

The Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by the Mayor at 7:18 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 May 8, 2007. 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 Mr. Sumter led the Invocation.

The Township Clerk called the roll.

Present: Ms. Danile, Ms. Eberle, M. Glicklich, Mayor Levine, Mr. McKenzie, Mr. Prasad, Deputy Mayor Ritchie, Mr. Sumter, Mr. Vassanella

Absent: None

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

MAYOR'S REPORT

Mayor Levine presented the following report:

- Welcomed those attending the meeting and those watching the meeting on television.
- Thanked all the FTTV-25 volunteers and staff.
- Gave a brief overview of how the meeting would be conducted.

REVIEW OF THE PREPARED AGENDA

Mayor Levine led the following discussion regarding the review of the prepared agenda:

Mr. Vassanella moved to amend the agenda to add Ordinance No. 3663 – Pay to Play Ordinance for Redevelopers. Said motion was made by Mr. Prasad. Mr. Vassanella stated that he and the Township Attorney had worked on the ordinance by making some minor adjustments.

Mr. Glicklich stated he was not comfortable in adding an ordinance to the agenda that he has not had the chance to read or review. Mr. McKenzie agreed. Mr. Sumter stated that the ordinance is not needed. Ms. Eberle agreed with Mr. Glicklich and Mr. McKenzie. Mr. Prasad stated he would also agree except that this ordinance has been on the agenda at least four (4) other times. He stated that Mr. Vassanella and the Township Attorney have been fine tuning this ordinance over the last two months. He stated that everyone would have the time to read and review the ordinance before the public hearing and further consideration of the ordinance. He stated that he has full confidence of the language in the ordinance and finds it acceptable. Mr. Vassanella stated he understands everyone's concerns and agreed with Mr. Prasad's statements. He stated that the difference in this version of the ordinance is better clarification. He stated that the ordinance could be introduced this evening and if for some reason, a Council person is uncomfortable with the language, the ordinance could be amended. Deputy Mayor

Ritchie stated she is not comfortable with introducing the ordinance tonight. Ms. Danile stated that this ordinance is much too important and would like time to review the ordinance. Mayor Levine stated that he is a supporter of pay-to-play, but would like to review the ordinance.

Said motion *failed* upon call of the roll:

<u>AYES</u>	<u>NAYS</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Prasad	Danile	Eberle		
Vassanella	Glicklich	Levine		
	McKenzie	Ritchie		
	Sumter			

Mayor Levine requested that Resolution #07-233 – Amend Non-Fair and Open Professional Services Agreement – Schoor DePalma – Revision to Tax Maps - be removed from the Consent Agenda and voted on separately.

Deputy Mayor Ritchie requested that only the block and lot be listed on the agenda and resolution for resolutions regarding discharge of mortgages. Mr. Vassanella requested the street address also be listed.

Mr. Vassanella moved to postpone the following agenda items to the May 22nd agenda: Future 4th of July Celebrations Council Discussion Item; Committee Reports and 2007 Appointments. Said motion was seconded by Deputy Mayor Ritchie and carried unanimously upon call of the roll.

APPROVAL OF MINUTES

Mr. Glicklich moved the approval of the Work Session/Regular Meeting and Executive Session Minutes of April 24, 2007 as submitted. 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>
Danile	Eberle		McKenzie	
Glicklich	Levine		Vassanella	
Prasad	Ritchie			
Sumter				

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$11,156,540.33 for May 8, 2007 to the Township Council for payment:

1	Current	8,370,102.33
5	Water Operating	757,750.90
6	Water Capital	23,695.00
4	General Capital	6,836.00
15	Trust Others	19,567.70
18	Self Insurance Trust	2,408.56
12	Open Space Trust	1,505,685.80
2	Grant	19,301.65
3	Collector Trust	19,450.39
30	Payroll Agency	430,454.58
	Subtotal	11,155,253.55
25	Escrow Account	1,286.78
	Grand Total	11,156,540.33

Mr. Sumter moved that warrants in the amount of \$11,156,540.33 for May 8, 2007 to be paid. Said motion was seconded by Mr. Prasad and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

ORDINANCES – PUBLIC HEARING & FURTHER CONSIDERATION

Ordinance No. 3683

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-197 – INSPECTION OF IMPROVEMENTS (ESCROW FEES CHARGED FOR TOWNSHIP EMPLOYEE SERVICES.)

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 Mr. Prasad and carried unanimously upon call of the roll.

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Ordinance No. 3692

Mayor Levine presented the following ordinance:

AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR PARKS AND/OR CONSERVATION PURPOSES

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

Mr. Vassanella moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Mr. 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>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Ordinance No. 3693

Mayor Levine presented the following ordinance:

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 3256 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP ON DECEMBER 11, 2001 ENTITLED, "BOND ORDINANCE PROVIDING FOR THE PAYMENT OF THE PURCHASE PRICE FOR THE ACQUISITION OF LANDS FOR OPEN SPACE AND FARMLAND PRESERVATION, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF FRANKLIN, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$14,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$13,680,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," AS AMENDED BY BOND ORDINANCE NUMBER 3293 FINALLY ADOPTED ON JUNE 13, 2002, AS AMENDED BY BOND ORDINANCE NUMBER 3369 FINALLY ADOPTED ON APRIL 8, 2003, AS AMENDED BY BOND ORDINANCE NUMBER 3401 FINALLY ADOPTED ON SEPTEMBER 23, 2003, AS AMENDED BY BOND ORDINANCE NUMBER 3522 FINALLY ADOPTED FEBRUARY 8, 2005, AS AMENDED BY BOND ORDINANCE NUMBER 3601 FINALLY ADOPTED MARCH 28, 2006, AS AMENDED BY BOND ORDINANCE NUMBER 3619 FINALLY ADOPTED JUNE 29, 2006, AS AMENDED BY BOND ORDINANCE NUMBER 3666 FINALLY ADOPTED MARCH 13, 2007, TO AMEND THE DESCRIPTION THEREOF

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

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

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by 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>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Ordinance No. 3694

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 226, TRAFFIC AND VEHICLES BY ADDING A NEW SECTION 226-33 – RESIDENT PERMIT PARKING PROGRAM.

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

Ms. Danile moved to open the public hearing on the ordinance. 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 ordinance. He stated that anyone interested in speaking to raise their hand and when recognized, state your name and address.

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

Mr. Glicklich questioned the wording, "The establishment of a Resident Permit Parking Zone shall be at the discretion of the Chief of Police or his designee..." He stated that it is a contradiction to wording later in the ordinance. Mr. Rainone stated the ordinance should read, "The establishment of a Resident Permit Parking Zone shall be upon the advise of the Chief of Police or his designee..."

Mr. Glicklich moved that Ordinance No. 3694 be amended as per the aforesaid recommendation by the Township Attorney. 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>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Mr. Glicklich moved the final passage of the ordinance, as amended, 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>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Ordinance No. 3695

Mayor Levine presented the following ordinance:

AN ORDINANCE TO AUTHORIZE ACQUISITION OF CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, FOR THE PURPOSE OF CONSTRUCTING A FORCE MAIN FOR THE PINE STREET PUMP STATION

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

Ms. Danile moved to open the 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.

John Tibbs, 107 Mark Street, expressed his concerns regarding Ordinance Nos. 3695 and 3696. He asked if there were any homes on the property. Mr. Rainone stated Ordinance No. 3695 is to acquire easements and No. 3696 is the transferring a deed to the Redevelopment Agency. Mr. Daly added that the lands had been acquired previously by negotiations with the property owners.

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

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by 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>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Ordinance No. 3696

Mayor Levine presented the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY TRANSFERING CERTAIN REAL PROPERTY TO THE REDEVELOPMENT AGENCY OF THE TOWNSHIP OF FRANKLIN ALSO KNOWN AS BLOCK 129 LOTS 7-18, TOWNSHIP OF FRANKLIN, TO ASSIST IN THE DEVELOPMENT OF AFFORDABLE HOUSING IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING

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

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

John Tibbs, 107 Mark Street, stated the duties of the Council is to take care of its people. He stated he understood the redevelopment project in the 4th Ward. He stated they are in desperate need of public housing and that they cannot pay the \$1200 to \$1400 in rentals and stated they cannot afford the Township's affordable housing.

Deputy Mayor Ritchie asked for clarification that the rents that are too high are the rents on the affordable housing units. Mr. Tibbs replied yes. Deputy Mayor Ritchie asked what kind of rents they can pay and Mr. Tibbs stated public housing rents. She stated that the Housing Authority has plans to build 41 units. Mr. Tibbs stated that they need 441 units. He told Council they need to tell HUD they need more public housing.

Mr. Vassanella clarified that the affordable housing in Franklin is available to all those in central New Jersey that qualify as moderate, low and very low income. Mr. Tibbs stated that he is well aware of the motive for the projects, which is money.

Deputy Mayor Ritchie stated that Mr. Tibbs is correct that a majority of the affordable housing units are in the 4th Ward. She stated the prior units were in the 1st, 2nd and 3rd Wards. Mr. Sumter stated that for years there was nothing in the 4th Ward and now they finally are getting something and they should wait to see what happens.

Francine Certa-Bower, 73 Berry Street, asked what the rent incomes limits are. Mr. Daly replied he would meet with her to go over the medium, low and moderate incomes for the Franklin Blvd. and Berry Street projects.

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Ordinance No. 3697

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 246, TELECOMMUNICATIONS SERVICES - ARTICLE III, 4CONNECTIONS, LLC

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

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

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Ordinance No. 3698

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 34.03 LOT 16.01 C0317 – 108 CRABAPPLE LANE, FRANKLIN PARK

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

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

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

Ms. Danile moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by 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>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

PUBLIC DISCUSSION

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

Jamal Kahn, 13 Highland Avenue, Princeton, thanked everyone involved in finding a solution for an additional cricket field. He stated that it is an upcoming sport and they will be further need for additional fields.

Nancy Rapetto, teacher, supported the school budget. She expressed her appreciation for Council working with the Board of Education on finding a compromise. She appreciated the Mayor's comments regarding not cutting teachers, which was also the Council's consensus. She expressed her concerns regarding state and federal mandates. She asked that Council not reduce the school budget.

Margaret Donato, Neighborhood Preservation Program, thanked Council for considering Kossuth Street sidewalks, which was unfortunately turned down. She brought in pieces of the road and pictures. She stated it was not a favor they were asking for, it is something that they deserve. She asked where they go from here.

Mr. Daly discussed capital budgets and priorities set by the Public Works Committee. He stated that Kossuth Street was not in this year's budget. Mr. Daly stated a very comprehensive study was conducted in 2005 and streets were prioritized using specific criteria.

A member of the Neighborhood Preservation Program stated that Kossuth Street in 2005 was designated to be repaved in 0-2 years. Mr. Daly replied that only \$1 million is appropriated each year and there are streets worse than Kossuth Street. Mayor Levine added that when they are discussing the capital projects for the next year's budget, streets could be re-prioritized at that time.

Mr. Vassanella added that the recommendations of the Financial Oversight Committee for the 2007 CDBG Projects have not been adopted by Council. He stated that they are to be reviewed tonight and voted on in four weeks. He stated that the recommendations are not final and there was some confusion regarding Kossuth Street. He stated that it could be a top priority for repaving next year. He stated that it has been overlooked over the years.

Michael Gallagher, 94 Walnut Avenue, expressed his contentment regarding success of the Eason Farms Drainage Project. He expressed his concerns regarding non-fair and open contracts and the contract award to Schoor DePalma for the revision of tax maps.

Robert Mettler, 2302 Amwell Road, spoke of sign violation issues for the horse business at the corner of Amwell Road and Mettlers Lane. Mr. Daly stated that the signs on the fence were in violation of the sign ordinance and that the business owner has ten days from the notice to comply with the ordinance and get a sign permit.

Francine Certa-Bower, 73 Berry Street, asked various questions regarding the Berry Street redevelopment project that were answered by the Township Manager satisfactorily. She expressed her opposition to the project.

Harold Leventhal, 360 DeMott Lane, wished the Mayor a happy birthday.

Brian Bonnanno, 303 Astor Drive, former Board of Education member, responded to some questions raised by Council at the May 1st Special Meeting regarding the 2007-08 defeated school budget.

Phillip Kramer, 429 Canal Road, welcomed Mr. McKenzie back. He clarified that the Mayor as a Redevelopment Agency voting member voted against the RPM project and for the Leewood Project. He further clarified that Council voted for the rezoning for the projects unanimously.

Mr. Kramer asked why dog license fees were being increased from \$7 to \$21. Mr. Daly replied that the State increased the maximum fees to offset costs such as administrative, licensing and the rabies clinic.

Vicki (inaudible), Dependable Motor Car Company, 873 Somerset Street, questioned the RPM redevelopment project and asked if more police would be hired to address the increase in crime the project would bring. Mr. Daly replied that statement stigmatizes the people living in this type of housing. He stated it is a workforce housing. She asked who is responsible for cleaning the ground contamination before building commences. Mr. Daly replied the developer is working with the DEP in obtaining any necessary permits, testing and cleanup.

Gayle Booker King, 38 Booker Street, asked if there would be provisions for additional schools, supermarkets and other stores for the additional people. Mr. Daly stated that the Board of Education has spoken on the impact during the discussions of the fair share plan. He stated that the RPM project includes over 90,000 square feet of commercial space and they are looking for tenants. Mayor Levine added that the state precludes demanding developers to build schools. The more that is built puts more demands back on the local schools.

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

Mr. McKenzie moved to amend the agenda to place the discussion and resolution for the defeated school budget before Ordinances – Introduction. Said motion was seconded by Mr. Prasad and carried unanimously upon call of the roll.

DISCUSSION OF 2007-08 SCHOOL BUDGET

A lengthy discussion ensued between the Council, Board of Education representatives and Andrew Hodulik, Township Auditor on the following recommendations made by the Township Auditor and Dr. Frank M. Marlow, a consultant hired by Council:

TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NJ DEFEATED SCHOOL BUDGET 2007-2008

SCHEDULE OF PROPOSED REVENUE INCREASES AND APPROPRIATION DECREASES

APPROPRIATION DECREASES

Item		H&M	FM
1	Account Name: Kindergarten Teachers Account Number: 11-110-100-101 H&M Item(s) Adjusted: Revised salaries compared to staffing guide FM Item(s) Adjusted: Total Amount:		180,000.00
2	Account Name: Grade 1-5 Teacher Salaries Account Number: 11-120-100-101 H&M Item(s) Adjusted: Revised salaries compared to staffing guide FM Item(s) Adjusted: Total Amount:		50,000.00
3	Account Name: Grade 6-8 Teacher Salaries Account Number: 11-130-100-101 H&M Item(s) Adjusted: Revised salaries compared to staffing guide FM Item(s) Adjusted: Total Amount:		100,000.00
4	Account Name: Grade 9-12 Teacher Salaries Account Number: 11-140-100-101 H&M Item(s) Adjusted: Revised salaries compared to		

		staffing guide		
	FM Item(s) Adjusted:			
	Total Amount:		100,000.00	
5	Account Name:	Purch, Prof. – Educ. Services		
	Account Number:	11-190-100-320		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:	6% above 06-07 expenditures		
	Total Amount:		25,000.00	45,909.00
6	Account Name:	Purch. Prof. – Tech Services		
	Account Number:	11-190-100-340		
	H&M Item(s) Adjusted:	New SIS System		
	FM Item(s) Adjusted:	6% above 06-07 expenditures		
	Total Amount:			96,453.00
7	Account Name:	Other Objects		
	Account Number:	11-190-100-890		
	H&M Item(s) Adjusted:	Contract reduction due to defeated budget		
	FM Item(s) Adjusted:	6% above 06-07 expenditures		
	Total Amount:		60,000.00	70,387.00
8	Account Name:	Learning Disability Teacher SW		
	Account Number:	11-204-100-101		
	H&M Item(s) Adjusted:	Vacant replacement salaries higher		
	FM Item(s) Adjusted:			
	Total Amount:		25,000.00	
9	Account Name:	Resource Room Teacher SW		
	Account Number:	11-213-100-101		
	H&M Item(s) Adjusted:	Revised salaries compared to staffing guide		
	FM Item(s) Adjusted:			
	Total Amount:		100,000.00	
10	Account Name:	Resource Room Other Instruction SW		
	Account Number:	11-213-100-106		
	H&M Item(s) Adjusted:	Provide same allocation as 06-07		
	FM Item(s) Adjusted:			
	Total Amount:		35,000.00	
11	Account Name:	Resource Room General Supplies		
	Account Number:	11-213-100-610		
	H&M Item(s) Adjusted:			
	FM Item(s) Adjusted:	10% above 05-06		
	Total Amount:			6,402.00
12	Account Name:	PreSchool Disability SW		
	Account Number:	11-215-100-101		
	H&M Item(s) Adjusted:	Provide same allocation as 06-07		
	FM Item(s) Adjusted:			
	Total Amount:		35,000.00	
13	Account Name:	PreSchool Other Instruction SW		
	Account Number:	11-215-100-106		
	H&M Item(s) Adjusted:	Provide same allocation as 06-07		
	FM Item(s) Adjusted:			
	Total Amount:		20,000.00	
14	Account Name:	Basic Skills – Salaries of Teachers		

	Account Number:	11-230-100-101		
	H&M Item(s) Adjusted:	Provide same allocation as 06-07		
	FM Item(s) Adjusted:			
	Total Amount:		50,000.00	
15	Account Name:	Basic Skills – General Supplies		
	Account Number:	11-230-100-610		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:	6% above 06-07		
	Total Amount:		10,000.00	23,260.00
16	Account Name:	School Sponsored Co-Curr. S&W		
	Account Number:	11-401-100-100		
	H&M Item(s) Adjusted:	Reduce based upon 2006-07 spending levels		
	FM Item(s) Adjusted:	13.5% above 05-06	50,000.00	202,327.00
	Total Amount:			
17	Account Name:	School Sponsored Athletic S&W		
	Account Number:	11-402-100-100		
	H&M Item(s) Adjusted:	Personnel considerations		
	FM Item(s) Adjusted:	4.5% above 06-07		
	Total Amount:		60,000.00	40,264.00
18	Account Name:	Tuition		
	Account Number:	11-000-100-561 to 11-000-100-568		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:	10% above 06-07		
	Total Amount:		500,000.00	1,064,361.00
19	Account Name:	Health Services – Purch. Prof. & Tech. Serv.		
	Account Number:	11-000-213-300		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:	5% above 06-07		
	Total Amount:		10,000.00	47,868.00
20	Account Name:	Other Support Serv. – Students – Regular		
	Account Number:	11-000-218-600		
	H&M Item(s) Adjusted:			
	FM Item(s) Adjusted:	10.0% above 05-06		
	Total Amount:			30,336.00
21	Account Name:	Improve. Of Educ. Serv. – Purch. Prof. Educ. Servs.		
	Account Number:	11-000-221-320		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:			
	Total Amount:		5,000.00	
22	Account Name:	Improve of Educ. Serv. – Other Objects		
	Account Number:	11-000-221-800		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:			
	Total Amount:		5,000.00	
23	Account Name:	Central Serv. – Salaries		

	Account Number:	11-000-251-100		
	H&M Item(s) Adjusted:			
	FM Item(s) Adjusted:	Defer filling new position at this time		
	Total Amount:			50,000.00
24	Account Name:	Central Serv. – Misc. Expenditures		
	Account Number:	11-000-251-890		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:			
	Total Amount:		5,000.00	
25	Account Name:	Other Oper. & Maint. Of Plant. – S&W		
	Account Number:	11-000-262-100		
	H&M Item(s) Adjusted:	Revised salaries compared to staffing guide		
	FM Item(s) Adjusted:			
	Total Amount:		25,000.00	
26	Account Name:	Energy		
	Account Number:	11-000-262-620		
	H&M Item(s) Adjusted:	Comparison of prior year spending		
	FM Item(s) Adjusted:	15% above 06-07; high encumbrance		
	Total Amount:		25,000.00	131,623.00
27	Account Name:	Employee Benefits		
	Account Number:	11-000-291-270		
	H&M Item(s) Adjusted:	Comparison of prior year spending, projected based upon 4/25/07 data		
	FM Item(s) Adjusted:	Savings on new position		
	Total Amount:		125,000.00	11,545.00
	TOTAL APPROPRIATION DECREASES		1,600,000.00	1,820,735.00
	<u>REVENUE INCREASES</u>			
28	Miscellaneous Revenues			200,000.00
29	Extraordinary Aid/Fund Balance		491,710.00	
	TOTAL REVENUE INCREASES		491,710.00	200,000.00
	TOTAL GENERAL FUND TAX LEVY DECREASES		<u>\$2,091,710.00</u>	<u>\$2,020,735.00</u>

Mayor Levine announced that the Township Council would be going into Executive Session to discuss potential litigation regarding the defeated school budget; litigation regarding Kings Row Homes and a personnel matter.

EXECUTIVE SESSION

Upon motion by Mr. Glicklich, seconded by Deputy Mayor Ritchie, the following resolution was adopted as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

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 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:

*Potential Litigation – 2007-08 Defeated School Budget
Litigation – Kings Row Homes vs. Township of Franklin
Personnel – Faulkner Act*

- 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 Township Council adjourned to Executive Session at 11:00 p.m. The meeting resumed at 11:25 p.m.

RESOLUTION #07-251 – REDUCTION TO 2007-08 SCHOOL BUDGET

Deputy Mayor Ritchie moved the following resolution to reduce \$926,710.00 from the 2007-08 school budget (The Township Attorney reviewed the reductions made the budget.):

WHEREAS, the legal voters of the School District of the Township of Franklin, in the County of Somerset and State of New Jersey, at an Annual District Election Meeting conducted by the Board of Education on April 17, 2007, defeated, disapproved and rejected the Budget of the said Board of Education for the School Year 2007-08 of those voting; and

WHEREAS, as a result of such rejection of said Budget, the legal obligation devolved upon the Governing Body of the Township of Franklin pursuant to Revised Statute 18:22-37 to certify to the Somerset County Board of Taxation the amount or amounts which it determines necessary to provide a thorough and efficient system of schools of said district for the school year beginning July 1, 2007 and ending June 30, 2008; and

WHEREAS, the voters rejected the following:

- | | |
|--------------------------|------------------|
| 1. General Fund Tax Levy | \$101,418,610.00 |
|--------------------------|------------------|

WHEREAS, the Township Council of the Township of Franklin, Somerset County, after considering and reviewing the budget of the Board of Education as originally proposed is of the opinion that said budget, item 1 above, should be reduced by \$926,710.00 of various General Fund appropriations, and that the amount included in this section in the resolution is deemed to provide a thorough and efficient system of school and education in said district for the school year 2007-08;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that the Franklin Township Board of Education Budget Tax for the 2007-08 School Year be reduced to the amounts, as follows:

A. General Fund Tax Levy \$100,491,900.00

BE IT FURTHER RESOLVED that the following amounts are required to provide a thorough and efficient system of school and education in the district for School Fiscal Year 2007-08 and that the following total sums are to be raised by taxes to support the 2007-08 Budget:

GENERAL FUND	\$100,491,900.00
DEBT SERVICE	\$ 5,540,618.00

BE IT FURTHER RESOLVED by the Township Council of the Township of Franklin that the attached detailed sheet of taxes for the 2007-08 Board of Education Budget and the 2007 Tax Levy are presented as necessary; and

BE IT FURTHER RESOLVED that certified copies of this resolution be delivered to the Somerset County Board of Taxation and the Franklin Township Board of Education; and

BE IT FURTHER RESOLVED that attached hereto is a list of accounts and proposed reduction in said accounts, which list is incorporated herein and made part hereof:

**SCHEDULE OF PROPOSED REVENUE INCREASES
AND APPROPRIATION DECREASES**

APPROPRIATION DECREASES:

Account Name: Other Objects
Account Number: 11-190-100-890
Item(s) Adjusted: Contract reduction due to defeated budget
6% above 06-07 expenditures
Total Amount: \$60,000.00

Account Name: School Sponsored Co-Curr. S&W
Account Number: 11-401-100-100
Item(s) Adjusted: Reduce based upon 2006-07 spending levels
13.5% above 05-06
Total Amount: \$50,000.00

Account Name: Tuition
Account Number: 11-000-100-561 to 11-000-100-568
Item(s) Adjusted: Comparison of prior year spending
10% above 06-07
Total Amount: \$100,000.00

Account Name: Other Oper. & Maint. Of Plant. – S&W
Account Number: 11-000-262-100
Item(s) Adjusted: Revised salaries compared to staffing guide
Total Amount: \$25,000.00

Account Name: Employee Benefits
Account Number: 11-000-291-270
Item(s) Adjusted: Comparison of prior year spending, projected based upon 4/25/07 data
Savings on new position
Total Amount: \$100,000.00

TOTAL APPROPRIATION DECREASE: \$335,000.00

REVENUE INCREASES:

Account Name: Surplus
 Account Number: 10-303
 Item(s) Adjusted: Increase Revenue
 Total Amount: \$100,000.00

Account Name: Extraordinary Aid/Fund Balance
 Total Amount: \$491,710.00

TOTAL REVENUE INCREASE: \$491,710.00

TOTAL GENERAL FUND LEVY DECREASE: \$926,710.00

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			
Glicklich	Levine			
McKenzie	Prasad			
Ritchie	Sumter			
Vassanella				

Mr. McKenzie left the meeting at 11:47 p.m.

ORDINANCES – INTRODUCTIONS

Ordinance No. 3700

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 115, DOGS AND OTHER ANIMALS, ARTICLE II, DOGS AND CATS, SECTION 115-8, LICENSING REQUIRED; FEES; TERM; NONTRANSFERABILITY. (INCREASE DOG LICENSE FEE FROM \$7.00 TO \$21.00, EFFECTIVE JANUARY 1, 2008)

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 June 12, 2007 at 7:00 p.m. in the Municipal Complex.

Ms. Danile moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 12, 2007 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Deputy Mayor Ritchie and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			McKenzie
Glicklich	Levine			
Prasad	Ritchie			
Sumter	Vassanella			

Ordinance No. 3701

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-6(B), OFFICIAL ZONING MAP TO CHANGE THE ZONE DESIGNATION OF BLOCK 5.02, LOTS 120-122; 124-127; 129-130; 132; 134; 133.02; 135 AND

PORTIONS OF LOTS 123, 131 AND 133.01 FROM ZONE DESIGNATION O-P (OFFICE PROFESSIONAL) TO R-20-H (SINGLE FAMILY RESIDENTIAL); AMEND SCHEDULE 1, PERMITTED USES TO PERMIT PROFESSIONAL OFFICE USES IN THE R-20-H DISTRICT AS A CONDITIONAL USE; AND AMEND ARTICLE V, CONDITONAL USES TO PROVIDE CONDITIONAL USE STANDARDS FOR PROFESSIONAL USES IN THE R-20-H DISTRICT.

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 June 28, 2007 at 9:00 a.m. in the Municipal Complex.

Mr. Glicklich moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on June 28, 2007 at 9:00 a.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>
Danile	Eberle			McKenzie
Glicklich	Levine			
Prasad	Ritchie			
Sumter	Vassanella			

CONSENT AGENDA ITEMS

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

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle			McKenzie
Glicklich	Levine			
Prasad	Ritchie			
Sumter	Vassanella			

Resolution #07-228 Authorize Tax Title Lien Redemption – 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 will all the charges due the said individuals at the time of redemption be and the same are hereby ordered refunded to the said individuals, and the proper officials of the Township of Franklin, Somerset County, New Jersey are hereby authorized and empowered to execute a voucher to the said individuals in the following amounts:

Date of Sale: June 8, 2006
Block/Lot: 149/11
Name & Address: Sanders, Mary
 P.O. Box 71
 Somerset, New Jersey
 (For 8 Irving Street)
Amount: \$17,527.15
Make Check Payable To: ALMAR
 2 Kiel Avenue #202

Kinnelon, New Jersey 07305

Certificate No.: 06-076
Payment Received: April 25, 2007

Resolution #07-229 Authorize Release of Construction Water Meter Escrows.

WHEREAS, the Township of Franklin, Somerset County has received escrow monies for purposes of utilizing fire hydrants for construction water as required by **Section 384-11 of the Code**; and

WHEREAS, the project has been completed and the Director of the Water Division of the Department of Public Works, has certified to the Township Clerk the amount of money actually due for said construction water and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: US Homes
ADDRESS: 800 W. Main Street
Freehold, NJ 07728

AMOUNT DEPOSITED: \$ 850.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT
FOR SERVICE CHARGE & WATER USAGE \$ 850.00
AMOUNT TO BE REFUNDED: \$ 0.00

APPLICANT: Candor Construction Corp.
ADDRESS: 475 Market Street
Elmwood Park, NJ 07407

AMOUNT DEPOSITED: \$ 875.00
AMOUNT TO BE DEPOSITED IN WATER ACCOUNT
FOR SERVICE CHARGE & WATER USAGE \$ 850.00
AMOUNT TO BE REFUNDED: \$ 25.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County and State of New Jersey that the remaining escrow monies be returned to the above named applicant; and

BE IT FURTHER RESOLVED that the Chief Financial Officer be and is hereby directed to refund the escrow amounts herein.

Resolution #07-230 Authorize Release of Planning Review/Building Escrows.

WHEREAS, the Township of Franklin, Somerset County has received escrow monies for purposes of professional fees incurred for review of and/or testimony concerning an application for development in accordance with Section 112-214 of the Code of the Township of Franklin; and

WHEREAS, the project has been completed and the Township Engineer has certified to the Township Clerk the amount of money charged against the escrow and has recommended that the balance remaining as set forth be returned to the applicant:

APPLICANT: Rukh Easton Avenue Properties, LLC
ADDRESS: 28 Ambrose Valley Lane
Piscataway, NJ 08854

DOCKET NO. ZBA2006-0159
BLOCK/LOT: 424.02/24
LOCATION: 1714 Easton Avenue
TYPE: Planning Review

AMOUNT DEPOSITED: \$1,250.00 (Heyer) \$3,750.00 (In-Hse)
AMOUNT CHARGED: 1,031.25 640.00
AMOUNT TO BE REFUNDED: \$ 218.75 \$3,110.00

APPLICANT: Mark Stephenson
 ADDRESS: 85 Roger Avenue
 Somerset, NJ 08873
 DOCKET NO. ZBA2005-0553
 BLOCK/LOT: 103/4
 LOCATION: 1052 Hamilton Street
 TYPE: Planning Review
 AMOUNT DEPOSITED: \$1,500.00 (Heyer) \$1,500.00 (In-Hse)
 AMOUNT CHARGED: 467.50 240.00
 AMOUNT TO BE REFUNDED: \$1,032.50 \$1,260.00

APPLICANT: Donald Sweeney
 ADDRESS: 19 Colonial Drive
 Shrewsbury, NJ 07702
 DOCKET NO. PLN2006-0015
 BLOCK/LOT: 195/10-19
 LOCATION: Hamilton Street
 TYPE: Planning Review
 AMOUNT DEPOSITED: \$600.00 (Kemm) \$1,400.00 (In-Hse)
 AMOUNT CHARGED: 591.25 847.50
 AMOUNT TO BE REFUNDED: \$ 8.75 \$ 552.50

APPLICANT: Michael Oliver
 ADDRESS: 28 Hillcrest Avenue
 Somerset, NJ 08873
 DOCKET NO. PLN2006-0008
 BLOCK/LOT: 322/26-34
 LOCATION: 28 Hillcrest Avenue
 TYPE: Planning Review
 AMOUNT DEPOSITED: \$1,400.00 (Kemm) \$1,000.00 (In-Hse)
 AMOUNT CHARGED: 1,136.25 504.17
 AMOUNT TO BE REFUNDED: \$ 263.75 \$ 495.83

Resolution #07-231 Authorize Release of Winter Bond – William Carr – Block 428/Lot 57.01 – Driveway in Spring - \$750.00.

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

ITEM: Winter Bond
 NAME OF APPLICANT: William Carr
 ADDRESS OF APPLICANT: P.O. Box 3051
 East Orange, NJ 07019
 NUMBER: Ck# 0707791
 INSURANCE CO./BANK: Bank of America
 DOCKET: ZBA-06-00016
 IN THE AMOUNT OF: \$750.00
 FOR: Driveway in Spring – 250 Highland Avenue

WHEREAS, the aforesaid applicant has requested release of the aforesaid Performance Guarantee; and

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

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 in the amount of \$750.00 be released to the above named applicant.

Resolution #07-232 Authorize Release of Performance Guarantee – Barbieri Builders Corp. – Block 11.01/Lots 15-16 (3683 Route 27) – Morrison Estates II – PLN2001-0032 - \$314,438.76 – Submission 2-yr Maintenance Bond in the amount of \$157,219.38 – Acceptance of Barbieri Court.

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

ITEM:	Performance Guarantee
NAME OF APPLICANT:	Barbieri Builders Corp.
NUMBER:	1014109
DOCKET:	PLN2001-0032
INSURANCE CO./BANK:	Lexon Insurance Co.
IN THE AMOUNT OF:	\$314,438.76
FOR:	Site Improvements – Block 11.01/Lots 15-16 – 3683 Route 27

WHEREAS, the aforesaid applicant has requested release of the aforesaid Performance Guarantee; and

WHEREAS, the Township Engineer, after inspection, recommends release of the aforesaid Performance Guarantee subject to receipt of a two (2) year Maintenance Bond in the amount of \$157,219.38

WHEREAS, in connection with the improvements required by said Performance Guarantee, the following described road or portion of roads have been dedicated to the Township:

BARBIERI COURT

A 40 feet wide road beginning at its intersection with New Jersey State Highway – Route 27 and extending northwesterly, along its various courses, a distance of approximately 2,450 feet to a cul-de-sac terminus.

The above named roads as laid out on a certain map entitled, “Final Subdivision Plat, Morrison Estates II, Lots 15 and 16, Block 11.01, Franklin Township, Somerset County, New Jersey”, prepared by Chester Ploussas. Lisowsky Partnership, LLP, Matawan, N.J., dated April 16, 2001, revised to June 25, 2003 and filed in the Somerset County Clerk’s Office on November 14, 2003 in Book No. 5503, Pages 706-707 as Instrument No. 2003143573.

WHEREAS, said roads or portion of roads have been duly inspected by the Township Engineer and the Director of Public Works and determined to be in conformity with applicable Township standards, and said persons have recommended acceptance of such roads or portion of roads as municipal roads;

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 released to the above named applicant upon receipt of the aforesaid Maintenance Bond;

BE IT FURTHER RESOLVED that the Township Council of the Township of Franklin, Somerset County hereby accepts the dedication of the above listed roads or portion of roads as municipal roads open to the public as of the date of this resolution.

Resolution #07-234 Authorize Discharge of Affordable Housing Agreement – Danielle Kline – 23 Crabapple Lane – Block 34.03/Lot 16.01.

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Mayor and Township Clerk be and they are hereby authorized to execute a Discharge of Affordable Housing Agreement for the premises known as 23 Crabapple Lane, Block 16.01, Lot 34.02 on the tax map of the Township of Franklin, subject to the execution by the purchaser of a repayment mortgage in accordance with New Jersey Council on Affordable Housing regulations pursuant to NJAC 5:93-1 et seq.

Resolution #07-235 Authorize Interlocal Services Agreement – New Brunswick – Summer Lunch Program 2007 – Amount Not to Exceed \$5,002.50.

BE IT AND IT IS HEREBY RESOLVED that the Township Manager is hereby authorized to execute on behalf of the Township Council interlocal service agreement with the New Brunswick Public Schools as permitted by NJSA 40:8A-1 et. seq. for the 2007 Summer Lunch Program.

Resolution #07-236 Authorize Refund of Tax Overpayments.

WHEREAS, there appears on the books of the Collector of Revenue refunds due resulting from Tax Overpayments; and

WHEREAS, refunds are to be made to the persons who have made these overpayments;

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer of the Township of Franklin, Somerset County, be instructed to draw checks in the amounts covering the overpayments and to deliver said checks to the proper persons.

<u>BLOCK/LOT</u>	<u>NAME/ADDRESS</u>	<u>QTR/YR</u>	<u>AMOUNT</u>
270/21	IndyMac Bank 6900 Beatrice Drive Kalamazoo, MI 49003-4045	3/07 Homeowner & Mortgage Co. Paid	1,747.29
424.10/142	Amin, Chirag 142 Coburn Lane Somerset, NJ 08873	2/07 Homeowner & Mortgage Co. Paid	1,366.12
90/3	Medical Intrade World 26 Rebel Run Drive East Brunswick, NJ 08816	1/07 Water Credit Returning to Seller	587.90
424.02/11.175	Cecile Wong 170 Carson Court Somerset, NJ 08873	3/07 2/07 Homeowner & Mortgage Co. Paid	.01 1,455.88

Resolution #07-237 Authorize Grant Application – Somerset County Youth Service Commission Annual Grant in the amount of \$5,000.00.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a grant application to the Somerset Youth Service Commission Annual Grant Program to apply for funds for the following:

1. \$1,000 for the Edgemere Enlightenment Center
2. \$1,000 for the ARISE Program
3. \$1,000 for the Parkside Learning Center
4. \$1,000 for the SGS Women to Girls Program
5. \$1,000 for the Franklin Township Youth Council

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

Resolution #07-238 Authorize Grant Application – Somerset County Youth Service Competitive Grant – DARE to Dance Program – Grant Amount - \$2,500.00.

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 to the Somerset Youth Service Commission Competitive Grant Program to apply for funds in the amount of \$2,500 for the DARE to Dance Instruction Afterschool Program at Franklin Middle School and Franklin High School for Students in 7th to 12th grade and does authorize the appropriate Township officials to execute these grant applications on its behalf.

Resolution #07-239 Authorize Grant Application – Somerset County Youth Service Competitive Grant – MSW Social Worker for Teen Recreation Program – Grant Amount - \$10,000.00.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize the submission of a grant application to the Somerset Youth Service Commission Competitive Grant Program to apply for funds in the amount of \$2,500 for an MSW Social Worker to provide informal counseling lifeskills instruction and outreach for at-risk youth attending the Teen Recreation Program and does authorize the appropriate Township officials to execute these grant applications on its behalf.

Resolution #07-240 Extend Contract – Sports for Life Foundation – Township Tennis Program – Amount Not to Exceed \$30,000.00.

WHEREAS, the Township Council on April 25, 2006 awarded a competitive contract for the administration of the tennis program for the period of July 1, 2006 to June 30, 2007 which allowed for an extension at the existing terms and conditions if mutually acceptable to the vendor and Township; and

WHEREAS, the Township of Franklin is desirous of extending the contract for the administration of the tennis program; and

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

SPORTS FOR LIFE! INC.

290 River Road #E5
Piscataway, NJ 08854

Amount not to exceed \$30,000.00; and

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

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

BE IT FURTHER RESOLVED that continuation of the terms of this contract beyond June 30, 2007 is contingent upon availability of funds in the 2008 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 notice of this action shall be printed in the official Township newspaper as required by law.

Resolution #07-241 Authorize Issuance of Raffle/Bingo 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>
The Church of St. Matthias 268 JFK Boulevard, Somerset On-Premise 50/50 – RL#1632 Drawing: Bunker Hill Golf Course	June 22, 2007 6:00 pm
The Auxiliary of RWJUH 1 RWJ Place, New Brunswick On-Premise 50/50 – RL#1633 Drawing: The Palace at Somerset Hills	June 4, 2007 11:00 am – 2:00 pm
St. Sharbel Maronite Catholic Church 526 Easton Avenue, Somerset, NJ Non-Draw Raffles – RL#1634	June 22, 2007 12pm-12am June 23, 2007 11am-12am June 24, 2007 12pm-10pm June 24, 2007 12 pm-10 pm
Off-Premise Raffle – RL#1635 Drawings: St. Sharbel Church Grounds	
Easter Seals New Jersey 1 Kimberly Road, East Brunswick, NJ 08816 Off-Premise Raffle – RL#1636 On-Premise Raffle – RL#1637 On-Premise Raffle – RL#1638 Drawings: O'Connor's Restaurant	July 9, 2007 7:00 pm – 10:00 pm

Resolution #07-242 Authorize Adjustment of Water Charges – Naman – 8 Dutch Road – Block 83/Lot 19.11.

WHEREAS, Janet & Ron Naman have an unusually high water charge for the quarter 4/01/07 in the amount of \$394.68 for the property known as Block 83/Lot 19.11; and

WHEREAS, it has been determined that the high usage is the result of a broken pipe; 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 Collector of Revenue is hereby directed to adjust the aforesaid water charges to reflect the charges for said water paid by the Township to its bulk supplier, specifically a reduction to \$142.69.

Resolution #07-243 Authorizing the Sale of Surplus Property No Longer Needed for Public Use on GovDeals, an on-line auction website.

WHEREAS, the Township of Franklin has determined that the property listed in Schedule A is property no longer needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an on-line auction services pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c. 30; and

WHEREAS, the Township of Franklin has the property listed in Schedule A, attached to this resolution, and desires to sell this property on-line;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Purchasing Administrator is hereby authorized to post an offer to sell the items listed on Schedule A, on the GovDeals auction site as per the attached Sellers Agreement.

Resolution #07-244 Authorize Rejection of Design and Printing of Newsletter Bids.

WHEREAS, notice to bidders was posted on the Township website and published in the Courier News on March 23, 2007 for receipt of bids on April 19, 2007; and

WHEREAS, the sole bidder was non-responsive because it did not have the Business Registration Certificate required by the Local Public Contracts Law; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the bids for the design and printing of the Township Newsletter be and are hereby rejected.

Resolution #07-245 Award State Contract – Motorola Inc. – Repeater (Police Department Equipment) – Amount Not to Exceed \$14,788.80.

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

VENDOR: MOTOROLA, INC.
 P.O. Box 29
 Chester, New Jersey 07930-0029
 State Contract No. 53804

ITEMS: Repeater (Police Department Equipment)
COST: \$14,788.80

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

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

Resolution #07-246 Authorize Insertion into FY2007 Municipal Budget – Chapter 159 – Public Health Priority Funding - \$9,251.00.

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 2007 in the sum of \$9,251.00 which is now available from the 2007 Public Health Priority Funding in the amount of \$9,251.00;

BE IT FURTHER RESOLVED that the like sum of \$9,251.00 is hereby appropriated under the caption of 2007 Public Health Priority Funding; and

BE IT FURTHER RESOLVED that the above is a result of funds from the 2007 Public Health Priority Funding in the amount of \$9,251.00.

Resolution #07-247 Amend Interlocal Services Agreement with Sewerage Authority – Pine Street Pump Station.

WHEREAS, on August 8, 2006, the Township Council authorized an interlocal services agreement with the Franklin Township Sewerage Authority which provides that the Township will acquire Block 151, Lots 9-11 in order to facilitate the construction a pump station by the Franklin Township Sewerage Authority and the Authority will reimburse the Township of all costs associated with said acquisition; and

WHEREAS, it has become necessary to amend said interlocal services agreement with the Franklin Township Sewerage Authority; and

WHEREAS, said amendment specifies that the Franklin Township Sewerage Authority will pay 10% of the upfront costs associated with the acquisition of the easements including actual closing costs, appraisal, surveys and legal costs; and

WHEREAS, said amendment will allow the Franklin Township Sewerage Authority to divert the flow from Route 27 into the School Avenue Pump Station and to facilitate the development of the Leewood Renaissance @ Franklin development that will contain 286 units of which 113 will be affordable units inclusive of 50 units of family rentals which are a part of the Township's COAH commitment; and

WHEREAS, in addition, it will support the development of Somerset-Douglas, 114 units of housing and two other proposed developments (Franklin Housing Authority and proposed development of 48 units of housing at Kevin Apuzzio Way);

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset, New Jersey that the Mayor and Township Clerk are hereby authorized to execute an Amended Interlocal Services Agreement, as attached, in accordance with the provisions of N.J.S.A. 40:8A-1 et seq., the Interlocal Services Act, with the Franklin Township Sewerage Authority;

BE IT FURTHER RESOLVED that the above Amended Interlocal Services Agreement shall be in the form approved by the Township Attorney.

Resolution #07-248 Authorize Developer’s Agreement with Somerset Douglas.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute on its behalf Developer’s Agreement with Somerset Douglas Realty, LLC for property known as Block 171.02, Lots 1-4, 236.01, 237.02 & 238.02 as shown on the Tax Map of the Township of Franklin pursuant to the Planning Board Resolution adopted on July 6, 2005, a copy of which is on file in the office of the Township Clerk and available for public inspection.

Resolution #07-249 Selecting Horizon Blue Cross & Blue Shield as Medical Insurance Providers for Franklin Township effective July 1, 2007.

WHEREAS, The Township of Franklin, Somerset County, State of New Jersey has solicited informal quotations in conjunction with the proposed selection of a medical insurance provider.

WHEREAS, the Township of Franklin reviewed the proposals and the guarantee of benefits remaining the same as under the Oxford Health Plans for PPO 1 and PPO 2.

WHEREAS, the Township of Franklin reviewed the proposals,

WHEREAS, the Township of Franklin believes that the best proposal submitted is from Horizon BCBSNJ.

NOW, THEREFORE, BE IT RESOLVED this 8th day of May 2007 by the Township Council of the Township of Franklin, Somerset County, State of New Jersey as follows:

1. The Township of Franklin selects Horizon BCBSNJ as its medical insurance provider effective July 1, 2007 in accordance with a proposal submitted by Horizon BCBSNJ February 23, 2007.
2. The Township of Franklin authorizes and directs the Township Manager to execute any and all necessary documents in order to implement the intent of this resolution.

Resolution #07-250 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 2007 Municipal Budget Appropriations:

<u>Department</u>	<u>From:</u>	<u>To:</u>
Data Processing O&E	30,000.00	
Contingent O&E	10,000.00	
Grant Coordinator S&W	17,000.00	
Animal Control S&W	20,000.00	
Salary Adjustment S&W	25,000.00	
Crossing Guards S&W	25,000.00	
Police Clerical S&W	15,000.00	
Code Enforcement S&W	36,500.00	
Finance O&E		7,500.00
Electricity O&E		20,000.00
Street Lighting O&E		70,000.00
Fuel O&E		10,000.00
Township Manager S&W		2,000.00
Human Resources S&W		10,000.00
Health Administration S&W		1,500.00
Police 911/Dispatch S&W		35,000.00

Health Inspections S&W		5,000.00
Total	\$178,500.00	\$178,500.00

RESOLUTION, VOTED ON SEPARATELY

Resolution #07-233 Amend Non-Fair and Open Professional Services Agreement – Schoor DePalma – Revising and Updating Township Tax Maps – January 2005 through 2007 – Additional Amount Not to Exceed \$30,000.00 – New Contract Total: \$83,925.00.

Mayor Levine presented the following resolution:

WHEREAS, on March 14, 2006, the Township Council awarded Schoor DePalma a non-fair and open professional services contract for tax map revisions for the years 2000 through 2004 in an amount not to exceed \$53,925.00; and

WHEREAS, a need exists to amend said contract to include the years 2005 through 2007 for the Township of Franklin, County of Somerset, New Jersey as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

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

WHEREAS, Schoor DePalma has submitted a proposal dated April 3, 2007 indicating they will provide services for the revisions and updates to the Township's Tax Maps from 2005-2007 in a amount not to exceed \$30,000.00; and

WHEREAS, Schoor DePalma has completed and submitted a Business Entity Disclosure Certification which certified that Schoor DePalma has not made any reportable contributions to a political or candidate committee in the Township of Franklin in the previous one year, and that the contract will prohibit Schoor DePalma from making any reportable contributions through the term of the contract;

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) The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
- (3) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (4) The vendor shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or

claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

VENDOR NAME: SCHOOR DEPALMA
ADDRESS: Justin Corporate Center
 200 State Highway Nine/PO Box 900
 Manalapan, NJ 07726-0900

ADDITIONAL CONTRACT AMOUNT: Amount not to exceed \$30,000.00
TOTAL CONTRACT AMOUNT: Amount not to exceed \$83,925.00
SERVICE: Services for the revisions and updates to the Township's Tax Maps for years 2005-2007 as outlined in a proposal dated April 3, 2007.

BE IT FURTHER RESOLVED that continuation of the terms of this contract beyond June 30, 2007 is contingent upon availability of funds in the 2008 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

The aforesaid resolution was moved by Ms. Danile, 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>
Danile	Eberle	Levine	Glicklich	McKenzie
Prasad	Ritchie		Vassanella	
Sumter				

2007 CDBG PROJECTS

Deputy Mayor Ritchie moved to accept the following:

**HOUSING AND COMMUNITY DEVELOPMENT PROGRAM
 CONSOLIDATED PLAN PROGRAM FY 2007 – FINANCE COMMITTEE RECOMMENDED
 PROGRAM YEAR: September 1, 2007 – August 31, 2008**

<u>PROJECT</u>	<u>REQUEST</u>	<u>RECOMM.</u>
<u>REHABILITATION/PRESERVATION ACTIVITIES</u>		
FRANKLIN TOWNSHIP Housing Rehabilitation Deferred Loan Program Code Enforcement in CDBG Area	\$191,303	\$191,303
<u>PUBLIC FACILITIES/INFRASTRUCTURE</u>		
GREAT EXPECTATIONS Fences and Playground	25,000	25,000
TOTAL PUBLIC FACILITIES		\$216,303
<u>SERVICES</u> (15% budget maximum or \$49,915)		
FAMILY AND COMMUNITY SERVICES OF SC P/T Youth Counselor	17,300	18,945
SC COALITION FOR AFFORDABLE HOUSING Housing Counseling	13,470	13,470
HOMESHARING INC. Homesharing Program	7,500	7,500

MAJOR GROUP FOUNDATION Youth Connection After School Program	10,000	10,000
FRANKLIN TWP. – REC. DEPT. Senior Wellness	5,000	0
RESOURCE CENTER Transitional Housing Program	10,000	0
NEW JERSEY ORATORS INC. Public Speaking Program	10,000	0
SWS ORGANIZATION Helping Hands Program	30,000	0
<u>TOTAL PUBLIC SERVICES</u>	(SUB)	49,915
 <u>PLANNING & ADMINISTRATION</u>		
FRANKLIN TOWNSHIP Planning/Administration	(SUB)	66,554
<u>TOTAL</u>		\$332,772

Said motion was seconded by Mr. Sumter.

Mr. Vassanella voiced his concerns regarding the recommendations and noted that the Kossuth Street Sidewalk Project didn't even make the list. He stated that he understands the review process. He stated that sidewalks were funded by the CDBG Program on Henry Street. A brief discussion ensued regarding the CDBG Program and sidewalk projects.

Mr. Vassanella moved to amend the motion of the aforesaid recommendations to appropriate \$100,000 of the funds for the Kossuth Street Sidewalks. Mr. Daly noted that the project would need additional funding. Mr. Vassanella asked if money could be appropriated in the budget for rehabilitation projects. Mr. Daly and Mr. Rainone were unable to answer the question. Mr. Daly stated that the funds in the Affordable Housing Trust Fund have been appropriated to other projects. Mr. Vassanella amended his motion to decrease the Housing Rehabilitation Deferred Loan Program by \$65,000 and the Great Expectations Project by \$10,000. and to add the Kossuth Street Sidewalk Project in the amount of \$75,000. Mr. Sumter seconded the amended motion. The amended motion *failed* as follows upon call of the roll:

<u>AYES</u>	<u>NAYS</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Vassanella	Danile	Eberle		McKenzie
	Glicklich	Levine		
	Prasad	Ritchie		
	Sumter			

The original motion carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Danile	Eberle	Vassanella		McKenzie
Glicklich	Levine			
Prasad	Ritchie			
Sumter				

07-30

May 8, 2007 – Work Session/Regular Meeting

ADJOURNMENT

Deputy Mayor Ritchie moved to adjourn the meeting at 12:20 a.m. Said motion was seconded by Mr. Glicklich and carried unanimously upon call of the roll.

Approved: *As Submitted.*

Brian D. Levine, Mayor

Date: *May 22, 2007*

Ann Marie McCarthy, Township Clerk