

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 7:07 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 July 10, 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 Ms. Francois led the Invocation.

The Township Clerk called the roll.

Present: Ms. Eberle, M. Glicklich, Mayor Levine, Mr. Prasad, Deputy Mayor Ritchie (Arrived at 7:15 p.m.), Mr. Sumter (Arrived at 7:09 p.m.)

Absent: Ms. Danile, Mr. Vassanella

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.
- Reminded all meetings are public. Council meetings generally are held on the 2nd and 4th Tuesdays of the month. In July and August there are only one meeting – the second Tuesday of each month. The Public is invited and encourages attending. Check listings on FTTV-25 and the Township website. Sign up for website updates of meetings, minutes etc. Van view agendas, ordinances and resolutions pending.
- Reported that the Independence Day Celebration was held on July 3rd at the Municipal Complex. He reported it was a tremendous success. The fireworks display was "the best ever" according to many residents.
- Reported that on July 4th, Franklin Township rang its bell at the Veterans' Memorial at the same time (2:00 p.m.) that the Liberty Bell rang, along with hundreds of others across the USA. Expressed compliments to the Veterans, American Legion, VFW, young students who read from the Declaration of Independence. Thanked all on behalf of the residents and American citizens.
- Reported the Community Fire Company on Hamilton Street had new fire truck on display for public viewing on Saturday, June 30. He stated it was a magnificent ceremony and he greeted all on behalf of all residents. In attendance were Mayor Levine and former Councilman Fred McKenzie. Congratulated all Franklin firefighters and Fire Commissioners. Stated the Community Fire Company remodeled the firehouse, which now is like a museum.

- Announced that according to statistics released last week, Franklin's population now exceeds 60,000 residents.
- In Franklin's advancement of those needing affordable housing: a) great strides in bringing up the Route 27 area for all residents; b) Housing Authority ready to advance on major improvements to Park side; and c) Somerset County Action Program (SCAP) will be conducting outreach help with the community. He noted his is a SCAP Board member and as such went with Isaac Dorsey, SCAP Executive Director, to a meeting with the Housing Authority, SCAP, architects to view design and procedures. No one will be displaced. There will be placement of folks while construction is phased in. Good work to Mr. Daly and Deborah Mitchell on the help they have given to the Housing Authority. Congratulated Parkside and Housing Authority Director, Hazel Davis.
- Franklin was honored with a special treat last week. Franklin was host to Shri Mohan Rawale, a member of the Parliament in India. Greeting and speaking to him were Assemblyman Upendra Chivukula, Mayor Levine, Mr. Daly along with members of a software company in Franklin Township selling security software to India. They exchanged ideas on their governments and worthwhile civic projects.

COMMITTEE REPORTS

Mr. Glicklich requested Sewerage Authority minutes be distributed to Council.

REVIEW OF THE PREPARED AGENDA

In place of the review of the prepared agenda, Council would comment or ask questions regarding agenda items as they go through agenda during the meeting.

DISCUSSION ITEMS

Proposed Ordinance Amending Township Council Agenda Order of Business

Ms. Francois led a discussion regarding the following changes to the Township Council Agenda Order of Business:

- (4) The agenda for the work session meetings shall be as follows:
- (a) Call to Order.
 - (b) Public Discussion (limited to ½ hour/two minutes per speaker).
 - (c) ~~Council comments.~~
 - (~~d~~) ~~Review prepared agenda for regular meeting.~~
 - (e c) Council's subcommittee report.
 - (~~f~~ d) Council Discussion Items.
 - (e) **Council Comments.**
 - (~~g~~ f) Executive Session.
 - (~~h~~ g) Adjournment.
- (5) The agenda for regular meetings of the Council shall be as follows:
- (a) Call to Order.
 - (b) Pledge of Allegiance.
 - (c) Invocation.
 - (d) Roll Call.
 - (e) **Commendations and Proclamations.**
 - (f) **Public Discussion (limited to 1 hour/5 minutes per speaker)**
 - (g) **Council Comments**

- (h) Approval of Minutes**
- (i) Approval of Warrants**
- (j) Public Hearing and Adoption of Ordinances on Second Hearing.**
- ~~(j) Council comments.~~
- (k) Introduction of Ordinances on First Reading.
- (l) Adoption of Consent Agenda Resolutions.
- (m) Resolutions
- (n) Mayor's Report**
- (o) Deputy Mayor's Report**
- (p) Executive Session**
- ~~(q)~~ Adjournment.

(6) The agenda for combined worksession/regular meetings of the Council shall be as follows:

- (a) Call to Order.
- (b) Pledge of Allegiance.
- (c) Invocation.
- (d) Roll Call.
- (e) Commendations and Proclamations.
- (f) Public discussion (limited to one hour/five minutes per speaker)**
- (g) Council Comments.**
- ~~(f) Mayor's Report.~~
- ~~(g) Deputy Mayor's Report.~~
- ~~(h) Committee Reports.~~
- ~~(j) h) Council Discussion Items.~~
- ~~(k) i) Approval of Minutes.~~
- ~~(l) j) Approval of Warrants.~~
- ~~(m) k) Public Hearing and Adoption of Ordinances on Second Reading.~~
- ~~(n) Public discussion (limited to one hour/five minutes per speaker)~~
- ~~(o) Council comments.~~
- ~~(p) l) Introduction of Ordinances on First Reading.~~
- ~~(q) m) Adoption of Consent Agenda Resolutions.~~
- ~~(r) n) Resolutions~~
- (o) Mayor's Report**
- (p) Deputy Mayor's Report**
- (s) q) Executive session.**
- ~~(t) r) Adjournment.~~

Ms. Francois moved the introduction of the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 5, ADMINISTRATION OF GOVERNMENT, ARTICLE II EXECUTIVE AND LEGISLATIVE, SECTION 5-4, MEETINGS OF TOWNSHIP COUNCIL, SUBSECTION B – AGENDA.

Said motion was seconded by Mr. Prasad.

Mayor Levine expressed his objection to the Mayor's and Deputy Mayor's Reports being placed at the end of the meeting. He asked that they be returned to the beginning of the meeting.

Mayor Levine amended the motion to return the Mayor's and Deputy Mayor's Reports back to the beginning of the meeting after Commendations and Proclamations. There was no second to the motion, therefore the motion failed.

Mayor Levine reiterated his objection to the agenda format, noting it is an effort to close him down and he would continue explaining how a meeting is run. He reiterated his motion. There was no second, therefore the motion failed.

The original motion to introduce the aforesaid ordinance carried as follows upon call of the roll:

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

COMMENDATION

Kwik Trip

Mayor Levine presented the following proclamation:

WHEREAS, SEONG S. KIM AND JUNG S. KIM, owners and operators of **KWIK TRIP**, a local convenience store in the Township of Franklin for the past fourteen years, have served the residents well; and

WHEREAS, together with their daughter, JiHyun and son, Davis, and Mrs. Kim's brother, the definition of "convenience" has truly been exhibited by Seong and Jung's constant and friendly service to their customers, many of whom have become friends over the years; and

NOW, THEREFORE, I, BRIAN D. LEVINE, MAYOR of the Township of Franklin in the County of Somerset, State of New Jersey, extend gratitude and appreciation on behalf of the Township Council and citizens to **SEONG S. KIM and JUNG S. KIM** for their service and dedication to this community and wish them health and happiness in their retirement.

DISCUSSION ITEMS (CONTINUED)

September Budget Meetings

Mr. Daly recommended Council reschedule the September 11, 2007 Regular Council Meeting to September 18, 2007 since Council is meeting the week before for three (3) Budget Meetings on September 4-5-6, 2007. This would allow Township staff to prepare work that resulted from the budget meetings.

Ms. Francois moved to adopt the following resolution to amend the 2007 Meeting Schedule:

BE IT RESOLVED on this **10th day of July, 2007**, by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, that the meeting schedule for the period January 1, 2007 to December 31, 2007 is hereby amended and shall be held at the Municipal Complex, Council Chambers, 475 DeMott Lane on the following dates and times unless otherwise noted:

JANUARY 2, 2007 – Tuesday - 7:00 pm REORGANIZATION MEETING

	<u>COMBINED AGENDA/REGULAR MEETING</u>		
January	9 (Tuesday) 7:00 pm 23 (Tuesday) 7:00 pm	July	10 (Tuesday) 7:00 pm
February	13 (Tuesday) 7:00 pm 27 (Tuesday) 7:00 pm	August	14 (Tuesday) 7:00 pm

March	13 (Tuesday) 7:00 pm 27 (Tuesday) 7:00 pm	September	11 (Tuesday) 7:00 pm 18 (Tuesday) 7:00 pm 25 (Tuesday) 7:00 pm
April	10 (Tuesday) 7:00 pm 24 (Tuesday) 7:00 pm	October	9 (Tuesday) 7:00 pm 23 (Tuesday) 7:00 pm
May	8 (Tuesday) 7:00 pm 22 (Tuesday) 7:00 pm	November	8 (Thursday) 7:00 pm 20 (Tuesday) 7:00 pm
June	12 (Tuesday) 7:00 pm 28 (Thursday) 9:00 am	December	11 (Tuesday) 7:00 pm

Tuesday, June 05 – Primary Election Day

Tuesday, November 06 – General Election Day

BE IT FURTHER RESOLVED that the COURIER NEWS, the PRINCETON PACKET and the HOME NEWS/TRIBUNE be and they are hereby designated as those newspapers to whom adequate notice must be given in accordance with **Section 14**; and

BE IT FURTHER RESOLVED that the reasonable sum to be paid by an individual requesting copies of the Regular Meeting Schedule or revisions to same as specified in **Section 14 3(d)** shall be \$20.00.

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>
Eberle	Francois			Danile
Glicklich	Levine			Vassanella
Prasad	Ritchie			
Sumter				

2007 Open Space Historic Preservation Grants

Mr. Daly reported the Open Space Advisory Committee solicited proposals for the 2007 Open Space Historic Preservation Grants. He stated included in Council's packet was a resolution from the Open Space Advisory Committee adopted in June with their recommendations for the grants. He stated in their meeting folders were responses from the Historic Preservation Commission, the Joint Village of Kingston Committee and the Meadows Foundation regarding their concerns of the Open Space Advisory Committee's recommendations for grant awards. Mr. Daly recommended Council to send the resolution back to the Open Space Advisory Committee to reconsider their decision and let the Historic Preservation Commission, the Joint Village of Kingston Committee and the Meadows Foundation state their positions. He stated Council ultimately acts on these grant awards as they are awarded as contracts.

Mr. Glicklich stated he doesn't want the Open Space Advisory Committee to feel they have to change their mind or feel pressured by Council. He stated they should vote on what they feel is correct.

Ms. Eberle asked what the objections are. Mr. Daly replied there are two (2) issues. One is there are three (3) historic churches in the town that do not meet current fire codes and need to make renovations which are costly. He stated that the doors need to be replaced and he does not understand the difference between a steeple and a door. The second is the Wyckoff/Garrison House which needs improvements to the climate control in order to maintain interior of structure which is deteriorating.

Mr. Daly stated that at the June 19th Open Space Advisory Committee, Mr. LaCorte, representative of the Historic Preservation Commission to the Open Space Advisory Committee, was not present for the adoption of the Open Space resolution.

Deputy Mayor Ritchie agreed with Mr. Daly regarding the church doors. She stated the Kingston churches are responding to government regulations. She stated Kingston is on the state and national historic registry and there should be money set aside for these improvements. She also agreed with the climate control issue which most damages historical structures and character. The Township should sustain efforts put into the historical registration and if not, it is a foolish waste of money. She agreed it should be sent back to the Open Space Advisory Committee to seriously reconsider these two issues.

Mr. Glicklich agreed with the second issue. He stated the steeple receive grant (it is easily seen from the road) and the door did not. He stated Council could make better decisions with reasons.

Mayor Levine asked if they should make a motion for list of reasons from the Open Space Advisory Committee. Mr. Glicklich moved to send resolution back to the Open Space Advisory Committee for re-evaluation and to list reasons for their grant award recommendations. Said motion was seconded by Ms. Eberle.

Ms. Eberle agreed with Mr. Daly, noting a door and a steeple are on one (1) building and should be treated the same. She stated it needs further explanation so that Council can make an informed decision.

Said motion carried unanimously upon call of the roll.

Mayor Levine announced that the following discussion items would be scheduled for another meeting:

- Formation of a Committee on Township Litigation
- Creation of a Centralized Franklin Township Volunteer Database

APPROVAL OF MINUTES

Mr. Glicklich moved the approval of the Work Session/Regular Meeting Minutes of June 12, 2007 as submitted. 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>
Eberle	Francois			Danile
Glicklich	Levine			Vassanella
Prasad	Ritchie			
Sumter				

ORDINANCES – PUBLIC HEARING & FURTHER CONSIDERATION

Ordinance No. 3700, As Amended

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 \$12.00, EFFECTIVE JANUARY 1, 2008)

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 Ms. Francois 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.

Russ Warner, 26 Bloomfield Avenue, asked how this increase compares to surrounding towns. Mr. Glicklich replied that State has authorized the increase of dog licenses up to \$21.00. Council felt this increase was too much and decided to only increase it to \$12.00. He stated he knows of two (2) other towns that are increasing the licenses to \$21.00. Mr. Warner stated the increase would create a hardship for owners with multiple dogs.

Phillip Kramer, 429 Canal Road, stated he has three (3) rescued dogs and is a supporter of the animal shelter. He suggested a five (5) dollar option as a donation to the animal shelter or to Second Chance for Animals.

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

Councilman 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>
Eberle	Francois			Danile
Glicklich	Levine			Vassanella
Prasad	Ritchie			
Sumter				

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.

Walter Howard, Somerset, NJ, asked that Council be fair and to remove the deed restriction from his property to allow him to build a home for his family. He stated he would resubmit his request and asked Council to do for him what they have done for others and allow him to build a home for his family. Deputy Mayor Ritchie asked Mr. Howard to provide a list of property owners whose deed restrictions were released that are identical to his request.

Phillip Kramer, 429 Canal Road, spoke on the proposed changes to the agenda format. He spoke of his observation over the last four (4) years where the Mayor's powers have eroded and the bashing of Mayor Levine during the first year-year and a half of his term as Mayor. He questioned the methodology of moving the Mayor's and Deputy Mayor's Reports to the end to shorten the meetings. He stated that the Mayor's comments never go beyond two (2) minutes. He recommended to save time at meetings, Council members should adhere to Roberts Rules of Order and not comment when voting, which means they are out of order and to not repeat prior comments made by Council members.

Russ Warner, 26 Bloomfield Avenue, supported Mr. Kramer's comments and noted that there are other ways to shorten meetings and ask Council to reconsider the proposed changes to the agenda format.

Harold Leventhal, 360 DeMott Avenue, asked all to realize the simplicity and importance of the First Amendment of the US – Freedom of Speech.

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

COUNCIL COMMENTS

Mr. Prasad complimented Mr. Daly on a great 4th of July Celebration, noting it was spectacular and should continue in the future. Mr. Daly recognized all those involved for its success: Police Department, Joyce Miller and Alice Osipowitz. He also commented on the success of Op Cop.

Ms. Francois spoke on the proposed changes in the agenda format. She stated that originally she proposed to include the Mayor's and Deputy Mayor's Report in Council Comments. She explained that when the Mayor objected, she proposed a compromise of putting the reports back in, but listed at the end of the agenda. She clarified the intention is not to stifle the Mayor, in fact, the Mayor and Deputy Mayor still have more opportunity to speak. She stated that she is one of the Mayor's biggest fans as he was when she was Mayor. She stated the meeting when she was appointed went until 12:30 a.m. and she thought she would make recommendations on how to streamline the meetings. She stated she agrees with Mr. Kramer regarding not repeating prior comments and using due diligence.

She asked the Township Manager to provide an outline regarding the reasons why Mr. Howard's release of deed restriction has been denied in the next packet.

Ms. Eberle commended all involved with the 4th of July celebration. She stated that she was elected to represent Ward 1 and she would comment on issues regarding Ward 1.

Mr. Sumter expressed his opposition to the proposed recall election and supported Deputy Mayor Ritchie.

Mr. Glicklich agreed with Ms. Francois' comments. He agreed with Mr. Kramer that when they commented during a vote, Council members were out of order. He did not agree with Council members not repeating prior comments, noting comments from other Council members are just as valid. He commended the 4th of July celebration and noted he was impressed with the number of families in attendance.

Deputy Mayor Ritchie expressed her strong displeasure regarding her arriving tonight at 5:30 p.m. for a Community Foundation meeting to find out that the meeting had been cancelled by Mr. Vassanella.

Deputy Mayor Ritchie requested a summary of meeting actions be placed on the website the next day so that residents would know what actions were taken at the meeting.

Mayor Levine noted that he, Mr. Prasad and an individual from Heller Associates also arrived for the meeting unaware that it had been cancelled.

ORDINANCES – INTRODUCTION

Ordinance No. 3707

Mayor Levine presented the following ordinance:

AN ORDINANCE THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY GRANTING A DEED AND TRAFFIC SIGNAL AND TEMPORARY CONSTRUCTION EASEMENT TO

**THE COUNTY OF SOMERSET IN CONNECTION WITH THE RECONSTRUCTION OF
AMWELL ROAD - BLOCK 417.01, LOT 5.03.**

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 August 14, 2007 at 7:00 p.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 August 14, 2007 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>
Eberle	Francois			Danile
Glicklich	Levine			Vassanella
Prasad	Ritchie			
Sumter				

Ordinance No. 3708

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, DELETE SECTION 17D, PROHIBITING GAMES OF CHANCE; AMEND SECTION 112-105, PARKING IN HBD DISTRICT; SECTION 112-97, LOCATION OF PARKING SPACES IN RELATION TO MAIN BUILDING, SECTION 112-90, SIZE OF DRIVEWAYS; SCHEDULE 4, PARKING REQUIREMENTS; SECTION 112-257, ELIGIBLE EXACTION, INELIGIBLE EXACTION AND EXEMPTIONS.

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 August 14, 2007 at 7:00 p.m. in the Municipal Complex.

Mr. Prasad moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on August 14, 2007 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Ms. Francois and carried as follows upon call of the roll:

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

Ordinance No. 3709

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-6(B), OFFICIAL ZONING MAP (CHANGE ZONE DESIGNATION OF BLOCK 73.01, LOTS 25-27 AND 31-36 FROM R-10-H (SINGLE-FAMILY RESIDENTIAL/HISTORIC OVERLAY TO FROM R-10 (SINGLE-FAMILY RESIDENTIAL).

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 August 14, 2007 at 7:00 p.m. in the Municipal Complex.

Ms. Francois moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on August 14, 2007 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>
Eberle	Francois			Danile
Glicklich	Levine			Vassanella
Prasad	Ritchie			
Sumter				

CONSENT AGENDA ITEMS

Upon motion by Mr. Glicklich, seconded by Mr. Prasad, 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>
Eberle	Francois			Danile
Glicklich	Levine			Vassanella
Prasad	Ritchie			
Sumter				

Resolution #07-370 Authorize Purchase – Hi Volt Electric – Installation of Tower for SCADA System – Amount Not to Exceed \$12,322.00.

WHEREAS, the Township of Franklin desires to purchase items as follows which do not exceed the bid threshold but which exceed the limits set forth in Chapter 3, Section 3-13; and

WHEREAS, quotations as required by NJSA 40A:11-1 et seq. have been received;

VENDOR: **Hi Volt Electric**
PO Box 1026
Laurence Harbor, NJ 08879

ITEMS: Installation of Tower for SCADA System

COST: Not to exceed \$12,322.00

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

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.

Resolution #07-372 Award Bid – Defino Contracting – Street Resurfacing – Amount Not to Exceed \$709,890.50.

WHEREAS, a notice to bidders for the receipt of bids for Local Street Resurfacing was published in the Courier News on June 14, 2007 for receipt on June 27, 2007 with one (1) addendum on June 15, 2007 correcting the bid opening date; and

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

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

DEFINO CONTRACTING

28 Industrial Drive
Cliffwood Beach, NJ 07735

Street Resurfacing

Streets include: Weston Road, Appleman Road, DeLar Parkway, Old Georgetown Road, Bloomfield Avenue, Magnolia Road, Mercury Street and Grouser Road

Amount not to exceed \$709,890.50

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

Resolution #07-373 Authorize Discharge of Mortgages.

WHEREAS, the Township of Franklin holds the following mortgages in conjunction with dwelling renovations through the CDBG Housing Rehabilitation Program:

Mortgage Amount: \$6,900.00
Block/Lot: 10/29-30
Location of Premises: 375 West Point Avenue

Mortgage Amount: \$3,880.00
Block/Lot: 478/31-32
Location of Premises: 11 Franklin Blvd.

Mortgage Amount: \$9,975.00
Block/Lot: 135.01/31
Location of Premises: 73 Battle Place

Mortgage Amount: \$5,455.00
Block/Lot: 191/16
Location of Premises: 25 Cooper Avenue

Mortgage Amount: \$5,455.00
Block/Lot: 302/1
Location of Premises: 77 Arden Street

Mortgage Amount: \$12,867.00
Block/Lot: 194/141
Location of Premises: 94 Jefferson Street

Mortgage Amount: \$9,920.00
Block/Lot: 468/141
Location of Premises: 8 Winthrop Road

Mortgage Amount: \$8,700.00
Block/Lot: J/27-30
Location of Premises: 17 Ray Street

Mortgage Amount: \$9,950.00
Block/Lot: 367/15
Location of Premises: 27 Ulysses Street

Mortgage Amount: \$5,800.00

Block/Lot: 191/16
Location of Premises: 27 Cooper Avenue

Mortgage Amount: \$7,340.00
Block/Lot: 645/13
Location of Premises: 280 DeMott Lane

Mortgage Amount: \$9,922.00
Block/Lot: 316/42
Location of Premises: 56 Girard Avenue

Mortgage Amount: \$2,825.00 & \$6,900.00
Block/Lot: 292/5
Location of Premises: 993 Hamilton Street

Mortgage Amount: \$10,600.00
Block/Lot: 319/10
Location of Premises: 51 Irvington Avenue

Mortgage Amount: \$4,575.00
Block/Lot: 386.01/8
Location of Premises: 1523 Hamilton Street

Mortgage Amount: \$9,890.00
Block/Lot: 96/9
Location of Premises: 150 Delmonico Avenue

Mortgage Amount: \$9,314.00 & \$5,400.00
Block/Lot: 287.02/42
Location of Premises: 27 Arden Street

Mortgage Amount: \$9,475.00
Block/Lot: 183/11
Location of Premises: 120 Brookline Avenue

Mortgage Amount: \$2,825.00
Block/Lot: 147/37
Location of Premises: 113 Chester Avenue

Mortgage Amount: \$9,950.00
Block/Lot: 237/16
Location of Premises: 108 Baier Avenue

Mortgage Amount: \$5,125.00
Block/Lot: 299/32
Location of Premises: 230 Hillcrest Avenue

Mortgage Amount: \$11,950.00
Block/Lot: 237/31
Location of Premises: 211 Matilda Avenue

Mortgage Amount: \$10,390.00
Block/Lot: 300/55.01
Location of Premises: 260 Girard Avenue

Mortgage Amount: \$8,700.00 & \$983.00
Block/Lot: 73.01/11
Location of Premises: 32 Elm Street

Mortgage Amount: \$8,540.00
Block/Lot: 329/12
Location of Premises: 27 Atlantic Road

Mortgage Amount: \$9,560.00
Block/Lot: 329/12
Location of Premises: 142 Rogers Avenue

Mortgage Amount: \$10,240.00
Block/Lot: 143/1-4
Location of Premises: 177 Mark Street

Mortgage Amount: \$7,327.00
Block/Lot: 96/30
Location of Premises: 163 Churchill Avenue

Mortgage Amount: \$3,600.00
Block/Lot: 275/24
Location of Premises: 37 Sumner Avenue

Mortgage Amount: \$1,680.00
Block/Lot: 175/2-4
Location of Premises: 578 Hamilton Street

Mortgage Amount: \$4,500.00
Block/Lot: 96/18
Location of Premises: 37 Annapolis Street

Mortgage Amount: \$5,300.00
Block/Lot: 180/181
Location of Premises: 31 Meister Street

Mortgage Amount: \$10,000.00
Block/Lot: 149/11
Location of Premises: 8 Irving Street

WHEREAS, said mortgages provide that the mortgage amount shall become immediately due upon the transfer of title by the Borrowers or death of the Borrowers or in the event there is more than one Mortgagor, upon the death of the last surviving Mortgagor, within a six (6) year period after the completion of the rehabilitation; and

WHEREAS, the aforesaid six (6) year period has expired and the mortgage is no longer required to be held by the Township;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk be and they are hereby authorized to sign Discharge of Mortgages and to have same filed with the County Recording Officer.

Resolution#07-374 Authorize Release of Planning/Building Review 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: St. Peter's University Hospital
 ADDRESS: 254 Easton Avenue
 PO Box 591
 New Brunswick, NJ 08903-0591
 DOCKET NO. PLN2005-0004
 BLOCK/LOT: 262/1-2 & 13
 LOCATION: 562 Easton Avenue
 TYPE: Planning Review
 AMOUNT DEPOSITED: \$3,600.00 (Heyer) \$2,400.00 (In-Hse)
 AMOUNT CHARGED: 3,047.50 825.00
 AMOUNT TO BE REFUNDED: \$ 552.50 \$1,575.00

APPLICANT: St. Peter's University Hospital
 ADDRESS: 254 Easton Avenue
 PO Box 591
 New Brunswick, NJ 08903-0591
 DOCKET NO. PLN2005-0004
 BLOCK/LOT: 262/1-2 & 13
 LOCATION: 562 Easton Avenue
 TYPE: Inspection Fees
 AMOUNT DEPOSITED: \$2,800.00 (In-Hse)
 AMOUNT CHARGED: 375.00
 AMOUNT TO BE REFUNDED: \$2,425.00

APPLICANT: Franklin Industrial Partners LLC
 ADDRESS: 33 Cotters Lane
 East Brunswick, NJ 08816
 DOCKET NO. PLN2006-0012
 BLOCK/LOT: 517.01/2.01
 LOCATION: Randolph Road & Pierce Street
 TYPE: Planning Review
 AMOUNT DEPOSITED: \$8,125.00 (CME) \$4,125.00 (Heyer) \$1,250.00 (In-Hse)
 AMOUNT CHARGED: 5,673.00 2,613.75 0.00
 ATTORNEY CHARGE 112.50
 AMOUNT TO BE REFUNDED: \$2,339.50 \$1,511.25 \$1,250.00

Resolution #07-375 Authorize Execution of Agreement with Somerset County for Senior Citizen Transportation for the period of July 1, 2007 to June 30, 2008.

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 NJSA 40:8A-1 et. seq. for Senior Transportation Services for the period July 1, 2007 to June 30, 2008 in an amount not to exceed \$52,106.00;

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.

Resolution #07-376 Authorize Release of Performance Guarantee – St. Peter's University Hospital – Block 262/Lots 1, 2 & 13 – 562 Easton Avenue – PLN2005-0004 - \$112,080.00.

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

ITEM: Irrevocable Letter of Credit
NAME OF APPLICANT: St. Peter's Hospital
ADDRESS OF APPLICANT: 254 Easton Avenue
 New Brunswick, NJ 08905-0591
DOCKET NO. PLN2005-0004
NUMBER: 68008349
INSURANCE CO./BANK: Bank of America
IN THE AMOUNT OF: \$112,080.00
FOR: Block 262/Lots 1-2 & 13 – 562 Easton Avenue – Site
 Improvements

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 \$112,080.00 be released to the above named applicant.

Resolution #07-377 Authorize Tax Title Lien Redemptions – Outside Buyers.

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: June 8, 2007
Block/Lot: 34.01
Name & Address: Chauncey Assocs.
 Box 122
 Franklin Park, NJ 08823
 For 3059 Route 27
Amount: \$1,890.29
Make Check Payable To: U.S. Bank Cust/SASS Muni V drt.
 2 Liberty Place – TLSSG
 50 So. 16th St., suite 1950
 Philadelphia, PA 19102
Certificate No.: 07-010
Payment Received: June 21, 2007

Date of Sale: June 8, 2007
Block/Lot: 73.02/59.12
Name & Address: Roper, Hercules & Andrea
 2 Phythian Court
 Somerset, New Jersey 08873
Amount: \$1,234.34
Make Check Payable To: U.S. Bank Cust/SASS Muni V drt

2 Liberty Place – TLSG
 50 So. 16th St., suite 1950
 Philadelphia, PA 19102
Certificate No.: 07-054
Payment Received: June 21, 2007

Date of Sale: June 8, 2007
Block/Lot: 171.02/23
Name & Address: Tracey, Diana M.,
 22 Boston Post Road
 East Brunswick, New Jersey 08816
 (For 93 Douglas Ave.)
Amount: \$2,608.54
Make Check Payable To: JNH Funding Corp.
 90 Dayton Ave., Bldg. 6C
 Passaic, New Jersey 07055

Certificate No.: 07-114
Payment Received: June 26, 2007

Date of Sale: June 8, 2007
Block/Lot: 59.05/13
Name & Address: Thomas, Judy M.
 8 Cornelius Way
 Somerset, New Jersey 08873
Amount: \$178.12
Make Check Payable To: Daxuan Wang
 11 Walnut Street
 Livingston, New Jersey 07039

Certificate No.: 07-052
Payment Received: June 27, 2007

Date of Sale: June 8, 2007
Block/Lot: 34.07/16.07C0061
Name & Address: O. Hinkson, Trustee
 120 Cedar Grove Lane, Suite 115
 Somerset, New Jersey 08873
 (For 1 Chelsea Court)
Amount: \$2,397.51
Make Check Payable To: Plymouth Park Tax Services
 P.O. Box 2288
 Morristown, New Jersey 07962-2288

Certificate No.: 07-026
Payment Received: June 27, 2007

Date of Sale: June 10, 2003
Block/Lot: 83/19.04
Name & Address: Field, Jeffrey A.
 3 Dutch Road
 Somerset, New Jersey 08873
Amount: \$1,817.25
Make Check Payable To: James C. Older
 87 East Mountain Road
 Hillsborough, New Jersey 08844

Certificate No.: 03-057
Payment Received: June 27, 2007

Date of Sale: June 8, 2004
Block/Lot: 195/6

Name & Address: Remson, Darryl J.
 507 Hamilton Street
 Somerset, New Jersey 08873
Amount: \$27,450.16
Make Check Payable To: Natu Patel
 505 Hoagland Court
 Hillsborough, New Jersey 08844
Certificate No.: 04-058
Payment Received: June 27, 2007

Date of Sale: June 8, 2006
Block/Lot: 270/5
Name & Address: Skinner, J. & McDonald, K.
 5 Vernon Avenue
 Somerset, NJ 08873
Amount: \$3,407.03
Make Check Payable To: JNH Funding Corp.
 90 Dayton Avenue, Bldg. 6C
 Passaic, NJ 07055
Certificate No.: 06-130
Payment Received: June 29, 2007

Date of Sale: June 8, 2007
Block/Lot: 270/5
Name & Address: Skinner, J. & McDonald, K.
 5 Vernon Avenue
 Somerset, NJ 08873
Amount: \$281.35
Make Check Payable To: JNH Funding Corp.
 90 Dayton Avenue, Bldg. 6C
 Passaic, NJ 07055
Certificate No.: 07-148
Payment Received: June 29, 2007

Date of Sale: June 8, 2007
Block/Lot: 85/36
Name & Address: Janovsky, George R.
 27 Bennetts Lane
 Somerset, NJ 08873
Amount: \$8,130.55
Make Check Payable To: SFS, LLC
 17 20th Street North, Ste. 210
 North Birmingham, AL 35203
Certificate No.: 07-059
Payment Received: June 29, 2007

Date of Sale: June 8, 2007
Block/Lot: 288/1.02
Name & Address: Wallace, Rhonda
 223 Hillcrest Avenue
 Somerset, NJ 08873
Amount: \$11,228.84
Make Check Payable To: SFS, LLC
 17 20th Street North, Ste. 210
 North Birmingham, AL 35203
Certificate No.: 07-155
Payment Received: June 29, 2007

Resolution #07-378 Amend Resolution Awarding FY2007 Somerset County Cooperative Bid – Allied Oil, LLC – Diesel Fuel for Township Vehicles and Board of Education Buses and Gas for Township Vehicles – Additional Amount Not to Exceed \$40,000.00.

WHEREAS, the Township of Franklin awarded a contract on July 11, 2006 to purchase items as follows through the Morris County Cooperative Purchasing, which items when combined with prior purchases exceed the prevailing bid threshold for the period of July 1, 2006 to June 30, 2007:

VENDOR: Allied Oil, LLC
25 Old Camplain Road
Hillsborough, NJ 08844

ITEMS: Diesel Fuel for Township Vehicles & Bd. of Education Buses (CC-41-05)
Gas for Township Vehicles (CC-09-06)

COST: \$440,000.00

WHEREAS, the amount of the contract was an estimate and the cost will exceed the original amount; and

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

NOW, THEREFORE, BE IT RESOLVED 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 amend the contract in the amount of \$40,000.00 with the above named vendor to purchase the specified items under Morris County Cooperative Purchasing resulting in a new contract total of \$480,000.00.

Resolution #07-379 Authorize Change Order #1 – Bianchi Renovations LLC – CDBG Rehab Shevchenko Avenue – Additional Amount Not to Exceed \$924.00.

WHEREAS, the Township Council awarded a CDBG Rehabilitation Contract with Bianchi Renovations for 1 Shevchenko Avenue in the amount of \$4,000.00 on June 12, 2007; and

WHEREAS, additional work is being requested in the amount of \$924.00;

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 authorize Change Order #1 for the CDBG Rehabilitation Contract as follows:

CONTRACTOR: Bianchi Renovations LLC
172 Cloverdale Circle
Tinton Falls, NJ 07724-3157

PROJECT: 1 Shevchenko Avenue

ORIGINAL AMOUNT: \$4,000.00

CHANGE ORDER #1 \$ 924.00

TOTAL AMOUNT: \$4,924.00

Resolution #07-380 Authorize Display of Fireworks – The Palace – Rumstead Wedding – July 28, 2007 – 9:00 p.m.

WHEREAS, The Palace has made application for permission to hold a fireworks display on Saturday, July 28, 2007 in conjunction with the Rumstead Wedding Celebration to be conducted at The Palace, 333 Davidson Avenue, Somerset; 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 public display of fireworks on Saturday, July 28, 2007 in conjunction with the Rumstead Wedding Celebration to be conducted at The Palace, 333 Davidson Avenue, Somerset 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.

Resolution #07-381 Consenting to the proposed Water Quality Management (WQM) Plan Amendment.

WHEREAS, the Township Council desires to provide for the orderly development of wastewater facilities within the Township of Franklin; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on May 21, 2007 for the Lower Raritan/Middlesex County Water Quality Management Plan has been prepared by Omni Environmental;

NOW, THEREFORE, BE IT RESOLVED on this 11th day of July 2007 by the Township Council of the Township of Franklin that:

1. The Township Council hereby consents to the amendment entitled Lower Raritan/Middlesex County Water Quality Management Plan Amendment, and publicly noticed on May 21, 2007, prepared by Omni Environmental for the purpose of incorporation into the WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

Resolution #07-382 Award State Contracts – Ikon Office Solutions for Recreation Photocopier for 4-year contract amount not to exceed \$24,000.00 – Lanier Worldwide, Inc. for Repro Room and Community Development each for a 3-year contract not to exceed \$55,000.00 total – Sharp Electronics Corp. For Police Detective Bureau for a 3-year contract not to exceed \$7,000.00 – Sharp Electronics Corp. for Municipal Court for a 3-year contract not to exceed \$7,000.00.

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:

VENDORS: *Ikon Office Solutions*

567 Route 46 West
Fairfield, NJ 07004
SC 64039

ITEMS: Recreation Photocopier – 4-year contract, Speed Band 7
\$483.25/month for 50,000 copies, \$.0097/copy for overages

COST: \$24,000.00 for four-year contract

VENDORS: *Lanier Worldwide, Inc.*

485 Route 1 South, Building F/Suite 120
Iselin, NJ 08839
SC 64043

ITEMS: Repro Room & Community Development Photocopiers (all departments)
– 3-year contract, Speed Band 8
\$712.50/month for 75,000 copies per machine, \$.0095/copy for overages

COST: \$55,000.00 for three-year contract for both machines

VENDORS: *Sharp Electronics Corp.*

One Sharp Plaza
Mahwah, NJ 07430
SC 64040

ITEMS: Police Detective Bureau Photocopier – 3-year contract, Speed Band 3
\$175.20/month for 12,000 copies, \$.0146/copy for overages

COST: \$7,000.00 for three-year contract

VENDORS: *Sharp Electronics Corp.*

One Sharp Plaza
Mahwah, NJ 07430
SC 64040

ITEMS: Municipal Court – 3-year contract, Speed Band 3
\$175.20/month for 12,000 copies, \$.0146/copy for overages

COST: \$7,000.00 for three-year contract

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 contracts with the above named vendors to purchase the specified items under State Contract.

Resolution #07-383 Award Non-Fair and Open Contract – Spatial Data Logic – Support of the Land Development Software for July 1, 2007 to June30, 2008 – Amount Not to Exceed \$24,800.00.

WHEREAS, a need exists to contract for the below noted services 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, Spatial Data Logic has completed and submitted a Business Entity Disclosure Certification which certified that they have 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 Spatial Data Logic 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: *Spatial Data Logic*
ADDRESS: 270 Davidson Avenue, Suite 301
 Somerset, NJ 08873
CONTRACT AMOUNT: \$24,800.00
SERVICE: Support of the Land Development Software
CONTRACT PERIOD: July 1, 2007 though June 30, 2008

Resolution #07-384 Award Purchase – Suydam Insurance – Various Bonds and Accident Policies – Amount Not to Exceed \$17,187.00.

WHEREAS, the Township of Franklin desires to purchase items as follows:

VENDOR: SUYDAM INSURANCE AGENCY
ITEM: Accident Policy for Department of Recreation; Department of Community Resources; Community Celebrations and Park Administration – July 1, 2007 – July 1, 2008
 Local Administrator: Suydam Insurance, 1743 Route 27, Somerset, NJ 08873
COST: \$16,585.00
ITEM: Accident Policy: Work Release Program: July 1, 2007 to July 1, 2008
 Local Administrator: Suydam Insurance, 1743 Route 27, Somerset, NJ 08873
COST: \$602.00

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey:

- (1) Authorizes the Mayor and Township Clerk to execute a contract with the above named vendor to purchase the specified items, which contract shall be maintained on file with the Township Clerk and available for public inspection.
- (2) This contract is awarded without competitive bidding and in accordance with the requirements for Extraordinary Unspecifiable Services in accordance with NJSA 40A:11-5(1) (M) of the Local Public Contracts Law.
- (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 Extraordinary Unspecifiable 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 Extraordinary Unspecifiable Service Agreement authorized herein.

Resolution #07-385 Authorize Issuance of Special Event Permit – Second Chance for Animals – Walk to Benefit Township Animal Shelter – September 9, 2007 (Raindate: September 16, 2007) – 1:00 p.m. to 4:00 p.m.

WHEREAS, a request has been received from Second Chance for Animals for permission to have a Walk to benefit the Franklin Township Animal Shelter on September 9, 2007 (Raindate: September 16, 2007) from 1:00 pm to 4:00 pm, to be conducted on DeMott Lane and New Brunswick Road to Hexham Drive; and,

WHEREAS, Second Chance for Animals has requested that the Permit Fee of \$125.00 be waived since they represent a non-profit organization; 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 Second Chance for Animals to conduct a Walk to benefit the Franklin Township Animal Shelter on September 9, 2007 (Raindate: September 16, 2007), on DeMott Lane and New Brunswick Road to Hexham Drive, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Assistant Director of Health; and,

BE IT FURTHER RESOLVED that the permit fee of \$125.00 be waived since said organization is a non-profit organization.

Resolution #07-387 Award Bid – Schifano Construction – Local Street Resurfacing – Amount Not to Exceed \$268,105.00.

WHEREAS, a notice to bidders for the receipt of bids for Local Street Resurfacing was published in the Courier News on May 24, 2007 for receipt on June 21, 2007; and

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

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

SCHIFANO CONSTRUCTION
One Smalley Avenue/PO Box 288
Middlesex, NJ 08846

Local Street Resurfacing

Streets include: Yorkshire Road, Hall Street, April Lane, Hilltop Lane, Alex Place, Dumont Street, Elmwood Street, Indiana Road, Brookline Avenue, Highwood Road and Rose Street

Amount not to exceed \$268,105.00

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 company.

Resolution #07-388 Authorize Issuance of 2007-2008 Liquor License Renewals (Chauncey's Pub & Restaurant and Somerset Marriot Hotel).

WHEREAS, applications have been received for one (1) Plenary Retail Consumption License and one (1) Plenary Retail Consumption License issued under the Hotel-Motel Exception; and

WHEREAS, these applications have 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:

- (1) The submitted application forms are complete in all respects:
- (2) The applicants are qualified to be licensed according to all statutory, regulatory and Local Government Alcoholic Beverage Control Laws and Regulations;
- (3) 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

NOW, THEREFORE, BE IT RESOLVED this 10th day of July 2007 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 one (1) Plenary Retail Consumption License to the following:

1808-33-002- WE B Inc.
002

t/a Chauncey's Pub & Restaurant
3059 Route 27, Franklin Park

BE IT FURTHER RESOLVED the Clerk is instructed to issue one (1) Plenary Retail Consumption Licenses under the Hotel/Motel exception as follows:

1808-36-022- 003	Equistar Somerset Co., LLC	t/a Somerset Marriott Hotel 110 Davidson Avenue, Somerset NJ 08873
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Resolution #07-389 Award Contract – Omega Construction, Inc. – Concrete Work at Various Township Locations – Amount Not to Exceed \$13,275.00.

WHEREAS, the Township of Franklin desires to purchase items as follows which do not exceed the bid threshold but which exceed the limits set forth in Chapter 3, Section 3-13; and

WHEREAS, quotations as required by NJSA 40A:11-1 et seq. have been received;

VENDOR: *Omega Construction Inc.*
19 Charles Street
South River, NJ 08882

ITEMS: Concrete work at various Township locations

COST: Not to exceed \$13,275.00

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

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.

Resolution #07-390 Authorize Submission of Grant Application – Somerset County Municipal Planning Partnership Grant – Canal Access Plan to provide public access to the D&R Canal in the northeast section of Township – Grant Amount: \$30,000.00.

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 in the amount of \$30,000.00 to the Somerset County Municipal Planning Partnership Grant for funding for a Canal Access Plan to provide access to the D&R Canal in the northeast section of the Township and does authorize the appropriate Township officials to execute these grant applications on its behalf.

Resolution #07-391 Authorize Execution of Grant Agreement – Somerset County Youth Athletic & Recreational Facilities Grant – Improvements to Various Municipal Parks – Grant Amount: \$15,000.00.

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 execution of a grant agreement in the amount of \$15,000.00 from the Somerset County Youth Athletic and Recreation Facilities Grant for funding for improvements to municipal parks and does authorize the appropriate Township officials to execute said grant agreement on its behalf.

Resolution #07-392 Authorize Submission of Grant Application – New Jersey Department of Law & Public Safety – Division of Criminal Justice – Body Armor Replacement Fund Grant – Provides lifesaving equipment for law enforcement officials – Grant Amount to be determined.

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 New Jersey Department of Law and Public Safety Division of Criminal Justice for funding for lifesaving equipment for Franklin Township Police Officers in an amount to be determined subsequent to submission of the application and does authorize the appropriate Township officials to execute these grant applications on its behalf.

Resolution #07-393 Award Non-Fair and Open Professional Services Agreement – Government Services Group, LLC – Financial Services – August 1, 2007 to December 31, 2007 – Amount Not to Exceed \$54,000.00.

WHEREAS, a need exists to contract for the below noted services 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, Government Services Group, LLC had submitted a proposal indicating they would provide Financial Services for the period of August 1, 2007 to December 31, 2007 in a amount not to exceed \$54,000.00; and

WHEREAS, Government Services Group, LLC has completed and submitted a Business Entity Disclosure Certification which certified that Government Services Group, LLC 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 Government Services Group, LLC 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: GOVERNMENT SERVICES GROUP, LLC
ADDRESS: 15 Shaffer Road
 Bridgewater, NJ 08807
CONTRACT AMOUNT: Amount Not to Exceed \$54,000.00
 (08/01/07 to 12/31/07)
SERVICE: Financial Services

Resolution #07-394 Authorize Issuance of Raffle Licenses.

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

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

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

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

<u>NAME OF ORGANIZATION</u>	<u>DATE OF RAFFLE/BINGO</u>
St. Peter & Paul Byzantine Catholic Church 285 Hamilton Street, Somerset, NJ Bingo – BL#1598A	Revision of Starting Time Addition of Prize July 19,26; Aug. 2,9,16,23,30 Sept. 6,13,20,27;Oct.4,11,18,25 Nov.1,8,15,22,29; Dec. 6,13,27
St. Peter & Paul Altar Rosary Society Bingo – BL#1601A	July21,28;Aug.4,11,18,25 Sept.1,8,15,22,29;Oct.6,13,20,27 Nov.3,10,17,24;Dec.1,8,15,29
Drawings: St. Peter & Paul Auditorium	

Resolution #07-395 Amend Contract – Oxford – Health Insurance FY2007 – Increase from \$3,500,000.00 to \$3,706,550.00.

WHEREAS, there is a need to increase the amount authorized for Oxford Health by \$206,550.00, new total amount - \$3,706,500.00; and

WHEREAS, the Township of Franklin desires to amend purchase items as follows which are exempt from the bidding requirements of the Local Public Contracts Law and meeting the requirement of an Extraordinary Unspecifiable Service (**NJSA 40A:11-5(m)**):

VENDOR: Oxford Health
ITEM: Health Insurance - Township Employees
COST: Additional \$206,550.00 – New Total \$3,706,550.00 for the period July 1, 2006 to June 30, 2007

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset that the above purchase be authorized subject to the following provisions:

- (1) This contract is awarded without competitive bidding as a exemption under the provisions of the Local Public Contracts Law, NJSA 40A:11-5(1)(m).

- (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 contract 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 contract authorized herein.

Resolution #07-396 Determine that the 66 unit Franklin Boulevard Commons Project meets or will meet existing housing need and enable Agency to process the Sponsor's application for Agency funding to finance the Project.

WHEREAS, Franklin Boulevard Commons Urban Renewal Associates, L.P. (hereinafter referred to as the "Sponsor") proposes to construct a (*) 66 unit housing project (hereinafter referred to as the "project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the Township of Franklin (hereinafter referred to as the "Municipality") on a site described as Lots 1-28, Block 129 as shown on the Official Assessment Map of the Township of Franklin, Somerset County and commonly known as Franklin Boulevard Commons, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, the Project will be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Franklin (the "Council") that:

- (1) The Council finds and determines that the (*) _66 unit Franklin Boulevard Commons Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

Resolution #07-397 Support Application for Franklin Boulevard Commons Project to New Jersey Department Community Affairs Neighborhood Balanced Housing Program.

WHEREAS, Franklin Boulevard Commons Urban Renewal Associates, L.P., desires to apply for and obtain funds from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C. 5:43-1 and FF for the purpose of constructing affordable housing at Franklin Boulevard Commons in the Township of Franklin, County of Somerset and State of New Jersey; and

BE IT THEREFORE RESOLVED, that the Township of Franklin (County of Somerset) does hereby support this application for such funds to the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program and acknowledge that they are an eligible municipality in accordance with N.J.A.C 5:43-1.3(b)(c)(d). The municipality also asks that a waiver of N.J.A.C 5:43-1-3(a), as permitted under N.J.A.C 5:43-1.6, be granted to allow Franklin Boulevard Commons Urban Renewal Associates, L.P., as permitted under N.J.A.C 5:43-3.1 (a) (1), to contract only for this project, directly with the Department of Community Affairs.

Resolution #07-398 Award Bid – Zelekowitz, Jeffrey & Zelekowitz, Neil – Plenary Retail Consumption License - \$256,000.00.

WHEREAS, as a result of the certified Federal Census figure for 2000 Census, the population of Franklin is 50,903, there exists in the Township of Franklin the authority to issue two (2) Plenary Retail Consumption License and one (1) Plenary Retail Distribution License for the sale of alcoholic beverages; and

WHEREAS, on January 11, 2005, the Township Council awarded the sale of one (1) Plenary Consumption License and one (1) Plenary Distribution License, resulting in the remainder of one (1) Plenary Consumption License; and

WHEREAS, at the March 13, 2007 Franklin Township Council adopted Resolution No. 07-143, authorizing the sale of one (1) plenary retail consumption license with a minimum bid of \$250,000; and

WHEREAS, sealed bids and other required documentation were delivered to the Office of the Municipal Clerk at or before 12 Noon on Tuesday, May 1, 2007; and

WHEREAS, the Township Clerk delivered a public announcement of all presumptively qualified bidders on Tuesday, May 8, 2007 at 12:00 Noon as fixed as the date, time and location when sealed bids would be opened; and

WHEREAS, one bid was received for one (1) plenary consumption license from Jeffrey & Neil Zelekowitz, 23 West 73rd Street, NY, NY 10023 in the amount of \$256,000 and the applicant meets all special conditions and requirements contained in the bid notice and Chapter 75, NJSA 13:1-2 et. seq. and NJAC 13:2-1.1 et. seq.;

WHEREAS, the submitted application form is complete in all respects, the ten percent (10%) bid deposit of \$25,600 has been paid; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Franklin, County of Somerset and State of New Jersey does hereby award the aforesaid Plenary Retail Consumption License to Jeffrey & Neil Zelekowitz in the amount of \$256,000 and the conditions of sale will be complied within six (6) months of said award of license.

Resolution #07-399 Rescind Contract – Design and Print Newsletter – Garrison Printing – Flawed Specifications.

WHEREAS, on June 12, 2007, Garrison Printing, 7155 Airport Highway, Pennsauken, NJ 08109, was awarded the contract for Design and Print Newsletter in an amount not to exceed \$30,000.00; and

WHEREAS, it has been determined by the Purchasing Administrator that the specifications were flawed and the contract be rescinded; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County that the contract with Garrison Printing, 7155 Airport Highway, Pennsauken, NJ 08109, for Design and Print Newsletter in an amount not to exceed \$30,000.00 is hereby rescinded.

Resolution #07-400 Extend FY2007 Contract – Design and Print Newsletter – Summit Ad Group – Amount Not to Exceed \$9,500.00 – 2007 Fall Issue.

WHEREAS, it has been determined that there was an error in the bid specifications for the design and printing of the Township’s newsletter; and

WHEREAS, as a result, the contract awarded on June 12, 2007 to Garrison Printing has been rescinded; and

WHEREAS, until a new contract in is place, the Purchasing Administrator recommends extending the contract with the previous vendor, Summit Ad Group, Inc. for the Fall, 2007 Issue; and

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

BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following contracts be extended for the Fall, 2007 Issue of the Township’s Newsletter:

Summit Ad Group Inc.
312 North Avenue East
Cranford, NJ 07016

Total amount not to exceed \$9,500.00

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.

Resolution #07-403 Authorize Grant Agreement – Somerset County Department of Human Services – 2008 Municipal Alliance for Prevention of Substance Abuse - \$49,616.00 – Cash Match of \$10,904.00/In-Kind Services - \$32,712.00.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin does hereby authorize the Mayor and Township Clerk to execute on its behalf 2007 Franklin Township Municipal Alliance for Prevention of Substance

Abuse Grant Agreement with the Somerset County Department of Human Services in the amount of \$49,616.00 with a cash match of \$10,904.00 and in-kind services in the amount of \$32,712.00.

RESOLUTION, VOTED ON SEPARATELY

Resolution #07-386 Authorize Release of Winter Bond – Canal Walk Associates LLC – P99050P - \$2,500.00 – Block 513.34/Lot 17 (133 Saratoga Court) – Block 513.34/Lot 19 (129 Saratoga Court) – Block 513.34/Lot 20 (1297 Saratoga Court) – Block 513.34/Lot 21 (125 Saratoga Court) – Block 513.34/Lot 22 (123 Saratoga Court).

Mayor Levine presented the following resolution:

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

ITEM:	Winter Bond
NAME OF APPLICANT:	Canal Walk Associates LLC
ADDRESS OF APPLICANT:	112 Schoolhouse Road Somerset, NJ 08873
NUMBER:	N/A
INSURANCE CO./BANK:	N/A
DOCKET:	N/A
IN THE AMOUNT OF:	\$2500.00
FOR:	Block 513.34/Lot 17 – 133 Saratoga Court Block 513.34/Lot 19 – 129 Saratoga Court Block 513.34/Lot 20 – 127 Saratoga Court Block 513.34/Lot 21 – 125 Saratoga Court Block 513.34/Lot 22 – 123 Saratoga Court

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

WHEREAS, the Township Engineer, after inspection, recommended release 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 Guarantees in the amount of \$2500.00 be released to the above named applicant.

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

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

FY2008 HAMILTON STREET SPECIAL IMPROVEMENT DISTRICT BUDGET

Public Hearing

Mr. Prasad moved to open the meeting for public hearing on the FY2008 Hamilton Street Special Improvement District Budget. Said motion was seconded by Ms. Francois and carried unanimously upon voice vote.

Phillip Kramer, 429 Canal Road, asked how much was the budget. Mayor Levine replied \$100,000.00.

There being no further comments from the public, Ms. Francois moved to close the meeting for public hearing on the FY2008 Hamilton Street Special Improvement District Budget.. Said motion was seconded by Mr. Glicklich and carried unanimously upon voice vote.

Resolution #07-401 Read Budget by Title

Mayor Levine presented the following resolution:

BE IT RESOLVED, by the Township Council of the Township of Franklin, County of Somerset that it hereby determines that the FY2008 Hamilton Street Special Improvement District Budget shall be read by its title, as per NJSA 40:56-84 and it is declared that all required conditions have been met.

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

Resolution #07-402 Adopt FY2008 Hamilton Street Special Improvement District Budget

Mayor Levine presented the following resolution:

WHEREAS, at it meeting of June 12, 2007, the Township Council of the Township of Franklin introduced and approved the Hamilton Street Special Improvement District Budget for the period of July 1, 2007 – June 30, 2008, which budget is annexed hereto: and

WHEREAS, after notice of advertisement in the Township's official newspaper, *The Courier News*, the Township Council conducted a public hearing on June 18, 2007; and

WHEREAS, the Township Council has determined that at least one (1) week prior to the hearing, a complete copy of the proposed budgets were (a) advertised; (b) posted in the Township Clerk's Office; and (c) made available to each person requesting the same before and during the public hearing; and

WHEREAS, all persons having interest in the budget were given the opportunity to present objections; and

WHEREAS, the Township Council of the Township of Franklin having considered the comments at the public hearing is of the opinion that it is appropriate and desirable to adopt the budget by resolution after closing the hearing;

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

- 1] The Hamilton Street Special Improvement District budget is approved by the Township Council of the Township of Franklin and it is approved for the period of July 1, 2007 – June 30, 2008 in the amount of \$100,000 to the Hamilton Street Special Improvement District.
- 2] This special assessment is hereby imposed and shall be collected with wither the regular tax payment (or payment in lieu of taxes), or otherwise, on properties located

within the Township of Franklin as set forth within the ordinance and the assessment as follows: Schedule A shall be assessed at \$100,000.

- 3] Payments to the District received by the Township of Franklin shall be transferred to the Hamilton Street Business and Community Corporation to be expended in accordance with the approved budget; and
- 4] The Township Clerk is hereby authorized to forward a certified copy of this resolution to Hamilton Street Special Improvement District Management Corporation, the Somerset County Board of Taxation, and the Director of the Division of Local Government Services in the State of New Jersey Department of Community Affairs.
- 5] Budget - \$100,000

GENERAL APPROPRIATIONS & EXPENSES

General Administration	\$ 38,000.00
Insurance	1,500.00
Promotions and Public Relations	10,000.00
Quality of Life	38,000.00
Grantsmanship	5,500.00
Business Recruitment	7,000.00
TOTAL BUDGET AMOUNT	\$100,000.00

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

ADJOURNMENT

Mr. Glicklich moved to adjourn the meeting at 8:31 p.m. Said motion was seconded by Ms. Francois and carried unanimously upon call of the roll.

Approved: *As Submitted.*

Brian D. Levine, Mayor

Date: *August 14, 2007*

Ann Marie McCarthy, Township Clerk