

The Special Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by the Mayor at 6:10 p.m.

Mayor Levine read the following statement: “In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975, be advised that adequate notice of this Special Meeting of the Township Council of the Township of Franklin, County of Somerset was made by the posting on the bulletin board at the Municipal Complex and transmitted to the officially designated newspapers, indicating that this Special Meeting would take place at the Franklin Township Municipal Complex at 7:00 p.m. on Tuesday, December 15, 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.

The Township Clerk called the roll.

Present: Ms. Eberle, Deputy Mayor Glicklich, Mayor Levine, Mr. Mettler, Mr. Prasad (arrived at 6:12 p.m.), Mr. Vassanella  
 Absent: Ms. Danile, Ms. Francois, Mr. Sumter

Also present: Leslie G. London, Township Attorney, Donna Vieiro, Acting Township Manager, Ann Marie McCarthy, Township Clerk

**FY2010 CURRENT, CAPITAL, OPEN SPACE AND WATER UTILITY BUDGET**

**Read Resolution #09-571 – Amendment to FY2010 Municipal Budget in its entirety**

Mayor Levine read the following resolution in its entirety:

WHEREAS, the local municipal budget for the fiscal year 2010 was approved on the 10th day of November, 2009, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Council of the Township of Franklin, County of Somerset that the following amendments to the approved budget for the fiscal year 2010 be made:

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
Recorded Vote	(Danile	(	(
(Insert last names)	(Eberle	(	(
	(Francois	(	
	(Glicklich	(	Absent
	(Levine		(
	(Mettler		(
	(Prasad		
	(Sumter		
	(Vassanella		
		<u>FROM</u>	<u>TO</u>
Current Fund - Anticipated Revenues:			
General Revenues			
1. Surplus Anticipated		<u>\$10,640,205.14</u>	<u>\$10,576,223.22</u>
Total Surplus Anticipated		<u>10,640,205.14</u>	<u>10,576,223.22</u>
3. Miscellaneous Revenues			
Section F: Special Items of Revenue Anticipated with Prior			
Written Consent of the Director of Local Government Services			
- Public and Private Revenues Offset with Appropriations:			
Recreation Opportunity for Individuals with Disabilities		-	9,600.00
Safe and Secure Communities Program		_____ -	<u>58,127.00</u>

Total Miscellaneous Revenues - Section F	<u>1,057,481.96</u>	<u>1,125,208.96</u>
Total Miscellaneous Revenues	<u>13,016,522.96</u>	<u>13,084,249.96</u>
5. Subtotal General Revenues	<u>26,056,728.10</u>	<u>26,060,473.18</u>
6. Amount to be Raised by Taxes:		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	<u>29,735,738.00</u>	<u>29,696,067.00</u>
7. TOTAL GENERAL REVENUES	<u>\$55,792,466.10</u>	<u>\$55,756,540.18</u>
	<u>FROM</u>	<u>TO</u>
Current Fund - Appropriations		
8. General Appropriations		
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS"		
Public Employees' Retirement System	821,518.36	962,552.00
Police and Firemen's Retirement System of N.J.	<u>2,843,919.56</u>	<u>2,599,233.00</u>
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	<u>5,619,924.92</u>	<u>5,516,272.00</u>
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	<u>41,750,480.62</u>	<u>41,646,827.70</u>
8. General Appropriations		
(A) Operations Excluded from "CAPS"		
Public and Private Programs Offset by Revenues:		
Recreation Opportunity for Individuals with Disabilities	-	9,600.00
Safe and Secure Communities Program	<u>-</u>	<u>58,127.00</u>
Total Public and Private Programs Offset by Revenues	<u>1,082,481.96</u>	<u>1,150,208.96</u>
Total Operations-Excluded from "CAPS"	<u>4,733,374.63</u>	<u>4,801,101.63</u>
Detail:		
Salaries and Wages	240,778.00	240,778.00
Other Expenses	4,492,596.63	4,560,323.63
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	<u>9,255,636.78</u>	<u>9,323,363.78</u>
(O) Total General Appropriations- Excluded from "CAPS"	<u>9,255,636.78</u>	<u>9,323,363.78</u>
(L) Subtotal General Appropriations (Items (H-1) and (O))	<u>51,006,117.40</u>	<u>50,970,191.48</u>
9. TOTAL GENERAL APPROPRIATIONS	<u>\$55,792,466.10</u>	<u>\$55,756,540.18</u>
10. Dedicated Revenues From Water Utility:		
Surplus Anticipated	<u>\$ 2,523,185.55</u>	<u>\$ 2,528,645.38</u>
Water Rents	<u>8,500,000.00</u>	<u>8,494,540.17</u>
Total Water Utility Revenues	<u>\$12,213,185.55</u>	<u>\$12,213,185.55</u>

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the fiscal year 2010 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in The Courier News in the issue of December 11, 2009, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on December 15, 2009, at 6:00 o'clock p.m.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 8th day of December, 2009.

**Public Hearing on Amendment Only**

Mr. Prasad moved to open the public hearing on the Amendment to FY2010 Municipal Budget as advertised. Said motion was seconded by Mr. Mettler and carried unanimously upon voice vote.

Mayor Levine announced the public hearing is open on the Amendment to FY2010 Municipal Budget as advertised. Anyone interested in speaking, please raise your hand and when recognized, state your name and address.

There being no comments from the public, Mr. Vassanella moved to close the public hearing on the Amendment FY2010 Municipal Budget as advertised. Said motion was seconded by Mr. Mettler and carried unanimously upon voice vote.

**Resolution #09-606 – Amend FY2010 Municipal Budget**

Mayor Levine presented the following resolution:

WHEREAS, the local municipal budget for the fiscal year 2010 was approved on the 10th day of November, 2009, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, as previously amended on December 8, 2009,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Council of the Township of Franklin, County of Somerset that the following amendments to the approved budget for the fiscal year 2010 be made:

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
Recorded Vote	(	(	(
(Insert last names)	(	(	(
	(	(	<u>Absent</u>
	(	(	(Danile
	(	(	(Francois
	(	(	(Sumter
		<u>FROM</u>	<u>TO</u>
Current Fund - Anticipated Revenues:			
General Revenues			
1. Surplus Anticipated		<u>\$10,576,223.22</u>	<u>\$10,629,623.12</u>
Total Surplus Anticipated		<u>10,576,223.22</u>	<u>10,629,623.12</u>
3. Miscellaneous Revenues			
Section B: State Aid Without Offsetting Appropriations:			
Extraordinary Aid			
Consolidated Municipal Property Tax Relief Aid		1,067,998.00	1,014,598.10
Energy Receipts Tax			
Supplemental Energy Receipts Tax			
Homeland Security Assistance Aid		_____	_____
Total Miscellaneous Revenues - Section F		<u>5,858,575.00</u>	<u>5,805,175.10</u>
Total Miscellaneous Revenues		<u>13,084,249.96</u>	<u>13,030,850.06</u>
5. Subtotal General Revenues		<u>\$26,056,728.10</u>	<u>\$26,056,850.06</u>

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the fiscal year 2010 local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 15th day of December, 2009.

The aforesaid resolution was moved by Mr. Prasad, seconded by Mr. Mettler and carried as follows upon call of the roll:

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

**Resolution #09-607 – Adopted FY2010 Current, Capital, Open Space 7 Water Utility Budget as Amended.**

Mayor Levine presented the following resolution:

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

(a) \$29,696,067.00 (Item 2 below) for municipal purposes

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
Recorded Vote	(Eberle	(	(
(Insert last names)	(Glicklich	(	(
	(Levine	(	
	(Mettler	(	Absent
	(Prasad		(Danile
	(Vassanella		(Francois
			(Sumter

**Current Fund:**

**SUMMARY OF REVENUES**

1. General Revenues	
Surplus Anticipated	\$ 10,629,623.12
Miscellaneous Revenues Anticipated	13,030,850.06
Receipts from Delinquent Taxes	2,400,000.00
2. Amount to be Raised by Taxation for Municipal Purposes (Item 6[a], Sheet 11)	<u>29,696,067.00</u>
 Total Revenues	 <u>\$ 55,756,540.18</u>

**SUMMARY OF APPROPRIATIONS**

5. General Appropriations:	
Within "CAPS"	
(a&b) Operations Including Contingent	36,130,555.70
(e) Deferred Charges and Statutory Expenditures – Municipal Excluded from "CAPS"	5,516,272.00
(a) Operations – Total Operations Excluded from "CAPS"	4,801,101.63
(c) Capital Improvements	35,000.00
(d) Municipal Debt Service	4,487,262.15
(e) Deferred Charges – Municipal	-
(m) Reserve for Uncollected Taxes	<u>4,786,348.70</u>
 Total Appropriations	 <u>\$55,756,540.18</u>

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 15th day of December, 2009. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the SFY 2010 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

The aforesaid resolution was moved by Mr. Prasad, seconded by Mr. Mettler and carried as follows upon call of the roll:

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

**REPORT: INVESTIGATIVE PROCESS - ACTING CHIEF LAWRENCE ROBERTS**

Acting Chief Roberts reported that the incident at the FHS Homecoming Dance in October is still an investigation in process by the Somerset County Prosecutor's Office and the Franklin Township Police Department Internal Affairs. The investigation will take time in order to complete it thoroughly. A report will be made at the conclusion of the investigation.

**PUBLIC DISCUSSION**

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

Deputy Mayor Glicklich stated that the meeting was open for public discussion on any item of interest which did not have a public hearing of its own. Anyone interested in speaking should raise their hand and when recognized, give their name and address. The public should limit their time to 2 minutes per speaker.

There being no comments from the public, Mr. Mettler moved to close the meeting for public discussion. Said motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

**ADJOURNMENT**

Upon a motion made by Mr. Prasad, seconded by Mr. Mettler and unanimously approved, meeting was adjourned at 6:25 p.m.

Approved: *As Submitted.*

Date: *February 23, 2010*

Brian D. Levine, Mayor

Ann Marie McCarthy, Township Clerk