

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:30 p.m. in the Large Group Community Room, Cranbury School. Answering present to the roll call were: Township Committee members: Richard Stannard, Pari Stave, Wayne Wittman and Mayor David J. Stout. Mr. Paconi was absent. Also present was: Mark Berkowsky, Cranbury Housing Associates, Ed Schmierer, Esquire, Trishka Waterbury, Esquire, Attorney, Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stout led in the salute to the flag and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on December 3, 2007 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 3, 2007.
- (3) Was filed on December 3, 2007 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

Township Committee Minutes for Special Meeting on July 7, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried (with Mr. Stout abstaining and Mr. Panconi absent); the Township Committee Special Meeting Minutes of July 7, 2008 were adopted.

Closed Session Township Committee Minutes for Special Meeting on July 7, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried (with Mr. Stout abstaining and Mr. Panconi absent); the Closed Session Minutes for the Special Meeting of July 7, 2008 were adopted.

Regular Township Committee Minutes on July 14, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried (with Mr. Panconi absent), the Regular Township Committee Minutes of July 14, 2008 were adopted.

Closed Session Township Committee Minutes on July 14, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried (with Mr. Panconi absent), the Closed Session Township Committee minutes of July 14, 2008 were adopted.

Township Committee Minutes for Special Meeting on July 21, 2008

On motion by Ms. Stave, seconded by Mayor Stout and unanimously carried (with Messrs. Stannard and Wittman abstaining and Mr. Panconi absent), the Township Committee minutes of July 21, 2008 were adopted.

Closed Session Township Committee Minutes for Special Meeting on July 21, 2008

On motion by Ms. Stave, seconded by Mayor Stout and unanimously carried (with Messrs. Stannard and Wittman abstaining and Mr. Panconi absent), the Closed Session Township Committee minutes of July 21, 2008 were adopted.

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Reports and Communications

--Mayor

Mayor Stout reported Cranbury Township Police Officer, Giuseppe DeChiara, had received the "Police Medal of Valor Award" from the New Jersey State Association of Chiefs of Police. On March 13, 2007, Officer DeChiara was driving to work on Rt. 130 in East Windsor Township, when he came across a serious motor vehicle crash involving two vehicles. Officer DeChiara rescued one driver and then proceeded to assist the driver of the second vehicle. He then rescued a man and an infant from the second vehicle as it burst into flames.

Mayor Stout reported last Monday, July 14, 2008, the Township Committee voted to endorse the application for farmland preservation made by Sallie Toscano, 156 Plainsboro Road, to the Middlesex County Agriculture Development Board. He thanked Christine Smeltzer, Township Administrator for quickly sending a letter to Middlesex County so the application can proceed.

Mayor Stout reported he had received an email from Mel Lehr at The Four Seasons at Cranbury Development thanking the Township for its efforts with KHov and indicated that the work that was needed is coming to a close.

Resolution

On motion offered by Ms. Stave, seconded by Mr. Wittman, the following resolution was adopted by vote:

Ayes: (Stannard  
(Stave  
(Stout  
(Wittman

Abstain: (None  
Absent: (Panconi

Nays: (None

Cranbury Township Resolution # R 07-08-144

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

RESOLUTION REQUESTING THAT THE STATE OF NEW JERSEY AND THE COUNCIL ON  
AFFORDABLE HOUSING HONOR PREVIOUS REGIONAL CONTRIBUTION COMMITMENTS  
AND PROJECTS FOR PREVIOUSLY IDENTIFIED AFFORDABLE HOUSING WITH FUNDS  
TOTALING \$20,235,000.00

WHEREAS, the City of Perth Amboy has previously received formal commitments for Regional Contribution Agreements ("RCA") funds from various municipalities by way of authorizing resolutions; and

WHEREAS, City of Perth Amboy has entered into formal Regional Contribution Agreements with the following municipalities: Cranbury Township, Delaware Township, Monroe Township, Woodbridge Township, Union Township, Warren Township, Reading Township, Plainsboro Township and Montgomery Township; and

WHEREAS, the total of these commitments amount to \$20,235,000.00, which was anticipated to assist Perth Amboy with affordable housing projects that are planned or underway projects; and

WHEREAS, these projects include: Sheridan Street apartments – of \$1,020,000.00; King Plaza - \$4,000,000.00; Senior Housing, New Brunswick Avenue Project - \$2,500,000.00; Volunteers of America-Buckingham Avenue Project - \$765,800.00; Hobart Street Plaza –

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Resolution # R 07-08-144  
(Continued)

\$1,820,000.000; DeKalb Avenue Project - \$360,000.00; scattered site housing rehabilitation for low-income property owners; and associated administrative cost; and

WHEREAS, the City of Perth Amboy has incurred substantial costs in the planning and preparation process associated with these affordable housing projects; and

WHEREAS, there continues to be a great demand for said assistance that will affect the City's effort in providing affordable housing to low income families; and

WHEREAS, on July 17, 2008 the Governor signed new legislation that discontinues and voids Regional Contribution Agreements.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY:

1. That the Township Committee determines that it is in the best interest of the Township of Cranbury to pursue enforcement and funding of the Perth Amboy projects to which Cranbury Township has an agreement to contribute \$2,835,000 for COAH Round 3, Regional Contribution Agreement.
2. That the governing body of the Township of Cranbury hereby requests that the Governor and Legislature of the State of New Jersey make amendments to reinstate the foregoing Regional Contribution Agreements and release the \$20,235,000.00 in associated funding to the City of Perth Amboy.
3. That the appropriate Cranbury Township officials be hereby authorized to take all necessary steps to advance and implement this Resolution in furtherance of these projects, subject to all applicable project plan review procedures and terms of the respective agreements between Perth Amboy and the Cranbury Township.
4. That the Clerk is hereby authorized to forward a copy of this resolution to the Mayor and City Council of Perth Amboy, the League of Municipalities and proper State officials requesting that all previous commitments be honored.
5. That a copy of this resolution be sent to the above-cited municipalities.

Work Session

Discussion of COAH

- a). The Township Committee informed and updated residents on Township efforts to address requirements of the Council on Affordable Housing for the 3<sup>rd</sup> Round. Mayor Stout led the discussion by first thanking everyone for attending this evening's meeting. He stated "a lot has happened since everyone gathered in the School Cafeteria last March. At that time the Township agreed that an aggressive strategy was needed to do what it takes to protect Cranbury and outlined a three-pronged approach to that end, involving comments and lobbying, legal challenges, and options for continued COAH compliance.
  1. Collectively, the Township Committee and residents submitted numerous comments on the amended Third Round Rules and their potential dire impact to Cranbury. We also met with our State representatives and a number of residents made repeated trips to Trenton to offer personal testimony. Thanks you all for these efforts.

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Work Session

Discussion of COAH(Continued)

Mayor Stout's remarks(cont'd)

2. The Township has joined two lawsuits. One filed by the NJLM, which Ed Schmierer, Counsel to the League, will speak about later, and a second suit led by Clinton Township.
3. Our COAH subcommittee has met on a weekly basis to move along with the challenges to the rules, enter lawsuits, and develop options for a waiver and Third Round Plan (which is due on December 31<sup>st</sup>, but like many things, that may change).

Work continues in all areas. Tonight we want to update you and offer an opportunity for public comment.

Our Township Attorney, Trishka Waterbury, will review items of interest and concern to Cranbury.

Mark Berkowsky, President of CHA, will follow Trishka and give an overview of Affordable Housing in Cranbury. It goes without saying that we owe Mark a debt of gratitude for all his years of dedicated service, professionalism, and efforts with 1<sup>st</sup> and 2<sup>nd</sup> round compliance.

After Mark, Ed Schmierer and Trishka Waterbury will discuss the ever-changing Third Round Rules, ongoing amendments (based on A500) and the legal challenges we have joined.

Trishka will also layout a timeline for Cranbury's Third Round Plan. Then I will re-appear to talk about Citizen Action and open the floor for Public Comment.

In short, COAH remains a political morass at the State level and the certainty appears to be that it will continue to change through amendments and legal challenge".

Ms. Trishka Waterbury, Esquire, Township Attorney, outlined and reviewed items of interest and concern to Cranbury Township.

Mayor Stout then introduced Mark Berkowsky, of Cranbury Housing Associates, who gave a power-point presentation. Mr. Berkowsky stated in 1963 Cranbury Housing Associates was established to improve and provide for the housing needs of the disadvantaged and low-income residents in the area. In 1982-84, the New Jersey Supreme Court handed down the Mt. Laurel I and II decisions and ordered a change in Cranbury's zoning to accommodate 816 homes. The Township fought this decision. In 1985 the New Jersey Council on Affordable Housing ("COAH") was created (Fair Housing Act) and the First Round COAH regulations were established. At this time the Township started developing the units themselves using Cranbury Housing Associates ("CHA"). CHA has continually scattered the affordable housing units throughout various neighborhoods in the Township and has made sure the units are within walking distance of the Village Area. In addition, CHA's design of the units have been compatible with the neighborhood homes. Under Round One, the Township was required to provide 187 units and re-do its zoning. Of that figure, the number was ultimately reduced to 153 units. The Township was granted its sub-certification for its Affordable Housing Plan on April 24, 1989 and thus was protected against any law suites; 76 Regional Contribution Agreements (RCAs) had been transferred to the City of Perth Amboy for a price of \$25,000 each. The Township also had received a bonus credit of 10 for having some of the affordable units as rentals. In addition, 9 homes were "rehab's" and 19 senior units. 39 new families moved into the Township.

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Work Session

Discussion of COAH(cont'd)

Mr. Mark Berkowsky, CHA (cont'd)

Mr. Berkowsky explained that for the COAH Second Round, the Township was required to provide 51 new units. Of this amount, 34 were transferred to the town of Carteret at a price of \$20,000 per unit. In December, 1996 the Township received its sub-certification for its Affordable Housing Plan under COAH's Second Round.

Mr. Edwin Schmierer, Esquire, the Attorney representing numerous towns who have joined together in a lawsuit under the State League of Municipalities, stated Cranbury Township has "stepped up" and done its requirement under COAH. To date, Cranbury Township has provided 232 affordable units above the 223 which were required, leaving a surplus of nine (9). The Township's current obligation is 269 units. Mr. Schmierer indicated he was not concerned with the "sky falling" on Cranbury Township and commended Mark Berkowsky and CHA on a job well done. Mr. Schmierer explained he was attending the meeting on invitation and as a representative of the League of Municipalities. He reported Governor Corzine has promised there will be 115,000 new affordable housing units in the next ten (10) years in addition to the 60,000 which took 25 years to build. Mr. Schmierer indicated he did not see how that number can be possible in such a short time. He added the present COAH rules and regulations need to be looked at very seriously to be able to show the warehouse equation figures are not accurate. Under the legislation recently signed by the Governor (A500) the Regional Contribution Agreements remain abolished. There is a rumor that in the Fall amendments to the law may be introduced to allow RCAs again. Mr. Schmierer reported under the present law, only 25% of a municipality's affordable housing may be set aside for seniors. COAH had received over 4,500 comments from residents throughout the State opposing its Third Round Proposed Rules. By reducing the yield from warehouses to 1.0 per 1,000 sq. feet, it eliminates the ability to collect payments-in-lieu from non-residential taxpayers.

Ms. Waterbury, Township Attorney, reported the deadline to submit comments to COAH on the revised new rules is now August 15, 2008. The Township Committee will be reviewing and amending the Township's comments at their August 11, 2008 Township Committee meeting and on October 13, 2008 the Township will have an informal Township Committee workshop meeting.

Public Comment

The Mayor opened the meeting to public questions and comments:

Mr. Greg D'Angelis, 22 Ryan Road, asked if the various salaries at the warehouses had an impact in the count that COAH came up with.

Mr. Wyn Cody, 8 Adams Drive, stated all challenges seem to be going after the calculations made by COAH and asked if anyone is challenging the fact that the State sees a need for 115,000 new affordable homes within the next ten (10) years. Mr. Schmierer responded the issue is one of the points mentioned in the suit that has been prepared by the League of Municipalities.

David Mauger, 26 Griggs Road, raised the issue of a lack of public transportation in the area for potential affordable housing residents. Mr. Schmierer responded there is a long-range plan for the State to address transportation needs for its residents.

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Public Comment (Continued)

Ms. Kelly Lehman, 60 Cranbury Road, thanked Senator Bill Baroni and Assemblywoman Linda Greenstein for all their support to Cranbury Township during the long process in Trenton.

Mr. Brian Schilling, Holmes Road, stated the loss of the RCAs violate State Plans (in such areas as The Pinelands, Highlands and other protected areas). Mr. Schilling also stated he is concerned with the fiscal implications of the Township having to build a lot more affordable units, i.e. new or expanded schools, infrastructure and the Township's agreement with Princeton High School. Mr. Schilling stated he is in support of the Township joining in the two (2) lawsuits.

Mr. John Ritter, Plainsboro Road, recommended if there should be an amendment to allow RCAs in the Fall, it be worded in such a way that it would not be challenged by the fair share housing advocates. He also recommended having an amendment so the builders or State supplement the 2.5% or ask the State to come up with the offset and also recommended the municipalities be allowed to charge in-lieu of payments. Mr. Ritter stated all municipalities need to join together to educate their residents to get the same amendments enacted by the Legislature.

Mr. Ed Kietlinski, 83 South Main Street, asked what the Township is doing to convey any COAH information and updates to its residents and recommended public relations be part of its strategy.

Mr. Andre Moutenot, 3 Wynnewood Drive, asked out of the 250 municipalities that are part of COAH what percentage have fulfilled their obligation compared to Cranbury. Mr. Schmierer responded Cranbury Township is better than half of the municipalities that are part of COAH. Mr. Moutenot suggested that point be stressed to COAH and State Officials.

Assemblywoman Linda Greenstein recommended Cranbury Township show its power-point presentation to the individuals at COAH and in the leadership of both Houses in Trenton.

Ms. Nancy Kietlinski, 83 South Main Street, asked about the residential ratio and if there will be a cap.

Ms. Betty Wagner, 158 North Main Street, asked what is happening with the farmland preservation and if COAH could mandate those parcels be used for the Township's affordable housing. Ms. Waterbury, Township Attorney, explained those parcels are "Deed Restricted" and only a Court could undo the preservation.

Mr. Dan Mulligan, 32 Old Cranbury Road, asked if the part-time employees at the warehouses are part of the count that COAH did for the warehouse ratio, etc. and requested the Township invite Commissioner Doria, Speaker Roberts, Lucy Vandever and the press to look at the power-point presentation prepared by Mr. Berkowsky of Cranbury Housing Associates.

Mr. Stannard spoke concerning Assemblywoman Greenstein abstaining from voting on A500 recently and explained Speaker Roberts has been quoted in the newspapers as stating any vote other than a yes vote for his Bill was unacceptable as far as he was concerned. Mr. Stannard applauded Assemblywoman Greenstein for abstaining in support of Cranbury Township.

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Public Comment (Continued)

Mr. David Mauger, 26 Griggs Road, stated he has read that some regions are permitted to continue working together to satisfy affordable housing obligations, primarily for land preservation reasons. He asked if regions such as The Highlands, Meadowlands and Pinelands can work together, perhaps the Township can get consideration for the region, some people call, the "central farmlands" (which he understands includes Southern Middlesex, Western Monmouth and Northern Burlington counties). He stated many residents are struggling to stay in the Township due to the poor economic times.

There being no further comments, the Mayor closed the public part of the meeting.

Ordinance  
Second Reading

Cranbury Township Ordinance 07-08-17

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance 07-08-17, A BOND ORDINANCE PROVIDING FOR VARIOUS REPAIRS TO THE MUNICIPAL BUILDING IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$25,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$23,750 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Ms. Stave, seconded by Mr. Wittman, the Ordinance was adopted by a vote:

Ayes: (Stannard  
(Stave  
(Stout  
(Wittman

Abstain: (None  
Absent: (Panconi

Nays: (None

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3, There is hereby appropriated the sum of \$25,000, including the sum of \$1,250 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$23,750 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Ordinance 07-08-07  
(Continued)

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the various improvements to the Township Municipal Building including the roof, doors and windows and other related improvements, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$23,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.



TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Ordinance 07-08-17  
(Continued)

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolutions

Consent

On motion offered by Ms. Stave, seconded by Mr. Stannard, the following Consent Agenda Resolutions were adopted by vote:

Ayes: (Stannard	Abstain: (None
(Stave	Absent: (Panconi
(Stout	
(Wittman	

Nays: (None

Cranbury Township Resolution # R 07-08-136

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

Cranbury Township Resolution # 07-08-137

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Resolution # R 07-08-137  
(Continued)

WHEREAS, impaired drivers in our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 28% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the end of summer season is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the *Over the Limit Under Arrest 2008 Statewide Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from August 15 through September 1, 2008; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED, that Cranbury Township declares it's support for the *Over the Limit Under Arrest 2008 Statewide Crackdown* from August 15 through September 1, 2008 and pledges to increase awareness of the dangers of drinking and driving.

Cranbury Township Resolution # R 07-08-138

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

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

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

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of \$5,000.00 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 is hereby appropriated under the caption Over the Limit Under Arrest.

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Resolution # R 07-08-138  
(Continued)

Section 3

BE IT FURTHER RESOLVED that a copy of the Resolution, certified by the Township Clerk to be a true copy forwarded to each of the following:

- (a) Director of the Division of Local Government Services
- (b) Township Auditor
- (c) Township Chief Financial Officer

Cranbury Township Resolution # R 07-08-139

WHEREAS, the according to N.J.S.A. 54:4-67, the third installment of the current year taxes shall not be subject to interest until the 25<sup>th</sup> day after the tax bill was mailed; and

WHEREAS, the tax bills were mailed out on July 22, 2008;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the grace period for the payment of 3<sup>rd</sup> quarter 2008 taxes be extended to August 15, 2008 and is only for the 3<sup>rd</sup> quarter installment (which was originally due on August 1, 2008).

Cranbury Township Resolution # R 07-08-140

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2007 Fiscal Year has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Township of Cranbury, pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled

"Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Resolution # R 07-08-140  
(Continued)

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Cranbury, hereby states that it has complied with N.J.A.C. 5:30-6.5 and

does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Cranbury Township Resolution # R 07-08-141

Township of Cranbury  
County of Middlesex

WHEREAS, the Township of Plainsboro as Lead Agency for the Cooperative Pricing System of Mercer/Middlesex County # 61 has advertised for bids for supplying of Rock Salt in two area newspapers:

Princeton Packet 4/15/08  
Trenton Times 4/15/08

And

WHEREAS, seven packets of specifications were distributed upon request; and

WHEREAS, seven bids were received at the bid opening; and

WHEREAS, three bids received were no bids; and

WHEREAS, four qualified bids were received at the bid opening held on Tuesday, May 6, 2008 at 11:00 A.M. Conference Room F in the Municipal Center, 641 Plainsboro Road, Plainsboro, New Jersey; and

WHEREAS, the lowest responsible bidder was International Salt Company, LLC, 655 Northern Boulevard, Clarks Summit, Pennsylvania 18411; and

WHEREAS, International Salt Company, LLC has agreed to extend its prices to the other members of the Cooperative Pricing System of Mercer/Middlesex County # 61; and

WHEREAS, the Purchasing Officer has recommended that a master contract be awarded to International Salt Company, LLC at a cost of \$70.84 per ton for the Cooperative Pricing System of Mercer/Middlesex County # 61 for the benefit of the registered participants with the

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Resolution # R 07-08-141  
(Continued)

responsibility for payment for commodities received by each participant being borne by each participant separately; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2008 Municipal Budget under Roads, Salt & Sand, Account # 8-01-26-290-410; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the master contract for Rock Salt is hereby awarded to International Salt Company, LLC.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the necessary contracts and the Purchasing Officer is hereby authorized to issue purchase orders on an as-needed basis per bid proposal and specifications on behalf of the Township.

Cranbury Resolution # R 07-08-142

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR  
STUART ALEXANDER

WHEREAS, by letter dated June 16, 2008, Dr. Alexander has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval; and

WHEREAS, the Township Engineer has, in a letter dated July 17, 2008 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 16,277.76
Cash	\$ 1,808.64

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury as follows:

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

1. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
2. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy and forwarded to each of the following:

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Dr. Stuart Alexander
- (d) Township Attorney

TOWNSHIP COMMITTEE MEETING  
July 28, 2008

Cranbury Township Resolution # R 07-08-143

WHEREAS, it is recommended that the balance of \$1,826.17 in the 2007 Audit Report be cancelled to Surplus. This represents the amount of unallocated receipts from the year 2004.

NOW, THEREFORE BE IT RESOLVED that this balance be cancelled to Surplus.

Reports from Township Staff and Professionals

There were no reports.

Reports from Township Boards and Commissions

There were no reports.

Mr. Wittman requested the Township Committee, discuss at its next meeting, a request by Dr. Stuart Alexander to have a handicapped parking spot in front of his office on Main Street.

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the meeting adjourned at 9:55 p.m.

---

Kathleen R. Cunningham, Clerk