Project for permission to conduct a celebration of the beginning of the harvest season and a food drive to benefit Ronald McDonald House on August 22, 2009 at Colonial Park from 8:30 am to 8:00 pm; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to the organizers of Central Jersey Pagan Pride Project to conduct a celebration of the beginning of the harvest season and a food drive for the benefit of Ronald McDonald House on August 22, 2009 at Colonial Park from 8:30 am to 8:00 pm, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Zoning Officer, Director of Health and Director of Fire Prevention.

Resolution #09-301 Authorize Refund of Tax Overpayments.

WHEREAS, there appears on the books of the Collector of Revenue, refunds due, resulting from Tax/Water 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>
Various	Township of Franklin	2/09 to 3/09 move credits to next year	62,041.74
424.04/479	Gilmartin, Kevin & Alicia 6 Smithwold Road, Somerset, NJ 08873	3/09 Duplicate Tax Payment	1,520.00
424.12/2.29	Garofolo, Craig & Jennifer 5 Monet Court, Somerset, NJ 08873	3/09 Title & Mortgage Co. Paid	3,089.41

11.18/14.01	Direct Title 400 W. Main Street, Freehold, NJ 07728	3/09 Title & Mortgage Co. Paid	3,161.27
20.10/11.02 C3405	Rivera, Carol 42 DeLeon Circle, Franklin Park, NJ 08823	3/09 Title Company paid too much	1,217.98
507.42/12	Wittman, Barry 21 Fehervari Court, Somerset, NJ 08873	3/09 should go into escrow for future taxes	1,683.59
335/4	Kriz, Roger & Tourrahn C. 19 Indiana Road, Somerset, NJ 08873	100% disabled veteran 1- 2/09	1,889.40 1,889.40

Resolution #09-302 Authorize Tax Title Lien Redemptions – Outside Buyer.

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

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

NOW, THEREFORE, BE IT RESOLVED that the amounts covering the certificates of sale, together 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: 424.02/11.150
Name & Address: ALDRICH, STEPHANIE V.; 145 CARSON CT
Amount: \$ 459.59
Make Check Payable To: NATU PATEL
Certificate No.: 08-220
Payment Received: 06/04/09

Resolution #09-303 Authorize FY2010 Temporary Budget.

WHEREAS, RS 40A:4-19 of the Local Budget Act provides that temporary appropriations should be made for the purpose and amounts required;

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Finance Officer of the Township of Franklin, County of Somerset, New Jersey:

CURRENT FUND BUDGET	SFY - 2010 TEMPORARY BUDGET		
Description	Salary & Wages	Other Expenses	Total
General Admin: Township Manager	52,000.00	4,000.00	56,000.00
General Admin: Grant Coordinator			
General Admin: Purchasing	24,000.00	40,000.00	64,000.00
Human Resources	25,000.00	15,000.00	40,000.00
Mayor and Council	25,000.00	6,000.00	31,000.00
Municipal Clerk: Township Clerk	58,000.00	15,000.00	73,000.00
Municipal Clerk: Elections	2,000.00	11,000.00	13,000.00
Finance Administration	35,000.00	105,000.00	140,000.00
Audit Services			

Data Processing	48,000.00	35,000.00	83,000.00
Revenue Administration	40,000.00	7,000.00	47,000.00
Tax Assessment	78,000.00	15,000.00	93,000.00
Legal Services		100,000.00	100,000.00
Engineering	85,000.00	15,000.00	100,000.00
Economic Development	50,000.00	10,000.00	60,000.00
Planning Board	45,000.00	12,000.00	57,000.00
Zoning Board	60,000.00	10,000.00	70,000.00
Affordable Housing			
Municipal Court	85,000.00	15,000.00	100,000.00
Public Defender		5,000.00	5,000.00
Police: Uniformed Officers	3,525,000.00	165,000.00	3,690,000.00
Police: Administration	102,000.00	-	102,000.00
Police: Crossing Guards	37,000.00	-	37,000.00
Police: 911 Dispatch	165,000.00	55,000.00	220,000.00
Emergency Management	4,000.00	750.00	4,750.00
Aid to Volunteer Fire Companies		15,000.00	15,000.00
Aid to Volunteer Ambulance		20,000.00	20,000.00
Fire Prevention	145,000.00	5,000.00	150,000.00
Municipal Prosecutor	0	14,000.00	14,000.00
Public Works	600,000.00	-	600,000.00
Streets & Roads: Snow Removal		40,000.00	40,000.00
Streets & Roads: Other		55,000.00	55,000.00
Public Works Administration		1,000.00	1,000.00
Solid Waste, Sanitation, Recycling		220,000.00	220,000.00
Buildings & Grounds		65,000.00	65,000.00
Vehicle Maintenance		50,000.00	50,000.00
Shade Tree		125.00	125.00
Community Services Act: Condo Act			
Board of Education Transportation			
Board of Health: Administration	50,000.00	5,000.00	55,000.00
Board of Health: Visiting Nurse		15,000.00	15,000.00
Environmental Health	60,000.00	4,000.00	64,000.00
Animal Control Services	60,000.00	7,500.00	67,500.00
Community Resources	65,000.00	6,000.00	71,000.00
Recreation Services	108,000.00	45,000.00	153,000.00
Park & Playground		45,000.00	45,000.00
Liability Insurance		450,000.00	450,000.00
Worker's Compensation		13,000.00	13,000.00
Employee Group Insurance		2,430,000.00	2,430,000.00
Accumulated Leave		150,000.00	150,000.00
Celebration of Public Events		14,767.49	14,767.49
Tax Appeal Refund		25,000.00	25,000.00
Tax Title Lien Foreclosure		6,000.00	6,000.00
Environmental Commission		200.00	200.00
Salary Adjustment		0	0
Historical Commission		675.00	675.00
Code Enforcement	280,000.00	15,000.00	295,000.00
Zoning Enforcement			
Gasoline		175,000.00	175,000.00
Telephone		75,000.00	75,000.00
Electricity/Heat		135,000.00	135,000.00
Water		3,000.00	3,000.00
Street Lighting		300,000.00	300,000.00
Fire Hydrant			
	5,913,000.00	5,046,017.49	10,959,017.49
DCRP		1,000.00	1,000.00
	5,913,000.00	5,047,017.49	10,960,017.49
Social Security System	-	415,000.00	415,000.00
Total Appropriation within CAPS	5,913,000.00	5,462,017.49	11,375,017.49

CURRENT FUND BUDGET	SFY - 2010 TEMPORARY BUDGET		
Description	Salary & Wages	Other Expenses	Total
Public Employees Retirement Police & Firemen Retirement Maintenance of Public Library		750,000.00	750,000.00
LOSAP		13,500.00	13,500.00
Board of Education – Interlocal	45,000.00	25,000.00	70,000.00
Senior Transportation		25,000.00	25,000.00
Mid County Sexually Transmitted		2,000.00	2,000.00
Board of Education – Officers	30,000.00		30,000.00
Construction Code Interlocal		3,500.00	3,500.00
State & Federal Grants			
Total Excluded from CAPS	75,000.00	819,000.00	894,000.00
Reserve for Uncollected Taxes	-	-	-
Total General Appropriation	5,988,000.00	6,281,017.49	12,269,017.49

APPROPRIATION FOR	SFY - 2010 TEMPORARY BUDGET		
Capital Improvements, Debt Service & Public Assistance	Salary & Wages	Other Expenses	Total
Public Assistance			
Matching Funds for Grants		19,000.00	19,000.00
Capital- Cash Capital			-
Bond Principal		2,305,000.00	2,305,000.00
Bond Interest		1,309,439.12	1,309,439.12
Green Trust Loan Repayments		57,585.10	57,585.10
SCIA Lease Payments		986,654.78	986,654.78
Total Excluded from CAPS	-	4,677,679.00	4,677,679.00

TOTAL CURRENT FUND	5,988,000.00	10,958,696.49	16,946,696.49
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WATER UTILITY BUDGET	SFY - 2010 TEMPORARY BUDGET		
Description	Salary & Wages	Other Expenses	Total
Operating:			
Salaries & Wages	375,000.00	-	375,000.00
Other Expenses	-	2,180,000.00	2,180,000.00
Health Benefits	-	130,140.73	130,140.73
Insurance Other	-	25,500.00	25,500.00
Statutory Expenditures:			
Social Security	-	30,000.00	30,000.00
Disability Insurance	-	1,250.00	1,250.00
Subtotal	375,000.00	2,366,890.73	2,741,890.73
Debt Service:			
Bond Principal	-	1,077,000.00	1,077,000.00
Bond Interest	-	171,612.00	171,612.00
Loan Repayments		207,415.17	207,415.17
Subtotal:	-	2,085,567.07	2,085,567.07

Total Water Utility Appropriation	375,000.0	4,452,457.80	4,827,457.80
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OPEN SPACE	SFY - 2010 TEMPORARY BUDGET		
Description	Salary & Wages	Other Expenses	Total
Maintenance of Lands for Conservation:			
Salaries & Wages	20,000.00	-	20,000.00
Other Expenses	-	238,344.10	238,344.10
Down Payments on Improvement:			
Down Payments	-		
	20,000.00	238,344.10	258,344.10
Debt Service:			
Bond Principal	-	2,400,000.00	2,400,000.00
Bond Interest	-	1,200,000.00	1,200,000.00
Reserve for Future Use:			
Reserve	-	-	-
Total Open Space Appropriation	20,000.00	3,838,344.10	3,838,344.10

Resolution #09-304 Authorize Submission and Execution of Grant Application – Federal Highway Administration Grant – Restoration of the Bridgetender’s House in Griggstown as a Visitor Center for the Millstone Scenic Byway.

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 a grant application to the Federal Highway Administration to apply for funds in the amount of \$392,000 of which \$40,000 is a State match provided by the Division of Parks and Forestry to restore the Bridgetender’s House in Griggstown as a Visitor Center for the Millstone Scenic Byway and does authorize the appropriate Township officials to execute these grant applications on its behalf.

Resolution #09-305 Authorize Interlocal Services Agreement – Senior Citizen Transportation – Somerset County – Amount of \$58,236.00.

BE IT AND IT IS HEREBY RESOLVED that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Council interlocal service agreements with the Somerset County Transportation as permitted by NJS 40:A:65-1 et. seq. for Senior Transportation Services for the period July 1, 2009 to June 30, 2010 in an amount not to exceed \$58,236.00

BE IT FUTHER RESOLVED, 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 FUTHER RESOLVED, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

Resolution #09-306 Authorize Insertion into FY2009 Municipal Budget – Chapter 159 – Somerset County Youth Services Commission Annual Grant - \$5,000.00.

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget

of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin in the County of Somerset, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of fiscal year 2009 in the sum of **\$5,000.00** which is now available from the **Somerset County Youth Services Commission Annual Grant** in the amount of **\$5,000.00**;

BE IT FURTHER RESOLVED that the like sum of **\$5,000.00** is hereby appropriated under the caption of **Somerset County Youth Services Commission Annual Grant**; and

BE IT FURTHER RESOLVED that the above is a result of funds from the **Somerset County Youth Services Commission Annual Grant** in the amount of **\$5,000.00**.

Resolution #09-307 Authorize Insertion into FY2009 Municipal Budget – Chapter 159 – Somerset County Youth Services Commission Competitive Grant - \$10,000.00.

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin in the County of Somerset, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of fiscal year 2009 in the sum of **\$10,000.00** which is now available from the **Somerset County Youth Services Commission Competitive Grant** in the amount of **\$10,000.00**;

BE IT FURTHER RESOLVED that the like sum of **\$10,000.00** is hereby appropriated under the caption of **Somerset County Youth Services Commission Competitive Grant**; and

BE IT FURTHER RESOLVED that the above is a result of funds from the **Somerset County Youth Services Commission Competitive Grant** in the amount of **\$10,000.00**.

Resolution #09-308 Authorize Interlocal Services Agreement – Board of Education – Payment of Custodial Fees to the Board of Education for Recreation Programs held in Schools.

BE IT AND IT IS HEREBY RESOLVED that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Council interlocal service agreements with the Franklin Township Board of Education as permitted by NJSA 40:A:65-1 et. seq. for Custodial Fees Paid to the Board of Education for Saturday Recreation Programs for the 2008-2009 and 2009-2010 school years in an amount not to exceed \$20,000.00 per year.

BE IT FUTHER RESOLVED, 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 FUTHER RESOLVED, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

Resolution #09-309 Authorize Release of Performance Guarantee – MRN Construction Co., t/a Danielle Estates – Docket No. P980675PF – Wilson Road – Site Improvements - \$163,315.00.

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

NAME OF APPLICANT:	MRN Construction Co., t/a Danielle Estates
ADDRESS OF APPLICANT:	8 Revere Avenue, Bridgewater, NJ 08807
ITEM:	Performance Bond
NUMBER:	#124223
INSURANCE CO./BANK:	Frontier Insurance Co.
DOCKET:	P98067SPF
IN THE AMOUNT OF:	\$163,315.00
FOR:	Block 423.01/Lot 36 – Wilson Road – Site Improvements

WHEREAS, the Township Engineer, after inspection, recommends release of the aforesaid Performance Guarantee because the application has been withdrawn; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee be release in the amount of \$163,315.00 to the above named applicant.

Resolution #09-310 Extend Contract – Trash Removal from Municipal Buildings – July 1, 2009 to June 30, 2010 – Republic Services of New Jersey, d/b/a Midco Waste Systems – Amount Not to Exceed \$13,051.68.

WHEREAS, on June 29, 2006, the Township Council awarded Resolution #06-306 to Midco waste for a two-year contract for trash removal at the Municipal Buildings; and

WHEREAS, the first extension of this contract was approved by Resolution #08-369 for the period of July 1, 2008 to June 30, 2009;

WHEREAS, the original specifications included a clause that allowed for extension of the contract on an annual basis at the existing terms and conditions two times; and

WHEREAS, the Purchasing Administrator recommends the extension of this agreement for a one-year term from July 1, 2009 to June 30, 2010

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following contract for trash removal at the Municipal Buildings be extended:

VENDOR:	REPUBLIC SERVICES OF NJ (D/B/A MIDCO WASTE SYSTEMS)
ADDRESS:	5 Industrial Drive, New Brunswick, NJ 08901
ITEMS:	Trash Removal from Municipal Buildings – July 1, 2009 to June 30, 2010
AMOUNT:	Not to Exceed \$15,000.00

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

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

WHEREAS, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

Resolution #09-311 Extend Contract – HVAC Maintenance, All Buildings on a monthly basis – Able Mechanical Inc. – Amount Not to Exceed \$13,000.00 for one month.

WHEREAS, the Township of Franklin is desirous of extending the contract for the maintenance of HVAC systems in all Township buildings for on a monthly basis as of July 1, 2009 until a new contract is in place; and

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

Able Mechanical Inc.
94 Railroad Avenue
Belford, NJ 7718

HVAC Maintenance, All Buildings
Monthly Basis as of July 1, 2009 until new contract is in place

Total Contract **\$13,000.00 for one month**

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 provider.

BE IT RESOLVED, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

Resolution #09-312 Authorize Change Order – Energy Management System for Public Safety Building – Authorized Building Controls, Inc. – Amount Not to Exceed \$9,809.00. – ***Removed from Agenda.***

Resolution #09-313 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>
Friends of McCarrick Care Center 15 Dellwood Lane, Somerset, NJ Off-Premise 50/50 – RL#1776 Drawing: 15 Dellwood Lane	September 12, 2009 2:30 pm
The Center for Great Expectations 19B Dellwood Lane, Somerset Off-Premise 50/50 – RL#1777 Drawing: The Palace of Somerset Park	November 13, 2009 6:00 pm – 11:00 pm

Resolution #09-314 Authorize Issuance of Special Event Permit – Meadows Foundation – Living History – September 11-13, 2009.

WHEREAS, a request has been received from The Meadows Foundation for permission to conduct a “Living History” Campout with the 6th New Hampshire Volunteers Company C on September 11-13, 2009 at Van Liew Suydam Farm, 280 South Middlebush

Road from 6:00 pm on Friday, September 11th to 2:00 pm on Sunday, September 13th, 2009; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey, that permission is hereby granted to The Meadows Foundation with the 6th New Hampshire Volunteers Company C to conduct a "Living History" campout on Friday, September 11 through Sunday, September 13, 2009 at Van Liew Suydam Farm, 280 South Middlebush Road, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Zoning Officer, Director of Health and Director of Fire Prevention.

Resolution #09-315 Authorize Change in Date of Public Hearing for Ordinance No. 3830 from June 9, 2009 to July 14, 2009.

WHEREAS, Ordinance No. 3830 entitled, "An Ordinance Amending the Code of the Township of Franklin, Somerset County, New Jersey, more particularly, Chapter 13, Boards and Commissions, Article VII, Emergency Life Support Delivery Committee" was introduced at a Township Council Meeting held on May 12, 2009 and a public hearing and further consideration was noticed in the Courier News for June 9, 2009 at 7:00 p.m. in Council Chambers; and

WHEREAS, in error by being left off the June 9, 2009 agenda, the public hearing was not held and needs to be rescheduled;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby authorizes the posting and publication of Ordinance No. 3830 in accordance with law and schedules the public hearing and final adoption of said Ordinance on Tuesday, July 14, 2009 at 7:00 p.m. at the Municipal Complex.

Resolution #09-316 Extend Professional Services Agreement – Nursing Services – Valarie Sparandero, Susan Gaccione and Bonnie Merritt – July 2009 - \$27.25 per hour, Not to Exceed \$4800.00.

WHEREAS, the Township of Franklin is desirous of extending the contract for the Nursing Services for one month, July 2009; and

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

Bonnie Merritt, 18 Newport Avenue, Somerset, NJ 08873
Valerie Sparandero, 5 Arrowhead Drive, Neshanic Station, NJ 08853
Susan Gaccione, 29 Rittner Lane, Old Bridge, NJ 08857

Nursing Services for July 1, 2009 to July 31, 2009 at current rate of \$27.25 per hour, not to exceed \$4800.00.

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 provider.

BE IT FURTHER RESOLVED, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

Resolution #09-317 Extend Professional Services Agreement – Physician Services – Dr. Rohini Jobanputra – July 2009 - \$200 per clinic, Not to Exceed \$1,100.00.

WHEREAS, the Township of Franklin is desirous of extending the contract for the Physician Services for one month, July 2009; and

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

Rohini Jobanputra, MD, 1982 Holland Drive, Somerville, NJ 08876

Physician Services for July 1, 2009 to July 31, 2009 at current rate of \$200 per clinic, not to exceed \$1,100.00.

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 provider.

BE IT FURTHER RESOLVED, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

Resolution #09-318 Authorize Adjustment to Water Bill – Water Leak – 12B Henry Street – Block 171.02, Lot 251.

WHEREAS, there was a water leak in the bathroom at the residence of Block 171.02, Lot 251, also known as 12B Henry Street resulting in usage of 1,127,000 gallons of water and a water bill in the amount of \$4,834.83; and

WHEREAS, the homeowner of 12B Henry Street has since repaired the water leak; and

WHEREAS, it is the recommendation of the Collector of Revenue to reduce the water usage bill for the above premises to \$1,747.98, the amount paid by the Township to its bulk supplier;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby authorizes the reduction of the water usage bill for 12B Henry Street from \$4,834.83 to \$1,747.98.

Resolution #09-319 Award Bid – Ambulance Garage – Red Oak Building Group, LLC – Amount Not to Exceed \$134,801.00.

WHEREAS, a notice to bidders for the receipt of bids for an Ambulance Garage was published in the *Courier News* and posted on the Township's website on April 23, 2009, addendum on May 11, 2009 and receipt was on May 21, 2009;

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

VENDOR: Red Oak Building Group, LLC
ADDRESS: 83 Richmond Court South
 Holmdel, NJ 07733
ITEM: Ambulance Garage
AMOUNT: Amount Not to Exceed \$134,801.00

WHEREAS, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

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 #09-320 Approve Plan and Design of Ambulance Garage.

WHEREAS, N.J.S.A. 59:4-6 provides in pertinent part that neither the public entity nor a public employee is liable for an injury caused by the plan or design or public property or any improvement thereto where the plan or design was approved in advance of construction by the Township Council or a public employee exercising discretionary authority on its behalf or where such plan or design was prepared in conformity with standards previously approved by the Township Council; and

WHEREAS, the following improvement to public property has been designed by the Franklin Township Engineering Department; and

WHEREAS, the Township Council wishes to record its approval of said design.

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

1. Plans and specifications entitled "Ambulance Building" and prepared by the Township Engineer's Office dated June 9, 2008 be, and hereby are, approved.
2. Upon completion of the improvements described herein above, the Township Engineer or his designee shall inspect said improvement and certify to the Township Council, before payment is made for same that said improvement has been constructed in accordance with the above referenced design.
3. The Township Clerk shall archive this Resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

Resolution #09-321 Appoint "Green Team" for Eligibility of Sustainable Jersey.

BE IT RESOLVED by the Mayor and Council that the following are hereby appointed Franklin Township's "Green Team" in connection with Sustainable Jersey Municipal Certification Program:

Theodore Chase, Jr.	Chair, Member of Planning Board & Environmental Commission, Contact Person for Sustainable Jersey
Arnold Vernick	Environmental Commission Chair
Thomas Zilinek	Township Engineer
James Vassanella	Councilman
Mark Healey	Director of Planning
John Walker	Environmental Commission Member
Ernesto Roman	Environmental Commission Member
Victor Stevens	Public Works Manager
Michael J. Orsini	Shade Tree Commission Chair & Planning Board Vice Chair
John Loos	Consultant, Open Space & Agricultural Advisory Committees
Dr. John Roberts	Director of Science, Franklin Township School System
Rick Goetz	Supervisor of Buildings & Grounds, Franklin Township School System
Michael Burke	St. Matthias Church and School Representative

Resolution #09-322 Authorize Transfer of Funds.

BE IT RESOLVED by the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey, that the following transfers be made from the Fiscal Year 2009 Municipal Budget Appropriations:

<u>Account #</u>	<u>Description</u>	<u>Expense</u>	<u>From</u>	<u>To</u>
1-2009-210-180-1-0011	Planning	S & W	6,800.00	
1-2009-200-105-2-0029	Human Resource	O & E		600.00
1-2009-200-120-1-0011	Clerk	S & W		1,500.00

1-2009-210-185-1-0011	Zoning Board	S & W	4,700.00
5-2009-600-601-2-0072	Water	O & E	30,000.00
5-2009-600-601-1-0011	Water	S & W	30,000.00

Resolution #09-323 Award Fair and Open Professional Services Agreement – Financial Services – Hodulik & Morrison, PA – Annual Amount Not to Exceed \$385,000.00.

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 hereon that funds are available; and

WHEREAS, continuation of the terms of this contract beyond June 30, 2009 is contingent upon availability of funds in the 2010 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract;

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

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" must be publicly advertised;

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute the below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Township Clerk and available for public inspection.
- (2) 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.
- (3) 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.
- (4) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME:	<i>Hodulik & Morrison, PA</i>
ADDRESS:	1102 Raritan Avenue/PO Box 1450 Highland Park, NJ 08904
CONTRACT AMOUNT:	Annual Amount Not to Exceed \$385,000.00
SERVICE:	Financial Services – FY2010

Resolution #09-324 Reject Bids for Township Auditor FY2010.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey does hereby reject bids received and opened for Township Auditor for FY2010.

Resolution #09-330 Authorize Submission of Grant Application – Energy Efficiency and Conservation Block Grant – Grant Amount: \$555,500.00.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a grant application for the Energy Efficiency and Conservation Block Grant to apply for funds in the amount of \$555,500.00 and does authorize the appropriate Township officials to execute these grant applications on its behalf.

RESOLUTIONS TO BE VOTED ON SEPARATELY

Mayor Levine presented the following resolutions:

Resolution #09-325 Authorize Release of Winter Bond – Canal Walk Associates - \$500.00.

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

NAME OF APPLICANT:	Canal Walk Associates
ADDRESS OF APPLICANT:	812 Central Avenue, Westfield, NJ 07090
ITEM:	Winter Bond
NUMBER:	#4985
INSURANCE CO./BANK:	JP Morgan Chase Bank, N.A.
DOCKET:	P99050P
IN THE AMOUNT OF:	\$500.00
FOR:	Block 513.36/Lot 50 – 66 Patriot Way

WHEREAS, the Township Engineer, after inspection, recommends release of the aforesaid Winter Bond; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Winter Bond be release in the amount of \$500.00 to the above named applicant.

Resolution #09-326 Authorize Release of Performance Guarantee – Canal Walk Associates – Placement of 42 Monuments - \$10,500.00.

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

NAME OF APPLICANT:	Canal Walk Associates LLC
ADDRESS OF APPLICANT:	820 Morris Tpke., Short Hills, NJ 07078
ITEM:	Irrevocable Letter/Credit
NUMBER:	760-SB
INSURANCE CO./BANK:	Union Center National Bank
DOCKET:	PLN2003-0035
IN THE AMOUNT OF:	\$10,500.00
FOR:	Block 513.01/Lot 15.01 – Phase V Monuments – Placement of 42 monuments

WHEREAS, the Township Engineer, after inspection, recommends release of the aforesaid Performance Guarantee; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee be release in the amount of \$10,500.00 to the above named applicant.

Resolution #09-327 Authorize Release of Performance Guarantee – Canal Walk Associates – Placement of 12 Monuments - \$3,000.00.

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

NAME OF APPLICANT:	Canal Walk Associates LLC
ADDRESS OF APPLICANT:	820 Morris Tpke., Short Hills, NJ 07078
ITEM:	Maintenance Bond
NUMBER:	723-SB
INSURANCE CO./BANK:	Union Center National Bank
DOCKET:	PLN2002-0063
IN THE AMOUNT OF:	\$3,000.00
FOR:	Block 513.01/Lots 1,2,4,10,11,12.01,13.01 & 15 – Phase IV Monuments – Placement of 12 monuments

WHEREAS, the Township Engineer, after inspection, recommends release of the aforesaid Performance Guarantee; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee be release in the amount of \$3,000.00 to the above named applicant.

Resolution #09-328 Authorize Release of Performance Guarantee – Canal Walk Associates – Placement of 13 Monuments - \$3,250.00.

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

NAME OF APPLICANT:	Canal Walk Associates LLC
ADDRESS OF APPLICANT:	820 Morris Tpke., Short Hills, NJ 07078
ITEM:	Performance Bond
NUMBER:	780-SB
INSURANCE CO./BANK:	Union Center National Bank
DOCKET:	PLN2004-0053
IN THE AMOUNT OF:	\$3,250.00
FOR:	Block 513.01/Lot 15.01 – Phase VI Monuments – Placement of 13 monuments

WHEREAS, the Township Engineer, after inspection, recommends release of the aforesaid Performance Guarantee; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee be release in the amount of \$3,250.00 to the above named applicant.

Resolution #09-329 Authorize Reduction of Performance Guarantee – Canal Walk Associates – Site Improvements – From \$871,703.16 to \$621,534.84.

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

NAME OF APPLICANT:	Canal Walk Associates
ADDRESS OF APPLICANT:	812 Central Avenue, Westfield, NJ 07090
ITEM:	Irrevocable Letter/Credit
DOCKET:	PLN2005-0063
FOR:	Block 513.01/Lot 15.01 – Canal Walk Blvd.
NUMBER:	836-SB
INSURANCE CO./BANK:	Union Center National Bank
IN THE AMOUNT OF:	\$871,703.16

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee be reduced from \$871,703.16 to \$621,534.84 to the above named applicant.

The aforesaid resolutions were moved by Mr. Vassanella and seconded by Mr. Sumter. Said resolutions carried as follows upon call of the roll:

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

Mayor Levine presented the following resolution:

Resolution #09-299 Approval of Fireworks Display – The Palace – Weddings on July 4, 2009; July 5, 2009; July 11, 2009; July 24, 2009 and August 2, 2009.

WHEREAS, The Palace has made application for permission to hold a fireworks displays in conjunction with:

Prasad/Mercado Wedding – Saturday, July 4, 2009
Baweja/Ranasinghe Wedding – Sunday, July 5, 2009
Reiner/Bayachek Wedding – Saturday, July 11, 2009
Chmielewski/Mednik Wedding – Sunday, August 2, 2009

all to be conducted at The Palace, 333 Davidson Avenue, Somerset at 9:00 p.m.; and

WHEREAS, the Uniform Fire Code (NJAC 5:18 et seq.) and the New Jersey Fireworks Act (NJSA 21:2-1 et. seq.) provides that the Governing Body of the Municipality may, upon application in writing, grant permission for a public display of fireworks by organizations or groups of individuals;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby grant permission to The Palace to hold a fireworks displays in conjunction with:

Prasad/Mercado Wedding – Saturday, July 4, 2009
Baweja/Ranasinghe Wedding – Sunday, July 5, 2009
Reiner/Bayachek Wedding – Saturday, July 11, 2009
Chmielewski/Mednik Wedding – Sunday, August 2, 2009

all to be conducted at The Palace, 333 Davidson Avenue, Somerset at 9:00 p.m.; subject to the following conditions:

- (1) Submission to the Director of Fire Prevention an application pursuant to and meeting the specifications of the Uniform Fire Code and the New Jersey Fireworks Act;
- (2) Approval of the location of the storage place for said fireworks by the Director of Fire Prevention;
- (3) Submission of Certificate of Insurance by The Palace covering the fireworks; and
- (4) Submission of Surety as per N.J.S.A. 21:3-5.

The aforesaid resolution was moved by Deputy Mayor Glicklich and seconded by Mr. Sumter. Said resolution carried as follows upon call of the roll:

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

EXECUTIVE SESSION

Mayor Levine presented the following resolution:

WHEREAS, Section 8 of the Open Public Meetings Act, (N.J.S.A. 10:4-12 (b) (1-9), Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

WHEREAS, the Township Council of the Township of Franklin is of the opinion that such circumstances do exist;

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

- 1 The public shall be excluded from discussion of and action upon the hereinafter specified subject matters;
- 2 The general nature of the subject matter to be discussed is as follows:

Litigation:

- a) *Kings Row Homes, LLC v. Township of Franklin, et al. Docket No.:SOM-L-953 & SOM-L-954-09*
 - b) *Kings Row Homes, LLC – COAH Appeal*
 - c) *DesLauriers Municipal Solutions v. Twp. of Franklin, et al – Docket No. 3-06 cv 00919 (US District Court)*
 - d) *Louise LeGoff v. Franklin Township Planning Board & Franklin Township – Docket No. SOM-L-258-09*
 - e) *World’s Fair Drive v. Director of Taxation, Township of Franklin and Tax Assessor –State Tax Court*
 - f) *LeMieux v. Rutgers, John Van Cleef, Bonnie Van Cleef & Township of Franklin – Docket No. C-12114-08*
 - g) *Construction Code Matters – Pulte Homes Appeal*
 - h) *AFSCME Grievances*
 - i) *OAL/DEP – Water Compliance*
 - j) *JIF Matters*
 - k) *Real Property Tax Appeals*
- 3 The Township Council may take official action on those items discussed in Executive Session upon completion of the Execution Session.
 - 4 The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
 - 5 This resolution shall take effect immediately.

The aforesaid resolution was moved by Mr. Vassanella, 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>	<u>ABSENT</u>
Glicklich	Levine			Danile	Eberle
Mettler	Sumter			Francois	Prasad
Vassanella					

The meeting adjourned into Executive Session at 9:30 p.m.

Mr. Sumter left at 10:09 p.m.

Upon motion by Deputy Mayor Glicklich and seconded by Mr. Vassanella, the meeting reconvened at 10:48 p.m. Said motion carried unanimously upon voice vote.

Mayor Levine announced that the Township Council discussed the following:

Litigation:

- a) *Kings Row Homes, LLC v. Township of Franklin, et al. Docket No.:SOM-L-953 & SOM-L-954-09*
- b) *Kings Row Homes, LLC – COAH Appeal*
- c) *DesLauriers Municipal Solutions v. Twp. of Franklin, et al – Docket No. 3-06 cv 00919 (US District Court)*
- d) *Louise LeGoff v. Franklin Township Planning Board & Franklin Township – Docket No. SOM-L-258-09*
- e) *World's Fair Drive v. Director of Taxation, Township of Franklin and Tax Assessor –State Tax Court*
- f) *LeMieux v. Rutgers, John Van Cleef, Bonnie Van Cleef & Township of Franklin – Docket No. C-12114-08*
- g) *Construction Code Matters – Pulte Homes Appeal*
- h) *AFSCME Grievances*
- i) *OAL/DEP – Water Compliance*
- j) *JIF Matters*
- k) *Real Property Tax Appeals*

The minutes of these discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.

ADJOURNMENT

Mr. Mettler moved to adjourn the meeting at 10:55 p.m. Said motion was seconded by Mr. Vassanella and carried unanimously upon voice vote.

Approved: *As Submitted.*

Brian D. Levine, Mayor

Date: *August 11, 2009*

Ann Marie McCarthy, Township Clerk