

The Work Session/Regular Meeting of the Township Council of the Township of Franklin, County of Somerset, New Jersey, was called to order by Mayor Levine at 7:05 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 Franklin Township Municipal Complex at 7:00 p.m. on April 10, 2012. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.”

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

The Township Clerk called the roll.

Present: Mr. Chase, Ms. Francois (arrived at 7:55 p.m.), Deputy Mayor Kramer, Mayor Levine, Mr. Prasad, Ms. Sherman, Mr. Vassanella, Mr. Wright

Absent: Mr. Regan

Also present: Craig R. Novick, Township Manager, Louis N. Rainone, Township Attorney and Ann Marie McCarthy, Township Clerk.

COMMENDATIONS/PROCLAMATIONS

Boys Council NJRPA Award

Mayor Levine and Councilman Wright presented the following commendations:

Bruce Medley and Dennis Lue

WHEREAS, the Governing Body and the residents of the Township of Franklin, County of Somerset, New Jersey wish to extend sincere appreciation and commendation to **BRUCE MEDLEY and DENNIS LUE** for your outstanding guidance, dedication and support to the participants of the Boys Council Summer Challenge Program which has been recognized by the New Jersey Recreation Parks Association with the 2012 Daniel M. Gasalberti award for Excellence in Recreation Programming.

NOW, THEREFORE, I, Mayor Brian D. Levine, on behalf of the Township Council and all residents of the Township of Franklin, do hereby salute and acknowledge **BRUCE MEDLEY & DENNIS LUE** and thank them sincerely for enriching the lives of the youth of Franklin Township.

Alice Osipowitz

WHEREAS, the Governing Body and the residents of the Township of Franklin, County of Somerset, New Jersey wish to extend sincere appreciation and commendation to **ALICE OSIPOWITZ** for your outstanding guidance, dedication and support that has helped to make available a wide range of services to the youth of the community and specifically the Boys Council Challenge Program which has been recognized by the New Jersey Recreation Parks Association with the 2012 Daniel M. Gasalberti award for Excellence in Recreation Programming.

NOW, THEREFORE, I, Mayor Brian D. Levine, on behalf of the Township Council and all residents of the Township of Franklin, do hereby salute and acknowledge **ALICE OSIPOWITZ** and thank her sincerely for enriching the lives of the youth of Franklin Township.

Sierra Leone Independence Celebration

Councilman Vassanella presented the following proclamation:

WHEREAS, The 51st Anniversary of the Independence of the Republic of Sierra Leone, West Africa, will be celebrated by citizens and friends of Sierra Leone in communities all over the world on April 27, 2012; and

WHEREAS, many local Sierra Leonean organizations and individuals are dedicated to the principles of civic, economic and educational programs within the Township of Franklin and are dedicated to encouraging reflection on the rich history and teachings of African Americans and bearing witness to the progress, beauty and achievements they have made throughout our community; and

WHEREAS, the Mayor and Council of the Township of Franklin, County of Somerset, New Jersey, and all citizens of the Township wish to acknowledge and acclaim the contributions of our Sierra Leone community to the life of our community,

NOW, THEREFORE, I, Councilman James Vassanella, on behalf of the Mayor and Township Council of the Township of Franklin, County of Somerset, New Jersey do hereby proclaim **SIERRA LEONE DAY - APRIL 27, 2012 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY.**

MAYOR'S REPORT

Mayor Levine made the following report:

- Welcomed all those attending and TV viewers.
- Explained how the meeting is conducted and announced it is live.
- Reminded all that most of the meetings are public and are generally held on the 2nd and 4th Tuesdays of the month with the exception of July, August and December.
- Displayed his Mug of the Meeting from Franklin Township.
- Announced he did a Comcast Newsmaker interview regarding the budget.
- Announced the Township received a NDOT Grant to repave DeMott Lane in the amount of \$200,000.00.
- Reported on the New Jersey Regional Coalition Forum at the Hyatt Hotel in New Brunswick on March 9, 2012.
- Announced the Lt. Governor was at the Municipal Building for a dedication of our 9/11 Memorial.
- Reported on the following upcoming events: Assembly Speaker Oliver will speak at the Imperia this week.
- Reminded all to file their tax forms by April 17th.

DEPUTY MAYOR'S REPORT

Deputy Mayor Kramer reported on the retirement of Lt. Robert Vornlocker and the hiring of him as the Township's new Special Projects Manager.

PUBLIC DISCUSSION

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

Mayor Levine announced the meeting is open for the public discussion. Anyone interested in speaking to please raise their hand and when recognized, state their name and address.

Ronald Pavone, DeMott Lane, spoke on the topic of the State of Education in our Time.

Fodi Mansuri, Bennetts Lane, spoke on Ordinance No. 3973-12 – RPM PILOT Program and cautioned Council on tax abatement for 30 years. He stated Council needs to take a careful look about not putting in more residential homes in the Township that will increase the population in the schools.

Richard Onderko, 921 Louis Street, Manville Councilman, here on behalf of residents of Manville, regarding of flood mitigation plan. He stated that everyone is aware the quality of life in Manville has decreased over the last 5 years with more homes at flood risk. He stated 40 businesses flooded and spoke of the need of a regional approach of flood mitigation and working with Army Corps. He spoke of the massive levy system being constructed on Millstone River by the Pillar of Fire. He asked several questions for Mayor including: “Was a flood study conducted? Is the levee safe and was it inspected? Was the Army Corps of Engineers involved? He spoke of the residents’ concerned about dirt, noting that the NJDEP has no record of work or the status of work. He asked who they should contact. The answers will be supplied by Craig Novick and Thomas Zilinek to Manville Administrator Gary Garwacke.

Danny Grieco, 704 Lincoln Avenue, 17 years, spoke of his flooding problems over the last several years. He expressed his concerns regarding the levee being built on the canal. Mr. Novick stated is important to note that Zarephath is a private community and the Township has been regulating them. He stated they would contact appropriate agencies to see what they can or cannot do.

Manijeh Saba – 146 Emerson Road expressed her concerns regarding issues of flood control and run offs. She spoke on her proposed resolution on foreclosures and noted she has not heard any discussions and asked if it was possible for this to be kept in mind. She stated she spoke with Central Jersey Resource Housing Center and with Sharon Clarke to address the issue of foreclosures. She stated serious intervention is needed on this matter.

Walter Howard, 148 Coddington Avenue, spoke on his prior request for a release of his deed restriction and had a discussion with LR regarding history of denial of release of restriction. Ms. Francois asked if Council was being fair and had set a precedent.

There being no further comments from the public, Ms. Sherman moved to close the public discussion portion of the meeting. The motion was seconded by Mr. Prasad and carried unanimously upon voice vote.

STANDING COMMITTEE REPORTS

a) Administration

Ms. Sherman reported the Administration had the opportunity to meet with the Township’s new Grant Writer. She stated the Committee was impressed with her knowledge and energy. She stated they need to feed her what projects they want so she can look for specific grants.

b) Financial Oversight

Deputy Mayor Kramer stated that his report relates to the Budget and the PILOT ordinances and he would report at those specific times in the meeting.

c) Public Safety

Mr. Vassanella reported that this committee met today and discussions are being researched and recommendations will be back in about 6 weeks concerning summer safety and parks. He stated they discussed in midst of putting short term needs assessment study initiatives and maintenance to existing parks as well as upgrades to Middlebush Park and other areas. They are also reviewing safety standards on projects moving forward.

d) Land Use, Open Space, Parks & Recreation

Councilman Wright reported on proposed improvements on Middlebush Park and that the Planning Board will address lighting, cameras, etc. in the park. He stated there is an issue for a second field – whether to do it now or later. He stated the SGS trailers may take out some of the fields and they are considering (Rick Goetz) alternate locations for trailers which could end up going anywhere on the property. It has been suggested to move the trailer or soccer field itself to different area and noted they are working on it and it needs to be addressed.

Mr. Novick stated he is working with the Township Engineer and Recreation Director on this matter and it is their ultimate goal to move forward as soon as possible. He reported they have advertised for bids on the first field which should be installed and ready for fall season. Bids are to be received on April 19th. The second field may postpone depending on the timetable and the stormwater issues and D&R Canal approval (in the past it took 90 days for approval). It is recommended to get the first one done now and work to get others done later.

Mr. Wright stated they are not giving up on the second field and expressed his wish the new director on the D&R Canal Board will expedite this process and not hold things up. He stated Middlebush Park in on the agenda for the Recreation Advisory Council at its meeting tomorrow evening.

e) Public Works

Mr. Chase reported this committee met last month and devoted it's time to a presentation by Lynn Stuchliffe from Energy Solutions which is helpful to the Township regarding its stimulus money and energy program as well as the management of the payment of utility bills; how to pay efficiently and to possibly save 11-16 dollars on every bill.

COUNCIL COMMENTS/REPORTS

Mr. Francois acknowledged Sierra Leone residents and supported their parade and special event permit.

Motion - Amend agenda

Ms. Francois made a motion to move the Sierra Leone Special Event Permit Resolution from the consent agenda to this point in the meeting for action now. Said motion was seconded by Mr. Wright and carried unanimously upon call of the roll:

Resolution #12-158 Authorize Issuance of Special Events Permit (subject to compliance of Township ordinances and regulations) – Sierra Leone Community of New Jersey – Celebration of 51st Anniversary of Independence – Naaman Williams Park – April 21, 2012 – 1-7 p.m.

Mayor Levine presented the following resolution for consideration by the Township Council:

WHEREAS, a request has been received from the Sierra Leone Community of New Jersey, for a Parade to be held on April 21, 2012 from Noon to 3:00 p.m. on Highland Avenue to Hamilton Street to Millstone Road and its Community Festival to be held on April 21, 2012 from 2:00 p.m. to 7:00 p.m. on at Naaman Williams Park; and

WHEREAS, the Sierra Leone Community of New Jersey are allowed to enter Naaman Williams Park at 1:00 p.m. to set up for the festival as per the Park Permit to be issued by the Director of Parks and Recreation; and

WHEREAS, the Sierra Leone Community 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 the Sierra Leone Community of New Jersey for its Parade to be held on April 21, 2012 from Noon to 3:00 p.m. on Highland Avenue to Hamilton Street to Millstone Road and its Community Festival to be held on April 21, 2012 from 2:00 p.m. to 7:00 p.m. on at Naaman Williams Park subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention, Director of Parks & Recreation and Somerset County Director of Health as follows:

A. The Chief of Police requires that the following conditions need to be met:

- 1) There needs to be four (4) police officers present at Naaman Williams Park starting at 2:00 pm until 7:00 pm.
- 2) Applicant shall deposit with the Township Finance Director, at least five (5) days prior to the event, an escrow amount sufficient to cover the cost of said off-duty police protection in accordance with the fee schedule set forth in the Township Code;
- 3) Payment to said off-duty police officer for services provided shall be made by the Finance Department from said escrow deposit. Should escrow funds be found insufficient, the Applicant shall deposit additional funds with the Finance Department to cover the remaining cost of off-duty police protection;
- 4) Any unused monies deposited for off-duty police protection shall be returned by the Township Clerk to the person or organization making the deposit upon approval of the Chief of Police.

B. The Director of Parks and Recreation requires that the following conditions need to be met:

- 1) There needs to be two Township staff members present at Naaman Williams Park starting at 12:00 pm until 7:00 pm.
- 2) Facility layout requires adherence to Parks & Recreation requirements; and

C. The Somerset County Director of Health requires, and the applicant has been so informed, that all Temporary Food License applications be submitted to the Health Department by April 11, 2012; and

BE IT FURTHER RESOLVED that the conduct of said Parade requires the closing of streets, public roadways of the Township of Franklin, and said closing is subject to the following conditions:

- (1) Said public roadway shall be closed to traffic between the hours when the Event commences and the time the event will be totally finished;
- (2) The closing of said public roadway in conjunction with said Event shall be accomplished in a manner whereby access by emergency vehicles is easily maintained at all times;
- (3) The Applicant shall notify all persons and businesses affected by said road closing. Said notice shall be in writing and served upon the person/business in person or by certified mail at least ten (10) days prior to the event. Affidavit of Service to said affected persons/businesses shall be prepared by the Applicant and filed with the Township Clerk at least five (5) days prior to the event;
- (4) Applicant shall provide an Insurance Policy to cover the Event and the closing of the aforesaid public roadway in conjunction therewith in the amount of \$1,000,000. Said policy shall name the Township of Franklin as additionally insured and a Certification of same shall be filed with the Township Clerk at least 5 day prior to the event;
- (5) Written permission from the Board of Education allowing the use of Pine Grove School as a staging point for the parade is required;
- (6) Ten (10) Police Officers are required to be hired to conduct traffic control along the parade route to ensure the safe and efficient movement of traffic and attendees. The hours for these officers shall be from 11:00 am to 3:00 pm.

BE IT FURTHER RESOLVED that in accordance with Section 97-6 (e) of the Township Code that there shall be deposited with the Township Clerk a cash deposit, money order, certified check or treasurer's check in the amount of \$300.00 to guarantee the maintenance of the premises on which the applied for activity is to be conducted; and,

- (1) If at the end of such activity, the Health Inspector of the Township decides that the premises were not returned to the condition they were in as of the time that the applied for activity commenced, he/she shall be authorized to return the premises to such condition and to pay for having same done out of the deposit left with the Township Clerk for such purposes;
- (2) Any unused monies deposited for maintenance shall be returned by the Township Clerk to the person or organization making the deposit upon approval of the Health Inspector.

BE IT FURTHER RESOLVED that the Applicant shall be responsible for providing for a health inspector to check at various times during the event the noise level to ensure that it is in compliance with Municipal Code Chapter 167 to the satisfaction of the Somerset County Health Director; and

- (1) Applicant shall deposit with the Township Finance Director, at least five (5) days prior to the event, an escrow amount sufficient to cover the cost of said health inspector in accordance with the fees set forth by the Somerset County Health Director;
- (2) Payment to said health inspector for services provided shall be made by the Finance Department from said escrow deposit. Should escrow funds be found insufficient, the Applicant shall deposit additional funds with the Finance Department to cover the remaining cost of the health inspector;

- (3) Any unused monies deposited for the health inspector shall be returned by the Township Clerk to the person or organization making the deposit upon approval of the Health Director.

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

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>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			
Vassanella	Wright				

Mr. Vassanella acknowledged the anniversary of Sierra Leone's independence. He spoke about the flooding problems in Manville and expressed his disconcern that the state and federal governments are not doing enough. He thanked Mr. Prasad and Mr. LaCorte for their work on the ceremony for the 9/11 Memorial. He stated it was nice to see Mr. Pavone in the audience. He announced it is the opening weekend for Little League this weekend and last weekend it was the start of spring soccer. He announced the public hearing by the NJDOT in Route 287 on April 17th.

Ms. Sherman congratulated John McArdle, FHS graduate 2010 on his winning the National Wrestling Championship at Middlesex County College in the 184 pound class as well as being names All-American and Outstanding Wrestler. She noted Earth Day is soon and urged those interested in participating in the recycling guided tours at the County facility. She announced the Career Expo is on April 19th. She stated the Cultural Arts Council is working on the entertainment for the Fourth of July celebration. She spoke on communication issues including community calendar; township newsletter, facebook and twitter. The Township Manager was directed to look into the legal and procedural aspects of the social media with the Township.

Mr. Wright announced he attended mock interviews before the meeting at the Community Center. He urged parents to bring their teens in next year. She stated he failed to mention in relation to Middlebush Park and Summerfield, the Needs Assessment.

Mr. Chase stated he attended the flood control meeting and expressed his compassion for Manville Borough. He spoke of a meeting he attended after Hurricane Floyd in 1999 and couldn't remember if it were state of federal government that regulates the permits for Zarephath to make any modifications to their levee in the floodway. He noted if they brought soil into the Township they would have needed a soil importation permit from the Engineering Department. He spoke of the proposed plan being worked on by John Loos to construct a bikeway in the Six Mile Run Reservation.

Mr. Prasad congratulated the Sierra Leone community on their anniversary of their independence. He briefly spoke on the steel beam from the World Trade Center for their 9/11 Memorial, noting it would be closure for the Franklin family. He congratulated the soccer and little league teams on their new seasons.

Mr. Wright spoke on the applications that are due May 15th on the Youth Leadership at the County.

Deputy Mayor Kramer stated he is looking forward to the Sierra Leone celebration as well as the upcoming Franklin High School Play, Phantom of the Opera. He stated he attended with Ms. Sherman the opening day for soccer and got to participate in the coin toss. He reported he participated in the East Millstone cleanup, noting there was very little debris to clean up.

INTRODUCTION OF CY2012 MUNICIPAL BUDGET

Resolution #12-152 Introduction of CY2012 Current, Capital, Water & Open Space Budgets & Set Public Hearing Date (05/08/12).

Mayor Levine presented the following resolution for consideration by the Township Council:

BE IT RESOLVED, that the following statement of revenues and appropriations shall constitute the Municipal Budget for the Calendar Year 2012;

BE IT FURTHER RESOLVED that said Budget be published in The Courier News, Bridgewater, N.J. in the issue of April 27, 2012.

The governing body of the Township of Franklin does hereby approve the following as the Budget for the Calendar Year 2012:

General Appropriations:

Appropriations Within "CAPS"	
Municipal Purposes	\$40,196,472.00
Appropriations Excluded from "CAPS"	
Municipal Purposes	10,173,011.00
Reserve for Uncollected Taxes Based on Estimated 97+ Percent of Tax Collections	<u>4,800,000.00</u>
Total General Appropriations	55,169,483.00
Less: Anticipated Revenues Other Than Current Property Tax	<u>21,391,113.00</u>
Difference: Amount to be Raised by Taxes For Support of Municipal Budget:	
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$30,613,644.00
c) Minimum Library Tax	<u>3,164,726.00</u>
Total:	<u>\$33,778,370.00</u>

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Council of the Township of Franklin, County of Somerset, on April 10, 2012.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 8, 2012 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the Calendar Year 2012 may be presented by taxpayers or other interested persons.

Mr. Prasad requested the Township Manager appropriate from his contingency fund \$1500 for Police costs for the Memorial Parade.

The aforesaid resolution was moved by Mr. Prasad, seconded by Mr. Francois. Deputy Mayor Kramer made a budget presentation to the public. Said motion was carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			
Vassanella	Wright				

Motion – Amend Capital Budget

Mayor Levine moved to decrease the capital budget for the Road Program down payment from \$5 million to \$2.5 million. Said motion was seconded by Mr. Vassanella. The motion failed as follows upon call of the roll:

<u>AYES</u>	<u>NAYS</u>	<u>NAYS</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Levine	Chase	Francois	Kramer		Regan
	Prasad	Sherman	Vassanella		
	Wright				

COUNCIL DISCUSSION ITEMS**Community Calendar**

Ms. Sherman announced the Community Calendar Event Postings. She reported the township website will now feature a Community Event Calendar for postings of various events sponsored by Franklin's non-profit organizations. One can log on to www.franklintwpnj.org (Calendars-Community Calendar) for the form to register your event.

Planning Board Policy

Mayor Levine referred to the last Council meeting and Planning Board Orsini's letter regarding that people were allowed to speak at that meeting and procedures were followed. He thanked the Planning Board for all they do. Deputy Mayor Kramer thanked the Mayor for placing this item on the agenda and was glad that this misunderstanding had been clarified.

APPROVAL OF WARRANTS

Mayor Levine presented the following warrants in the amount of \$948,603.00 for April 10, 2012 to the Township Council for payment:

1	Current	528,639.80
2	Grant	42,759.83
3	Tax Title Lien	124,465.21
4	General Capital	
5	Water	4,312.42
6	Water Capital	
7	Water Assessment	
11	Recreation Trust	6,261.15
12	Trust Others	26,123.73
13	Unemployment	
15	Redevelopment	14,064.40
17	Animal Control	3,309.60
19	Self Insurance	551.19
20	Affordable Housing	
30	Payroll	150,580.67
37	Police Forfeiture	
39	Worker's Comp	
40	Open Space	
42	Redevelopment Escrow	
50	County Imp Auth Fund	
	Subtotal	901,068.00
	Escrow	47,535.00
	Grand Total	948,603.00

Mr. Prasad moved that warrants in the amount of \$948,603.00 for April 10, 2012 to be paid. Said motion was seconded by Ms. Sherman and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			Vassanella
Wright					

PUBLIC HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

Ordinance No. 3969-12

Mayor Levine presented the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 384, WATER – ARTICLE IV, WATER RATES AND METER CHARGES AND ARTICLE V, OTHER CHARGES AND FEES

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

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

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

There being no comments from the public, Mr. Chase 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. Prasad moved the final passage of the ordinance and publication in accordance with law. Said motion was seconded by Ms. Sherman and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			Vassanella
Wright					

Ordinance No. 3972-12

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 88, BRUSH, GRASS AND WEEDS, SECTION 88-1, CONDITIONS FOR REQUIRED REMOVAL.

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

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

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

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

Deputy Mayor Kramer 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>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			
Vassanella	Wright				

ORDINANCE ON INTRODUCTION AND FIRST READING

Ordinance No. 3973-12

Mayor Levine presented the following ordinance:

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN AUTHORIZING THE GRANTING OF A LONG TERM TAX EXEMPTION AND THE EXECUTION OF A FINANCIAL AGREEMENT WITH VOORHEES STATION URBAN RENEWAL ASSOCIATES, L.P. PURSUANT TO N.J.S.A. 40A:20-1 ET.SEQ.

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 April 24, 2012 at 7:00 p.m. in the Municipal Complex.

Mayor Levine provided brief explanation of ordinance and PILOT process. A very lengthy discussion ensued amongst the Township Council regarding their concerns and ideals regarding this ordinance, especially in relation to the relocation of the convenience center and who would pay the costs. The discussion also included the need for more commercial and not residential which adds a burden on the school system and its budget. And lastly, the discussion included the amount of money requested from RPM from the Township's Affordable Housing Trust Fund.

Mr. Prasad moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on April 24, 2012 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>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Levine	Kramer	Wright	Regan
Prasad			Sherman		
			Vassanella		

Ordinance No. 3974-12

Mayor Levine presented the following ordinance:

ORDINANCE NO. 3974-12 OF THE TOWNSHIP OF FRANKLIN, ADOPTING THE FINANCIAL AGREEMENT, ACCEPTING THE APPLICATION FOR TAX EXEMPTION UNDER N.J.S.A. 40A:21-1 ET SEQ. AND AUTHORIZING TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES IN CONNECTION WITH THE INDEPENDENCE CROSSING URBAN RENEWAL PROJECT

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 April 24, 2012 at 7:00 p.m. in the Municipal Complex.

A brief discussion ensued regarding this ordinance regarding that it has been already approved by Council in 2011, but needed revision and to be adopted as an ordinance since it changed its funding to long term.

Mr. Prasad moved the foregoing ordinance for adoption on first reading, posting, publication in accordance with law and public hearing and final adoption on April 24, 2012 at 7:00 p.m. at the Municipal Complex. Said motion was seconded by Mr. Chase and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			
Vassanella	Wright				

CONSENT AGENDA

Upon motion by Mr. Prasad, seconded by Mr. Vassanella, the following Consent Agenda was adopted as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			
Vassanella	Wright				

Resolution #12-153 Extend Contract – Trash Removal from Municipal Buildings – July 1, 2012 to June 30, 2013 – D&J Marangi, Inc., d/b/a Action Carting Environmental Services – Amount Not to Exceed \$11,340.00 annually plus additional \$3,000.00 annually for special activities.

WHEREAS, Resolution #10-268, adopted on June 22, 2010 awarded a contract to D&J Marangi, Inc., d/b/a Action carting Environmental Services for Trash Removal from Municipal Buildings for the period of July 1, 2010 through June 30, 2012 in an amount not to exceed \$11,340.00 per year plus additional \$3,000.00 per year for special activities;

WHEREAS, the original specifications included a clause that would allow the extension for two additional one-year periods at the existing terms and conditions; and

WHEREAS, services included in this contract are for the following six (6) locations: 475 DeMott Lane; 495 DeMott Lane; 505 DeMott Lane; Animal Shelter; 40 Churchill Avenue and 12 Berry Street;

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

WHEREAS, continuation of the terms of this contract beyond December 31, 2012 is contingent upon availability of funds in the 2013 CY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following bid for Trash Removal from Municipal Buildings – July 1, 2012 to June 30, 2013 be awarded to:

VENDOR: D&J Marangi, Inc.
d/b/a Action Carting Environmental Services
ADDRESS: 429 Frelinghuysen Avenue, Newark, NJ 07114
AMOUNT: Not to Exceed \$11,340 per year plus additional \$3,000 per year (only if needed for special activities)

PERIOD: July 1, 2012 through June 30, 2013

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 vendor.

Resolution #12-154 Extend Contract – OEM Replacement Parts and Repairs – July 1, 2012 to June 30, 2013 – Malouf Cadillac & Chevrolet & Malouf Ford Lincoln Mercury – Amount Not to Exceed \$40,000.00 as needed.

WHEREAS, Resolution #10-270 adopted on June 22, 2012 awarded a contract for OEM Replacement Parts and Repairs – July 1, 2010 to June 30, 2012 for an amount not to exceed \$40,000 per year;

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

WHEREAS, continuation of the terms of this contract beyond December 31, 2012 is contingent upon availability of funds in the 2012 CY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, Somerset County, New Jersey that the following contract for OEM Replacement Parts & Repairs – July 1, 2012 to June 30, 2013 be extended to:

VENDOR: Malouf Cadillac & Chevrolet, 1975 Route 1 South, North Brunswick, NJ 08902
VENDOR: Malouf Ford Lincoln Mercury, 2210 Route 1 South, North Brunswick, NJ 08902
AMOUNT: Not to Exceed \$40,000.00 total for both vendors
PERIOD: July 1, 2012 through June 30, 2013

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 vendor.

Resolution #12-155 Authorize State Contract Purchase – Computer Replacements – Dell – Amount Not to Exceed \$30,000.00, as needed.

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: Dell Marketing LP
 ACH Electronic Payment
 One Dell Way, Round Rock, TX 78662
 State Contract No. 70256
ITEMS: Purchases for Supplies & Accessories for Computers
COST: \$30,000.00

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

WHEREAS, that continuation of the terms of this contract beyond December 31, 2012 is contingent upon availability of funds in the 2013 CY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract;

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 #12-156 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 as stated below; 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 according to the amounts as stated below;

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:

LIENHOLDER	CERTIFICATE #	AMOUNT	PREMIUM	
Ace Plus LLC	11-00205	544.09	300.00	
	11-00356	207.03	200.00	1,251.12
		751.12	500.00	
Gharro, LLC	TY-11334	634.05	200.00	
	11-00379	1,320.46	300.00	
	TY-11352	1,374.88	400.00	
	TY-11004	1,195.16		
	11-00093	599.47	100.00	
	11-00144	1,645.65	300.00	8,069.67
		6,769.97	1,300.00	
David Imperato	11-00339	981.08	100.00	1,081.08
JNH Funding Corp.	11-00174	1,168.88		
	10-189	3,911.98	100.00	
	TY-11690	517.99	100.00	
	11-00064	1,786.13	2,400.00	9,984.98
		7,384.98	2,600.00	
Lion Heart Holding LLC	11-00155	231.19	100.00	331.19
Elliot Loeb-Keogh Plan	TY-11667	661.45	100.00	
	TY-11250	2,514.02	1,000.00	
	TY-11138	899.62		5,175.09
		4,075.09	1,100.00	
John Palumbo	11-00409	560.37	200.00	
	TY-11110	628.21		1,388.58
		1,188.58	200.00	
Plymouth Financial	09-048	24,192.84	6,100.00	30,292.84
Pro Capital	11-00283	766.73	100.00	866.73
SASS	11-00073	542.64	100.00	642.64
SB Municipal	10-415	14,173.50	6,200.00	20,373.50

Herbert Sehgel	TS-00001	470.95		470.95
Stonefield Investment	TY-11694	865.01	100.00	
	TY-11308	5,722.56	3,400.00	
	TY-11146	820.12	100.00	
	TY-11368	878.35	300.00	12,186.04
		8,286.04	3,900.00	
Tower	TY-11454	6,178.82	4,500.00	10,678.82
Trade Money	TY-11207	300.13	100.00	400.13
Virgo	TY-11407	674.22		
	TY-11266	2,011.01	100.00	
	TY-11166	9,154.10	5,100.00	
	TY-11604	2,632.52	1,600.00	21,271.85
		14,471.85	6,800.00	
Totals				124,465.21

Resolution #12-157 Authorize Issuance of Special Events Permit – First Baptist Church of Lincoln Gardens – Bikers Blessing – May 20, 2012 – 2-7 p.m.

WHEREAS, a request has been received from the First Baptist Church of Lincoln Gardens to conduct the Bikers' Blessing be held on May 20, 2012 from 2:00 p.m. to 7:00 p.m. at 771 Somerset Street, Somerset; and

WHEREAS, First Baptist Church of Lincoln Gardens 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 for the Bikers' Blessing event to be held on May 20, 2012 from 2:00 p.m. to 7:00 p.m. at First Baptist Church of Lincoln Gardens subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Somerset County 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 #12-159 Authorize Grant Agreement – 2012 Summer Food Service Program.

BE IT AND IT IS HEREBY RESOLVED that the Township Council of the Township of Franklin, County of Somerset, State of New Jersey does hereby authorize execution of a grant agreement with the State of NJ Department of Agriculture 2012 Summer Food Service Program in the amount of \$5,391.47 and does authorize the appropriate Township officials to execute these grant agreements on its behalf.

Resolution #12-160 Authorize Issuance of Raffles Licenses.

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

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

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

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

<u>NAME OF ORGANIZATION</u>	<u>DATE OF RAFFLE/BINGO</u>
Friends of the American Cancer Society 2600 US Hwy. #1, North Brunswick, NJ On-Premise Raffle – RL#1981 Drawing: The Palace at Somerset	May 4, 2012 7:00 pm – 10:00 pm

Resolution #12-161 Authorize Shared Services Agreement – Second Chance for Animals – Part-Time Worker at Animal Shelter – Amount Not to Exceed \$12,065.00.

WHEREAS, Franklin Township is desirous of hiring an additional part-time animal control worker to assist staffing the Animal Shelter; and

WHEREAS, Second Chance for Animals, Inc. is desirous of providing funding to the township to enable it to hire an additional animal control worker to assist staffing the Animal Shelter; and

WHEREAS, the Shared Services Act (Uniform Shared Services and Consolidation Act, NJSA 40A:65-1 et seq)) authorizes and empowers the Township of Franklin and Second Chance for Animals Inc. to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Franklin, County of Somerset does hereby authorize the Mayor and Township Clerk to execute said shared services agreement, as approved by the Franklin Township Attorney and to be on file with the Township Clerk.

Resolution #12-162 Authorize Fireworks Displays – The Palace at Somerset Park – Newman Wedding on Saturday, April 21, 2012 and Mehmood/Siddique Wedding on Sunday, April 29, 2012 – Displays will begin between 8:00 pm and 9:00 pm and will run for approximately 10-12 minutes.

WHEREAS, The Palace at Somerset Park made application on March 29, 2012 for permission to hold fireworks displays on the following dates:

Newman Wedding	Saturday, April 21, 2012
Start Time:	Between 8:00 p.m. to 9:40 p.m.
Duration:	10-12 Minutes
End Time:	Prior to 10:00 p.m. as per Township Noise Ordinance

Mehmood/Siddique Wedding	Sunday, April 29, 2012
Start Time:	Between 8:00 p.m. to 9:40 p.m.
Duration:	10-12 Minutes
End Time:	Prior to 10:00 p.m. as per Township Noise Ordinance

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;

WHEREAS, the following conditions have been met:

- (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;
- (5) Notice given to The Palace at Somerset Park that the Fireworks Display must begin no earlier than 8:00 p.m. and no later than 9:40 p.m. and end by 10:00 p.m. as per the Township's Noise Ordinance

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 Palace at Somerset Park to hold a fireworks displays on the following dates:

Newman Wedding	Saturday, April 21, 2012
Start Time:	Between 8:00 p.m. to 9:40 p.m.
Duration:	10-12 Minutes
End Time:	Prior to 10:00 p.m. as per Township Noise Ordinance

Mehmood/Siddique Wedding	Sunday, April 29, 2012
Start Time:	Between 8:00 p.m. to 9:40 p.m.
Duration:	10-12 Minutes
End Time:	Prior to 10:00 p.m. as per Township Noise Ordinance

Resolution #12-163 Award CDBG Rehabilitation Contracts – ANPE Corporation, 13 Angel Place, Amount Not to Exceed \$23,688.00 – Newmann Construction, 993 Hamilton Street, Amount Not to Exceed \$24,192.00 and 113 Chester Avenue, Amount Not to Exceed \$13,680.00.

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 the Mayor and Township Clerk to execute on its behalf the following CDBG Grant for Rehabilitation Contracts, copies of which are on file with the Township Clerk and available for public inspection:

CONTRACTOR:	ANPE Corporation 25 Sandra Lane, Wayne, NJ 07970
PROJECT/AMOUNT:	13 Angel Place/Not to Exceed \$19,740.00.00 plus 20% = \$23,688.00

CONTRACTOR:	Neumann Construction 429 David Street, South Amboy, NJ 08879
PROJECT/AMOUNT:	993 Hamilton Street/Not to Exceed \$20,160.00 plus 20% = \$24,192.00 113 Chester Avenue/Not to Exceed \$11,400.00 plus 20% = \$13,680.00

Resolution #12-164 Award Contract – Plumbing Services, As Needed – Burlew Mechanical, LLC – Amount Not to Exceed \$25,000.00 per year – May 1, 2012 to April 30, 2014.

WHEREAS, a Notice to Bidders was published in the Courier News and posted on the Township website on March 6, 2012, for a March 21, 2012 bid opening for Plumbing Services, As Needed for the period of May 1, 2012 to April 30, 2014; and

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

WHEREAS, continuation of the terms of this contract beyond December 31, 2012 is contingent upon availability of funds in the 2013 CY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract; and

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

Burlew Mechanical, LLC	Plumbing Services, As Needed
110 Main Street, Suite 103	May 1, 2012 through April 30, 2014
South Amboy, NJ 08879	\$25,000.00 per year

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

Resolution #12-165 Authorize Release of Performance Guarantee.

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

NAME OF APPLICANT:	Rutgers Preparatory School
ADDRESS OF APPLICANT:	1345 Easton Avenue, Somerset
ITEM:	Bond
NUMBER:	LPM08855359
BANK:	Fidelity & Deposit Co. of Maryland
DOCKET:	PLN2005-0054
FOR:	Block 466/Lots 1 & 2–1345 Easton Ave. – Site Improvements
AMOUNT:	\$98,061.30

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

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 in aforesaid amount.

RESOLUTION VOTED ON SEPARATELY

Mayor Levine presented the following resolutions:

Resolution #12-166 Support Opposition to Waiver Rule.

WHEREAS, On March 7, 2012, Governor Chris Christi signed the Waiver Rule into effect and DEP Commissioner Bob Martin announced that his department has adopted the new rule; and

WHEREAS, The Waiver Rule, a plan created to allow businesses, towns and residents to apply for exemptions from some state environmental regulations, was declared by the Environment and Energy Committee of the New Jersey Senate to be “inconsistent with laws passed by the Legislature aimed at protecting the quality of the state’s air, land and water; and

WHEREAS, The legislative director for New Jersey Environmental Lobby, Michael Pisauro, has stated that “The proposed waiver rule so far exceeds the scope of authority of DEP that I think this waiver rule would be unconstitutional”; and

WHEREAS, The New Jersey Chapter of Sierra Club writes “The waiver rule will create loopholes and open environmental protections to political abuse and pay-to-play negotiations for polluters and developers. . . and Sierra Club will be challenging the rule in the legislature, politically and in the Courts”,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that it strongly opposes the “Waiver Rule”; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Governor Chris Christie, Senator Bob Smith and Assemblymen Upendra Chivukula and Joseph Egan and the NJ League of Municipalities.

Resolution #12-167 Support Call for a Constitutional Amendment Overturning the “Citizens United Decision.”

WHEREAS, a Supreme Court ruling made in January 2010 prohibited the government from restricting political payments from corporations; and

WHEREAS, one effect from the ruling, as cited in written commentary refuting the equity of allowing corporations to donate unlimited funds to candidates or political parties, has been the creation of Super Political Action Committees; and

WHEREAS, many states and cities have enacted resolutions opposing the perceived corporate control of elections and are urging Congress to amend the U.S. Constitution and ban corporate personhood; and

WHEREAS, Senator Bernie Sanders (I-Vermont) has introduced a constitution amendment to overturn the Citizens United Decision by the Supreme Court and redefine “corporate personhood” and Representative Ted Deutch (D-FL) has introduced the same amendment in the House,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that it strongly supports a constitutional amendment calling for the overturning of Citizens United Decision of January 2010 and calls upon the Legislature to take action on same; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Senators Frank Lautenberg and Robert Menendez, Representatives Frank Pallone and Rush Holt, and the NJ League of Municipalities.

The aforesaid resolutions were moved by Ms. Sherman, seconded by Mr. Prasad and carried as follows upon call of the roll:

<u>AYES</u>	<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer	Levine		Regan
Prasad	Sherman	Vassanella			
Wright					

OLD BUSINESS

East Millstone First Aid and Rescue Squad Building

Mr. Novick reported there are in Phase 1 which is a survey is being conducted on the property along with soil samples. He is awaiting for a report from the Engineering Department.

Public Youth Activity Center

Mr. Novick reported they have started researching and looking at alternative sites more suitable for a Youth Activity Center in the 4th and 5th Wards. They are also looking in the Middle School area.

Canal Access & Bridge

Mr. Novick reported on the loss of the DeMott Lane access and the D&R Canal Commission's need to build a bridge as soon as possible. An engineering feasibility analysis for the bridge is being conducted and the Board of Adjustment has approved the subdivision. They are waiting on the D&R Canal Commission's approval scheduled for April 18th.

Replace water Lines along Route 27 South of Route 518

Mr. Novick reported that South Brunswick will not assist Franklin with this matter and the Township needs to develop a Plan B.

EXECUTIVE SESSION

Mayor Levine presented the following resolution:

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters;
2. The general nature of the subject matter to be discussed is as follows: *Personnel – Hiring Freeze*
3. The Township Council may take official action on those items discussed in Executive Session upon completion of the Execution Session.
4. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
5. This resolution shall take effect immediately.

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

<u>AYES</u>	<u>AYES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Chase	Francois	Kramer			Regan
Levine	Prasad	Sherman			
Vassanella	Wright				

The meeting adjourned to Executive Session at 10:50 p.m.

Upon motion by Mr. Vassanella, seconded by Mr. Prasad, the meeting reconvened at 11:02 p.m.

Mayor Levine announced the discussion during Executive Session was as follows: Personnel – Hiring Freeze.

ADJOURNMENT

Motion was made by Mr. Prasad and seconded by Ms. Sherman to adjourn to the meeting at 11:03 p.m. Motion was carried unanimously.

Approved: *As Submitted.*

Brian D. Levine, Mayor

Date: *May 22, 2012*

Ann Marie McCarthy, Township Clerk